

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 3, No. 22

May 31, 1984

Pages 797-836

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State of Kansas
SOCIAL AND REHABILITATION SERVICES

**REQUEST FOR BIDS FOR AN
 OIL AND GAS LEASE**

You are hereby notified that the Secretary of Social and Rehabilitation Services is offering the following described property located in the County of Stafford, State of Kansas, for an oil and gas lease pursuant to the provisions of K.A.R. 30-27-1 through K.A.R. 30-27-5, which regulations are made a part of this offer:

The Southwest Quarter (SW ¼) of Section 24, Township 22 South, Range 13 West. The above contains 160 acres, more or less.

The successful bidder shall be required to pay the costs of this publication before execution of the awarded lease.

The lease will be executed on a standard Kansas lease form with necessary modifications to comply with K.A.R. 30-27-1 through K.A.R. 30-27-5, and shall be for a period not to exceed three (3) years and so long thereafter as oil and gas is being produced therefrom in paying quantities.

The successful bidder shall file an indemnity bond in the amount of fifty thousand dollars (\$50,000) before the execution of the lease, which bond shall remain in effect for six (6) months after the term of the lease and for six (6) months after the plugging of any well.

The lessee shall erect a fence at least eight (8) feet high around any drilling or production devices within one thousand three hundred twenty (1,320) feet of any areas normally used by Winfield State Hospital and Training Center patients.

Bids will be considered on the basis of a cash bonus, annual delay rental, and the amount of royalty to be paid, which shall not be less than twelve and one-half percent (12½%) of the gross proceeds at the prevailing market rate.

Bids shall be submitted upon forms supplied by the Division of Purchases. The bid forms may be obtained from the Winfield State Hospital and Training Center Business Office or the State Division of Purchases, State Office Building, Topeka, Kansas 66612. All bids shall be sealed and accompanied by a certified check or bank draft in the amount of the cash bonus bid payable to the Secretary of Social and Rehabilitation Services, State Office Building, Topeka, Kansas, and mailed to the Director of Purchases, Division of Purchases, State Dept. of Administration, First Floor, State Office Bldg., Topeka, KS 66612.

Interested bidders may inspect the proposed lease forms in the Business Office of the Winfield State Hospital and Training Center and may also view the land being leased by contacting the Business Office.

The land being leased for oil and gas is presently leased for farming purposes on a cash rental basis. The tenant's rights will be protected.

Bids shall be opened at the Division of State Purchases, State Office Bldg., Topeka, KS at 2:00 p.m. on June 25, 1984. The Secretary of Social and Rehabilitation Services reserves the right to reject any and all bids and to readvertise.

ROBERT C. HARDER

Secretary of Social and Rehabilitation Services

Doc. No. 002186

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 1983 Supp. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State; State Capitol; Topeka, Kansas 66612. One-year subscriptions are \$47.50; single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, Kansas.

ISSN No. 0744-2254.

Postmaster. Send change of address form to Kansas Register; Secretary of State; State Capitol; Topeka, Kansas 66612.

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



PHONE: 913/296-2236

*State of Kansas***SOCIAL AND REHABILITATION SERVICES
STATE PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES****NOTICE OF MEETING**

The State Planning Council on Developmental Disabilities will meet Tuesday, June 5, 1984, at 9:30 a.m., in Room 527-S, State Capitol, Topeka, KS.

RICHARD MORRISSEY
Chairperson

Doc. No. 002225

*State of Kansas***SOCIAL AND REHABILITATION SERVICES
ADVISORY COMMISSION ON
JUVENILE OFFENDER PROGRAMS
AND JUVENILE JUSTICE DELINQUENCY
PREVENTION STATE ADVISORY GROUP****NOTICE OF MEETING**

The Advisory Commission on Juvenile Offender Programs and the Juvenile Justice Delinquency Prevention State Advisory Group will meet Friday, June 8, 1984, at 10:00 a.m., in Room 118, Henderson Learning Center, Washburn University, Topeka, KS.

ROBERT C. BARNUM
Commissioner, Youth Services

Doc. No. 002224

*State of Kansas***ATTORNEY GENERAL****OPINION NO. 84-41**

Elections—Sufficiency of Petitions—Incomplete Notations of the Date of Signing. David Belling, Miami County Attorney, Paola, May 22, 1984.

Incomplete notations of the date of signature on a petition do not constitute a defect or irregularity which would invalidate the entire petition or the individual signatures, if the incomplete notations of the date do not prevent the election officer from determining whether the petition was filed within the time limit established by the statute. Even if individual signatures are invalid, they do not necessarily operate to invalidate the entire petition if sufficient valid signatures remain to meet the statutorily required minimum. Cited herein: K.S.A. 19-204; 25-3601; 1983 Supp. 25-3602. MFC

ROBERT T. STEPHAN
Attorney General

Doc. No. 002222

**NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 4****NOTICE OF MEETING**

The June board meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for June 7, 1984, at 10:00 a.m., in the district office, 1175 South Range, Colby, KS. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 002223

*State of Kansas***WICHITA STATE UNIVERSITY
CAMPUS ACTIVITIES CENTER****NOTICE TO BIDDERS**

Sealed bids to provide new piping and tunnel for mechanical systems at the Campus Activities Center, Wichita State University, will be received by the Director, Campus Activities Center, Wichita State University, Wichita, KS 67208, until 2:00 p.m. C.D.T., Monday, June 11, 1984, and then will be publicly opened.

ARMIN L. BRANDHORST
Director, Physical Plant

Doc. No. 002207

*State of Kansas***SOCIAL AND REHABILITATION SERVICES
ADVISORY COMMISSION ON
MENTAL HEALTH AND
RETARDATION SERVICES****NOTICE OF MEETING**

Notice is hereby given to all interested parties that the statutorily created Advisory Commission on Mental Health and Retardation Services will meet with the Director and tour the Bert-Nash Community Mental Health Center in Lawrence, KS, June 8, 1984, at 10:00 a.m.

JULIETTE SCHWALLER, Chairperson
Advisory Commission on
Mental Health and Retardation Services

Doc. No. 002226

State of Kansas

SECRETARY OF STATE**KANSAS PUBLIC
DISCLOSURE COMMISSION****Advisory Opinion No. 84-8**

Written April 25, 1984 to Don Larson, 3327 S.W. Lakeside Dr., Topeka, Kansas 66614.

This opinion is in response to your letter of April 10, 1984, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.*, the later laws not applying to your question. Thus, whether some other common law, statutory system or administrative rule and regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a state employee currently working with the Kansas Department of Transportation. In that position, you have no contact whatever with nursing homes. You advise us that you were formerly employed with S.R.S. and served as an auditor, including audits dealing with nursing homes.

You state that you are considering starting a consulting service for nursing homes and ask under the factual circumstances described above whether state law precludes you from doing so.

It is our opinion based on the factual situation provided to us and on the further assumption that you did not participate in making any contracts during your service with S.R.S. with any nursing home which you propose to consult with, that the situation you describe does not violate the provisions of K.S.A. 46-215 *et seq.* We note that the participation in audits by itself does not constitute participation in the making of contracts.

Advisory Opinion No. 84-9

Written April 25, 1984 to Jim Edwards, Executive Director, Political Action Council of Kansas, P.O. Box 1552, Topeka, Kansas 66601.

This opinion is in response to your letter of April 10, 1984, in which you request an opinion from the Kansas Public Disclosure Commission concerning the Campaign Finance Act.

We understand you request this opinion in your capacity as Executive Director of the Political Action Council of Kansas, a political action committee affiliated with the Kansas Chamber of Commerce and Industry.

You describe the situation where the council solicits contributions from a manufacturing plant located in Kansas which is a division of a corporation with a home office located outside of Kansas.

You ask, if the local plant makes a contribution to the council, whether the corporation located outside of the state is required to report as an out-of-state entity under K.S.A. 25-4172.

The Commission has reviewed K.S.A. 25-4172 and it is our opinion that when the manufacturing plant

located in Kansas makes a contribution to a Kansas political committee, that the non-state corporate entity of which the local plant is a division is not required to report under that section.

Advisory Opinion No. 84-10

Written April 25, 1984 to John R. Wurth, Securities Commissioner, Office of the Securities Commissioner, 503 Kansas Avenue, Suite 212, Topeka, Kansas 66603.

This opinion is in response to your letter of April 11, 1984, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as Securities Commissioner for the State of Kansas. You state that the Advisory Committee to the Securities Commissioner of Kansas is composed of twelve Kansas residents who were selected by you and who have volunteered to contribute their time to review the Securities Act of Kansas and suggest possible revisions. The members were chosen to reflect a cross section of persons who are in some manner concerned with the administration of the Act and include members of the securities industry, the teaching profession, the legal profession, the Legislature and the executive department. All members serve without remuneration of any kind. Meetings may be held on a monthly basis in the Office of the Securities Commissioner or in the office of one of the members. You will attend and conduct the meetings. The meetings are intended to be round table discussions and it is not contemplated that the committee will issue any formal findings or recommendations. The committee will exercise no administrative or regulatory power, and no actions of the committee can be binding on you. The committee members serve for no definite terms and the committee is expected to continue throughout the term of your appointment. The meetings will be conducted in accordance with the Open Meeting Act.

You also state that the purpose of the committee is to advise you as to the effect or need of potential revisions to the Securities Act and attendant regulations. Discussion will be restricted to the uniform application of potential revisions and will not address any pending or potential administrative actions or investigations other than recommendations of changes to uniform codifications that you may propose to the Legislature or the executive department.

Based on this factual situation, you ask whether the members of the committee must satisfy any disclosure requirements or may have any potential conflicts of interest.

We have reviewed both K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.*, and it is our opinion, due to the informal nature of the committee, that neither law applies to it. Thus, there are no disclosure requirements related to persons serving on the committee, nor do the conflicts law set out in the above acts apply to them solely on account of service on this committee.

RICHARD E. DIETZ, Chairman
By Direction of the Commission

Filed with the Secretary of State April 26, 1984.

Doc. No. 002208

State of Kansas

DEPARTMENT OF HUMAN RESOURCES**NOTICE OF REVIEW
OF GRANT APPLICATIONS**

Below are applications which have been submitted to the Kansas Review Process. For those requiring review, comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Kansas Department of Human Resources, Office of the Secretary, 401 Topeka Ave., Topeka, KS 66603. The due date for comments is indicated.

KS840522-001-10064KS—Application for \$2,000 to provide technical assistance to non-industrial private landowners for the production of timber under the Forestry Incentives Program. John K. Strickler, State Forester, 2610 Claflin Road, Kansas State University, Manhattan, KS 66502, (913) 532-5752. No review required.

KS840522-002-10901KS—Application for \$12,000 (\$12,300 applicant match) to provide resource conservation and development assistance. Same applicant as above. No review required.

KS840522-003-10063KS—Application for \$3,500 to provide technical assistance to landowners applying for cost-sharing assistance with ASCS for conservation of land and other resources under the Agriculture Conservation Program. Same applicant as above. No review required.

KS840522-004-10664KS—Application for \$116,000 (\$116,000 applicant match) to provide technical assistance in organization, training and equipment requirements for rural fire prevention and control. Same applicant as above. Comments due by July 7, 1984.

KS840522-005-10664KS—Application for \$280,287 (\$957,003 applicant match and \$1,400,000 local match) for consolidated payments grants for cooperative forestry assistance including assistance for rural forestry, rural fire protection and control, urban forestry, insect and disease control, and forest resource planning. Same applicant as above. Comments due by July 7, 1984.

KS840522-006-PL566KS—Application for \$22,000 (\$7,530 applicant match) for watershed planning and works of improvement for watershed protection. Same applicant as above. No review required.

The following federal grants have been awarded:

KS840306-005-72002AL—Awarded \$19,861 to continue recruitment and direction of volunteer activities and educational opportunities for senior citizens, Catalpa Hills RSVP, Allen County Community College, 1801 N. Cottonwood, Iola, KS 66749.

JERRY SHELOR
Secretary of Human Resources

Doc. No. 002227

State of Kansas

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

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Bldg., Topeka, KS, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, JUNE 11, 1984

#26062

Kansas State University, Manhattan—SAND AND READY MIX CONCRETE

#26065

Wichita State University, Wichita—READY MIX CONCRETE

#26067

Emporia State University, Emporia—READY MIX CONCRETE

#26070

University of Kansas Medical Center, Kansas City—FROZEN JUICES

#26071

University of Kansas, Lawrence—DRY ICE

#57496A

Kansas Fish and Game Commission, Pratt—FISH NETS

#58164

Department of Corrections, Topeka—FIRE ALARM SYSTEM, Kansas State Penitentiary, Lansing

#58172

University of Kansas, Lawrence—MASS SPECTROMETER SYSTEM

#58173

Kansas Technical Institute, Salina and Kansas Corporation Commission, Topeka—ELECTRONIC TEST EQUIPMENT, various locations

#58174

Department of Health and Environment, Topeka—MICRO CENTRIFUGE AND LAB BALANCES

#58175

Kansas State University, Manhattan—LAB ULTRASOUND EQUIPMENT

#58180

Wichita State University, Wichita—DORM FURNITURE

#58181

Adjutant General's Department, Topeka—EXTERIOR PAINTING, Nickell Barracks Training Center, Salina

#58182

Department of Social and Rehabilitation Services, Topeka—FORMS BURSTING MACHINE

#58183

Kansas State Penitentiary, Lansing—TWO-WAY RADIO EQUIPMENT

#58184

Department of Health and Environment, Topeka—BIOLOGICAL SAFETY CABINET

#58185

Winfield State Hospital and Training Center, Winfield—MISCELLANEOUS KITCHEN EQUIPMENT

#58186

University of Kansas, Lawrence—HISTORICAL DOCUMENT MICROFILMING

(continued)

#58187

University of Kansas, Lawrence—POLYGRAPH APPARATUS

#58188

University of Kansas, Lawrence—LIQUID SCINTILLATION COUNTING SYSTEM

#58207

Fort Hays State University, Hays—DINING ROOM FURNITURE

#58208

Kansas State University, Manhattan—ELECTRONIC TYPEWRITERS

#58209

Department of Social and Rehabilitation Services, Topeka—STEEL RECORD STORAGE SHELVING, Kansas City

#58210

University of Kansas, Lawrence—REPAIR OF AIR CONDITIONER SYSTEM

#58211

Kansas State University, Manhattan—ELECTROPHORESIS APPARATUS

#58281

Fort Hays State University, Hays—COMPUTER AIDED DRAFTING SYSTEM

#58286

University of Kansas, Lawrence—MODEMS

TUESDAY, JUNE 12, 1984

#A-4699

Winfield State Hospital and Training Center, Winfield—TUCKPOINT AND WATERPROOF EXTERIOR MASONRY WALLS, Holly Building

#A-4717

Topeka State Hospital, Topeka—OVERHEAD DOOR REPLACEMENT IN POWER PLANT

#A-4718

Topeka State Hospital, Topeka—EXTERIOR DOOR REPLACEMENT, Brigham and Smith-Wilson Buildings

#A-4944

Kansas State University, Manhattan—PROVIDE WATER LINE, Football Stadium

#26061

State Park and Resources Authority, Topeka—CHEMICALS

#26069

Rainbow Mental Health Facility, Kansas City—IN-HOUSE PHARMACY SERVICE

#58176

University of Kansas, Lawrence—LAB BALANCES AND HPLC PUMP

#58177

Kansas State University, Manhattan—LAB APPARATUS

#58178

University of Kansas Medical Center, Kansas City—LAB APPARATUS

#58179

Wichita State University, Wichita—LAB OSCILLOSCOPE

#58190

Mental Health and Retardation Services, Topeka—PRINTERS AND SOFTWARE

#58239

University of Kansas, Lawrence—DINING CHAIRS AND TABLES

#58240

Department of Transportation, Garden City—PROPANE TANK

#58241

University of Kansas, Lawrence—CENTRIFUGE ROTORS

#58282

University of Kansas Medical Center, Kansas City—MEDICAL EXAMINING AND OPERATING SHEATH

WEDNESDAY, JUNE 13, 1984

#A-4835

Kansas State University, Manhattan—ROOFING SYSTEM REPLACEMENT, Veterinary Medical Teaching Facility

#25084

Department of Health and Environment, Topeka—PHARMACEUTICAL SERVICES FOR FAMILY PLANNING

#58189

Emporia State University, Emporia—MICROCOMPUTER SYSTEM

#58242

Kansas Corporation Commission, Topeka—ENVIRONMENTAL APPARATUS

#58243

Kansas State University, Manhattan—LAB APPARATUS

#58244

Kansas State University, Manhattan—MICROSCOPE

#58245

Kansas State University, Manhattan—PROCESS CONTROL APPARATUS

#58283

University of Kansas, Lawrence—GRAPHICS SOFTWARE PROGRAM

THURSDAY, JUNE 14, 1984

#58284

Fort Hays State University, Hays—MICROCOMPUTER SYSTEM

#58287

University of Kansas Medical Center, Kansas City—LAB APPARATUS, V.A. Medical Center, Kansas City, Missouri

#58333

Department of Social and Rehabilitation Services, Topeka—FURNISH ALL EQUIPMENT AND LABOR TO REPLACE OR REPAIR MECHANICAL SYSTEM, Salina

#58334

Kansas State University, Manhattan—CENTRIFUGE ROTOR

#58335

University of Kansas Medical Center, Kansas City—MISCELLANEOUS MEATS

#58336

Department of Transportation, Topeka—PAVEMENT MARKING TAPE

#58337

Department of Administration, Buildings and Grounds, Topeka—AIR COMPRESSOR

FRIDAY, JUNE 15, 1984

#26083

Kansas State Fair, Hutchinson—CANVAS SUPPLIES AND TENT RENTAL

#58285

Department of Administration, Division of Information Systems and Computing, Topeka—ANTI-GLARE SCREENS

(continued)

MONDAY, JUNE 18, 1984

#58348

Department of Health and Environment, Topeka—
MANAGEMENT DEVELOPMENT TRAINING CON-
TRACT

FRIDAY, JUNE 22, 1984

#26034

Hospitals Administered by Board of Regents and So-
cial and Rehabilitation Services, Topeka—HOSPITAL
PROFESSIONAL LIABILITY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 002210

(Published in the KANSAS REGISTER, May 31, 1984.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., C.D.T., June 21, 1984 and then publicly opened:

DISTRICT ONE—Northeast

Brown—36-7 M-1311-01—roadside improvement at the west Junction of US-36 and US-75 located approximately 3.519 miles south of Sabetha. (State Funds) Bids on this project will be received only from small business enterprises.

Jefferson—24-44 K-2344-01—2.153 miles bituminous surfacing, beginning approximately at the Jefferson-Shawnee County line, then east on US-24. (State Funds)

Johnson—46 U-0857-01—0.123 mile grading, bituminous surfacing and traffic signals, intersection improvement at 95th Street and Roe Avenue in the Cities of Overland Park and Prairie Village. (Federal Funds)

Johnson—435-46 K-2535-01—3.138 miles bituminous surfacing, beginning approximately at Quivira Road, then east on I-435 to the intersection of I-435 and Metcalf Avenue (US-169). (State Funds)

Shawnee—70-89 K-2469-01—3.654 miles bituminous surfacing, beginning at the Shawnee-Wabaunsee County line, then east on I-70. (Federal Funds)

Shawnee—4-89 K-0829-01—0.284 mile grading, bituminous surfacing and bridge over Mission Creek, beginning approximately 2.0 miles south and 3.0 miles west of the Interchange of K-4 and I-70, then south on K-4. (Federal Funds)

Shawnee—89 U-0856-01—traffic signal installation at five intersections in the City of Topeka: 5th and Topeka, 10th and Topeka, 12th and Topeka, Huntoon and Topeka, and West 10th and MacVicar. (Federal Funds)

Shawnee—24-89 K-2343-01 Pts. I & II—3.570 miles bituminous surfacing, beginning approximately at the intersection of US-24 and Kansas Avenue in the City

of Topeka, then east on US-24 to the Shawnee-Jefferson County line. (State Funds)

Shawnee—89 K-2580-01—bituminous surfacing, beginning at the intersection of Fairlawn Road and Cedar Crest Drive, then west on approach road to the parking lot. (Includes drives and off roads.) (State Funds)

Wabaunsee—70-99 K-2468-01—4.158 miles bituminous surfacing, beginning approximately 4.158 miles west of the Wabaunsee-Shawnee County line, then east on I-70. (Federal Funds)

Wabaunsee—70-99 K-0925-01—0.529 mile highway lighting at the weigh station on I-70 located approximately 2.0 miles east of the Interchange of I-70 and K-99. (Federal Funds)

Wabaunsee—70-99 K-2509-01—concrete pavement, installation of sensors at weigh station along I-70 located approximately 2.1 miles east of the Interchange of I-70 and K-99. (Federal Funds)

Wyandotte—Platte County, Missouri—435-105 K-0991-03—superstructure (deck) of two bridges over the Missouri River on I-435. (Federal Funds)

Wyandotte—70-105 K-1421-01—1.867 miles grading, surfacing, seeding and six bridges, beginning approximately 0.319 mile east of 65th Street and I-70, then east on I-70 in the City of Kansas City. (Federal Funds)

Wyandotte—70-105 K-1422-01—1.098 miles grading, surfacing, seeding and four bridges, beginning approximately 0.137 mile east of I-70 and 72nd Street, then east on I-70 in the City of Kansas City. (Federal Funds)

Wyandotte—435-105 K-0989-04—four bridges, beginning approximately 0.513 mile north of I-435 and Leavenworth Road, then north on I-435 on new alignment. (Federal Funds)

Wyandotte—435-105 K-0990-03—1.101 miles concrete pavement, beginning approximately at the north end of the bridges over K-5, then north on I-435. (Federal Funds)

Wyandotte—435-105 K-0995-02—2.600 miles signing and delineation, beginning approximately 0.189 mile south of the I-435 and State Avenue Interchange, then north on I-435. (Federal Funds)

Wyandotte—635-105 K-1801-01—expansion joint repair of two bridges on I-635 over the Kansas River in the City of Kansas City. (Federal Funds)

Wyandotte—670-105 K-1656-01—substructure of four bridges, beginning approximately at the Kansas-Missouri State line, then west on I-670 to the Kansas River in the City of Kansas City. (Federal Funds)

Wyandotte—24-105 K-2398-01—0.310 mile highway lighting at the Interchange of US-24 and K-7. (Federal Funds)

Wyandotte—105 U-0919-01—0.111 mile bituminous surfacing and traffic signals, intersection improvement at Parallel Parkway and North 13th Street in the City of Kansas City. (Federal Funds)

DISTRICT TWO—Northcentral

Clay—14 C-0687-01—0.994 mile grading, beginning approximately 4.5 miles north of Green, then east on County Highway FAS 128. (Federal Funds)

(continued)

Clay—14 C-1246-01—1.148 miles grading, beginning approximately 4.5 miles north and 1.0 mile east of Green, then east on County Highway FAS 128. (Federal Funds)

Dickinson—21 C-1667-01—4.020 miles bituminous recycling and subgrade modification, beginning approximately 4.6 miles south of Chapman, then south on County Highway FAS 124. (Federal Funds)

Geary—70-31 M-1333-01—12.726 miles concrete pavement patching, beginning at the Geary-Dickinson County line, then east and north on I-70 (Reference Points 300.723 E.B. and 302.217 W.B.). (State Funds)

McPherson—59 C-1983-01—2.954 miles bituminous surfacing, beginning approximately at the intersection of County Highway FAS 450 and K-4, then north on County Highway FAS 450. (Federal Funds)

Saline—70-85 K-2401-01—0.388 mile highway lighting at the Interchange of I-70 and Ninth Street in the City of Salina. (Federal Funds)

Saline—85 U-0889-01—0.416 mile grading and bituminous surfacing, intersection improvement at Ninth Street and Magnolia Road in the City of Salina. (Federal Funds)

Saline—85 U-0890-01—0.151 mile grading, surfacing and traffic signals, intersection improvement at Broadway Boulevard and State Street in the City of Salina. (Federal Funds)

Saline—85 U-0891-01—0.063 mile grading and traffic signals, intersection improvement at South Street and Ninth Street in the City of Salina. (Federal Funds)

DISTRICT THREE—Northwest

Russell—70-84 K-2465-01—0.208 mile grading and bituminous surfacing, beginning approximately 2.4 miles east of the Interchange of I-70 and K-257, then east on I-70. (Federal Funds)

Russell—70-84 M-1336-01—18.914 miles cold milling, beginning approximately 3.656 miles east of the Russell-Ellis County line, then east on I-70 to the west end of wearing surface on bridges over Union Pacific Railroad. (State Funds)

DISTRICT FOUR—Southeast

Cherokee—11 C-1806-01—1.991 miles bituminous surfacing, beginning approximately 1.9 miles south and 4.1 miles east of Columbus, then east on County Highway FAS 110. (Federal Funds)

Crawford—69-19 U-0912-01—0.096 mile grading, surfacing and traffic signals, intersection improvement at Broadway (US-69 Alt.) and Jefferson in the City of Pittsburg. (Federal Funds)

DISTRICT FIVE—Southcentral

Reno—14-78 K-1787-01—0.540 mile grading, bituminous surfacing and bridge over Salt Creek, beginning approximately 4.5 miles north of the junction of K-14 and US-50, then north on K-14. (Federal Funds)

Sedgwick—87 U-0883-01—0.075 mile grading and surfacing, intersection improvement at Mosley Avenue and 17th Street in the City of Wichita. (Federal Funds)

Sedgwick—87 C-1544-01—6.026 miles bituminous surfacing, beginning approximately 4.0 miles south of Cheney, then south on County Highway FAS 597. (Federal Funds)

DISTRICT SIX—Southwest

Finney—28 C-2026-01—3.011 miles bituminous surfacing, beginning approximately 1.0 mile west and 4.5 miles south of Holcomb, then south on County Highway FAS 2126. (Federal Funds)

Meade—23-60 K-2382-01—repair of bridge on K-23 over Cimarron River located approximately 0.7 mile north of the Kansas-Oklahoma State line. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002190

(Published in the KANSAS REGISTER, May 31, 1984.)

NOTICE OF BOND SALE
\$440,000.00
INTERNAL IMPROVEMENT BONDS
SERIES Q
OF THE
CITY OF HAYS, KANSAS
(General obligations payable from unlimited
ad valorem taxes)

Pursuant to K.S.A. 10-106 as amended, written sealed bids will be received by the City Clerk of the City of Hays, Kansas, in the Office of the City Clerk, City Hall, P.O. Box 490, Hays, Kansas 67601, until 7:30 o'clock p.m., C.D.S.T.,

THURSDAY, JUNE 14, 1984

at which time and place said bids will be publicly opened and read aloud for the purchase of \$440,000.00 aggregate principal amount of General Obligation Internal Improvement Bonds, Series Q. All bids received will be reported to the City Commission for determination of the best bid at a meeting of the Commission to be held at said time, date and place.

Details of the Bonds

The Bonds will consist of an issue of \$440,000.00 principal amount of General Obligation Internal Improvement Bonds, Series Q. The Bonds will consist of fully registered bonds in the denomination of \$5,000 each, dated July 1, 1984, and becoming due serially on September 1 of each year in the principal amounts as follows:

\$45,000.00—September 1, 1985 to 1992, inclusive
40,000.00—September 1, 1993 and 1994

The Bonds will bear interest at rates to be determined
(continued)

mined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 of each year, beginning on March 1, 1985.

Both principal and interest on the Bonds will be payable in lawful money of the United States of America at the Office of the Treasurer of the State of Kansas in the City of Topeka, Kansas, (the "Paying Agent" and the "Bond Registrar") to the registered owners thereof whose names are on the registration books of the Bond Registrar as of the 15th day of the month preceding each interest payment date.

The Bonds will be registered in the Office of the Kansas State Treasurer pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas, registered as either fully registered certificated bonds and/or uncertificated bonds. The successful bidder (the "Purchaser"), may express its preference and the City will honor the successful purchaser's preference regarding the plan of registration.

The City will pay for all initial registration costs and for printing of a reasonable supply of registered bond blanks as determined by the Registrant and Paying Agent. Any additional costs or fees that might be incurred in the secondary market will be the responsibility of the bondholder.

The type and denomination of the Bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the City by July 15, 1984.

Redemption of Bonds

None of said Bonds shall be callable for redemption prior to its stated maturity.

Authority, Purpose and Security for the Bonds

The Bonds are being issued pursuant to and in full compliance with the constitution and laws of the State of Kansas, including K.S.A. 12-6a01 *et seq.* and 12-614 *et seq.*, Article 1 of Chapter 10 and Chapter 49 of the Kansas Session Laws, for the purpose of paying the cost of certain street and sidewalk improvements.

General Obligation Internal Improvement Bonds, Series Q, will be 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 on all the taxable tangible property within the City.

Conditions of Bids

Bids will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all Bonds maturing in the same year. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1%. No interest rate shall exceed a rate equal to 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 Bonds are sold, plus 2%, and the difference between the highest and lowest interest rates speci-

fied in any bid shall not exceed 2%. No bid of less than the principal amount of the Bonds, plus accrued interest thereon to the date of their delivery, will be considered. Each bid shall specify the total interest cost to the City on the basis of such bid, and the average annual net interest rate on the basis of such bid.

Basis of Award

The award of the Bonds shall be made on the basis of the lowest net interest cost to the City, which shall be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the City. If there is any discrepancy between said net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids which provide for identical amounts for the lowest net interest cost are received, the City shall determine which bid, if any, shall be accepted, and its determination shall be final.

Delivery of and Payment for the Bonds

The City will pay for printing and registering the Bonds and will deliver the same properly prepared, executed and registered to the successful bidder within 60 days after the date of sale at such bank or trust company located in the contiguous United States of America, as may be specified by the successful bidder, without cost to the successful bidder. Payment for the Bonds shall be made in federal reserve funds or other funds which shall be available to the City on the same day the Bonds are delivered to the successful bidder. The successful bidder will be furnished with a certified transcript 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 the delivery of the Bonds affecting their validity.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Bond Counsel, Topeka, Kansas, whose unqualified approving opinion will be furnished and paid for by the City, and will be printed on the Bonds and provided to the successful bidder as and when the Bonds are delivered. Said opinion will also state that in the opinion of Bond Counsel, under existing laws and regulations, the interest on the Bonds is exempt from federal income taxation and from Kansas intangible personal property taxes.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on certificated Bonds, or assigned to uncertificated Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the successful bid and this Notice of Bond Sale. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid for by the City.

(continued)

(Published in the KANSAS REGISTER, May 31, 1984.)

Substitute for HOUSE BILL No. 2643

AN ACT concerning the placement of a statue atop the state capitol; providing for the selection, acquisition and placement of such statue; and providing for the payment of the cost thereof; and repealing K.S.A. 1983 Supp. 75-3764c.

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

Section 1. (a) The director of architectural services shall cause a work of sculpture selected in the manner hereinafter prescribed to be placed atop the state capitol. The process for selecting such work of sculpture shall be coordinated by the Kansas arts commission. The commission shall invite suggestions from Kansas school children and all other interested persons and shall then invite interested artists to submit sketches. Such sketches shall first be reviewed by an advisory panel consisting of the governor, president of the senate, minority leader of the senate, speaker of the house of representatives, minority leader of the house of representatives, president of the Kansas arts commission, executive director of the Kansas state historical society, director of architectural services and four art professionals selected and appointed by the Kansas arts commission. Members of the advisory panel shall review the sketches submitted and make recommendations thereon to a state capitol dome sculpture selection committee consisting of five art professionals selected and appointed by the Kansas arts commission and the director of architectural services.

(b) In selecting such work of sculpture or making recommendations thereon, the advisory panel and selection committee shall consider as the principal criteria therefor: (1) The appropriateness of the artwork to the architectural setting of the state capitol; (2) the artistic quality of the artwork; and (3) the association of artist with the state of Kansas, through having been born or raised in Kansas, having resided or worked in Kansas or through having current residence in Kansas. Such work of sculpture shall not be a representation of the goddess Ceres.

(c) The Kansas arts commission is hereby authorized to receive any grants, gifts, contributions or bequests made for the purpose of financing the cost of acquiring and placing atop the state capitol the work of sculpture selected pursuant to this act. There is hereby established in the state treasury the state capitol dome sculpture fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas arts commission.

Sec. 2. K.S.A. 1983 Supp. 75-3764c 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 3, 1984.

House adopted Conference Committee report April 28, 1984.

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

Passed the SENATE as amended April 26, 1984.

Senate adopted Conference Committee report April 28, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 10, 1984.

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 17th day of May, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

Good Faith Deposit

Each bid must be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$8,800.00 (2% of the total par value of the Bonds), made payable to the order of the Treasurer of the City of Hays, Kansas, to secure the City from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid on the deposit made by the successful bidder. Said check will be returned to the bidder if the bid is not accepted. If a bid is accepted, said check may be deposited by the City or held by the City until the bidder has complied with all of the terms and conditions of this notice, at which time the check will be deposited and credited to the order of the bidder. If a bid is accepted, but the City shall fail to deliver the Bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the City as and for liquidated damages.

Bid Forms

All bids shall be subject to the terms and conditions contained in this Notice of Bond Sale and must be made on the bid forms which may be obtained from the City Clerk, or upon equivalent forms. No additions or alterations may be made to such forms and any erasures may cause rejection of any bid. The City reserves the right to waive irregularities and to reject any and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes and addressed to the undersigned, City Clerk, City Hall, P.O. Box 490, Hays, Kansas 67601, and marked "Bid for the Purchase of Bonds." Bids may be submitted by mail or delivered in person, and must be received by the undersigned prior to 7:30 o'clock p.m. C.D.S.T., on June 14, 1984.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the City for the year 1983 is \$42,854,173.00, including motor vehicle valuation of \$10,344,784.00, and motor vehicle dealers' inventory valuation of \$638,279.00. The total general obligation bonded indebtedness of the City as of December 31, 1983, was \$7,312,000.00, which amount does not include this issue, with \$1,107,000.00 to be paid in 1984.

Bond Ratings

The outstanding general obligation bonds of the City have not been rated and the City has not applied for a rating on the Bonds herein offered for sale.

DATED this 30th day of May, 1984.

DOROTHY SODERBLOM, CMC
City Clerk
Hays, Kansas 67601
(913) 625-3465

Doc. No. 002209

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 869

AN ACT concerning the state board of tax appeals; relating to filing requirements concerning revenue bonds; concerning appeals from orders thereof; amending K.S.A. 12-1744a and 12-1744c and K.S.A. 1983 Supp. 74-2426 and repealing the existing sections.

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

Section 1. K.S.A. 12-1744a is hereby amended to read as follows: 12-1744a. (a) At least ~~15~~ seven days prior to the issuance of any revenue bonds, the city or county shall file a statement with the board of tax appeals of such proposed issuance containing the following information:

(1) The name of the city or county proposing to issue the revenue bonds, the lessee, the guarantor, if any, the paying or fiscal agent, the underwriter, if any, and all attorneys retained to render an opinion on the issue;

(2) a legal description of any property to be exempted from ad valorem taxes, including the city or county in which the facility will be located;

(3) the appraised valuation of the property to be exempted from ad valorem taxes as shown on the records of the county as of the next preceding January 1;

(4) the estimated total cost of the facility showing a division of such total cost between real and personal property;

(5) if the facility to be financed is an addition to or further improvement of an existing facility the cost of which was financed by revenue bonds issued under the provisions of this act, the date of issuance of such revenue bonds, and if such facility or any portion thereof is presently exempt from property taxation, the period for which the same is exempt;

(6) the principal amount of the revenue bonds to be issued;

~~(7) a copy of the proposed ordinance or resolution authorizing the issuance of the revenue bonds;~~

~~(8) a copy of the proposed lease to be executed by the city or county for the facility;~~

~~(9) (7) the amount of any payment to be made in lieu of taxes;~~

~~(10) (8) an itemized list of service fees or charges to be paid by the lessee together with a detailed description of the services to be rendered therefor;~~

~~(11) a copy of the guaranty agreement, if any;~~

~~(12) (9) a reasonably detailed description of the use of bond proceeds, including whether they will be used to purchase, acquire, construct, reconstruct, improve, equip, furnish, enlarge or remodel the facility in question;~~

~~(13) a copy of the preliminary offering document to be used when offering the bonds for sale, if any;~~

~~(14) (10) the proposed date of issuance of such revenue bonds.~~

(b) Any change in the information or documents required to be filed pursuant to subsection (a) which does not materially adversely affect the security for the revenue bond issue may be made within the fifteen-day period prior to issuance of the revenue bonds by filing the amended information or document with the board of tax appeals.

(c) Any notice required to be filed pursuant to the provisions of subsection (a) shall be accompanied by a filing fee, which shall be fixed by rules and regulations of the board of tax appeals, in an amount sufficient to defray the cost of reviewing the information and documents required to be contained in the notice.

(d) Information required to be filed by subsection (a) of this section shall be in addition to any filing required by K.S.A. 1982 Supp. 79-210 and amendments thereto.

(e) The board of tax appeals may require any information listed under subsection (a) deemed necessary, to be filed by a city or county concerning agreements entered into prior to the effective date of this act.

~~(f) Any notice of the proposed issuance of revenue bonds authorized herein filed with the securities commissioner prior to the effective date of this act shall be sufficient and a second filing with the board of tax appeals as required herein shall not be made.~~

~~(g) All records and notices on file in the office of the securi-~~

ties commissioner on the effective date of this act shall be transferred to and filed with the board of tax appeals.

~~(f) The state board of tax appeals shall prepare and compile annually a report containing the information required to be filed pursuant to subsection (a) for each issuance of revenue bonds made pursuant to K.S.A. 12-1740 et seq. and amendments thereto. Such report shall be published in convenient form for the use and information of the legislature, taxpayers, public officers and other interested parties, and shall be available on January 10 of each year.~~

Sec. 2. K.S.A. 12-1744c is hereby amended to read as follows: 12-1744c. Upon the issuance of revenue bonds for which notice is required to be filed pursuant to K.S.A. 12-1744a, and amendments thereto, a certificate evidencing such issuance shall be filed with the chairperson of the board of tax appeals, along with verification thereof by the appropriate bond counsel within 15 days after the date of such issuance.

Sec. 3. K.S.A. 1983 Supp. 74-2426 is hereby amended to read as follows: 74-2426. (a) Whenever the board of tax appeals enters a final order on any appeal, in any proceeding under the tax protest, tax grievance or tax exemption statutes or in any other original proceeding before the board, the board shall make written findings of fact forming the basis of its determination and final order and the findings shall be made a part of the final order. The board shall mail a copy of its final order to all parties to the proceeding within 10 days following the certification of the order. The appellant or applicant and the county appraiser shall be served by restricted mail.

(b) (1) No appeal shall be taken from a final order of the board unless the aggrieved party first files a motion for rehearing of that order with the board and the board has granted or denied the motion. If 30 days have lapsed from the date the motion was filed with the board, it shall be presumed that the board has denied the motion. Any order issued by the board following a rehearing shall become the final order of the board.

(2) Within 30 days following a denial of a motion for rehearing or following the certification of any final order of the board, on a motion for upon a decision on rehearing, any aggrieved party to the appeal or proceeding may appeal to: (A) The court of appeals, in cases pertaining to property appraised and assessed by the director of property valuation or excise, income or inheritance taxes assessed by the director of taxation and (B) the district court of the proper county, in all other cases.

(3) No appeal shall be taken from any order of the board in a no-fund warrant proceeding issued pursuant to K.S.A. 12-110a, 12-1662 et seq., 19-2752a, 79-2938, 79-2939 and 79-2951, and amendments thereto, and statutes of a similar character.

(4) This statute shall be exclusive in determining appeals taken from all decisions of the board of tax appeals after the effective date of this act and shall exclusively govern the procedure to be followed in taking any appeal from the board of tax appeals from and after that date.

(c) (1) Appeals shall be taken by filing, with the clerk of the appropriate court, within 30 days of the certification of the board's order to the party, a written notice stating that the party appeals to the court and alleging the pertinent facts upon which the appeal is grounded. The appellant shall also, within 10 days of the filing of the notice of appeal, request in writing that the board of tax appeals certify the record of the proceedings before the board to the court. If a hearing was held before the board, the appellant shall also request, at the same time, that a transcript of that hearing be prepared and shall advance the costs of the transcript. Upon completion of the transcript, the board of tax appeals shall certify the record and transcript of proceedings before the board to the court in which the appeal has been filed.

(2) An appeal pursuant to this section shall not be heard as a trial *de novo* but shall be limited to the transcript of the board and any other public records of which the board can be held to have taken notice.

(3) The director of property valuation and the director of taxation shall not be required to give bond on appeal.

(d) (1) If an appeal is taken from an order of the board relating to excise, income or inheritance taxes, the appellant,

(continued)

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 865

AN ACT relating to limitations on bonded indebtedness in counties; amending K.S.A. 10-306 and repealing the existing section.

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

Section 1. K.S.A. 10-306 is hereby amended to read as follows: 10-306. Except as provided in K.S.A. 10-307, and amendments thereto, and in any other statute which specifically exempts bonds from the statutory limitations on bonded indebtedness, the limitation on bonded indebtedness of counties shall be governed by the following provisions: (a) The authorized and outstanding bonded indebtedness of any county to which the provisions of subsections (b) and (c) and (d) do not apply shall not exceed 1% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

(b) The authorized and outstanding bonded indebtedness of Clark, Comanche, Greeley, Hamilton, Hodgeman, Lane and Stanton counties shall not exceed 2.5% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

(c) The authorized and outstanding bonded indebtedness of Geary county shall not exceed 2.75% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

(d) The authorized and outstanding bonded indebtedness of Wyandotte county shall not exceed 6% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

(e) The authorized and outstanding bonded indebtedness of Johnson county shall not exceed 2% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

Sec. 2. K.S.A. 10-306 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 April 2, 1984.

SENATE concurred in HOUSE amendments April 28, 1984.

President of the Senate. LU KENNEY Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.

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

APPROVED May 10, 1984.

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 17th day of May, 1984.

JACK H. BRIER Secretary of State.

(SEAL)

other than the director of taxation, shall give bond for costs at the time the appeal is filed. The bond shall be in the amount of 125% of the amount of taxes assessed or a lesser amount approved by the court of appeals and shall be conditioned on the appellant's prosecution of the appeal without delay and payment of all costs assessed against the appellant.

(2) Appeals from orders made by the board of tax appeals relating to the valuation or assessment of property for ad valorem tax purposes or relating to the tax protest shall be to the district court of the county in which the property is located or, if located in more than one county, to the district court of any county in which any portion of the property is located. Appeals from orders relating to tax exemption under K.S.A. 79-201 et seq. and amendments thereto shall be filed in the district court of Shawnee county. If the appeal is by a party other than the director of property valuation or a taxing subdivision and is from an order determining, approving, modifying or equalizing the amount of valuation which is assessable and for which the tax has not been paid, a bond shall be given in the amount of 125% of the amount of the taxes assessed or a lesser amount approved by the court to which the appeal is taken. The bond shall be conditioned on the appellant's prosecution of the appeal without delay and payment of all costs assessed against the appellant.

(e) No appeal may be taken from any order pertaining to the assessment of property for ad valorem tax purposes or the assessment of excise taxes unless the grounds for the appeal are that the order is unreasonable, arbitrary or capricious. Such appeals shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other actions except cases of the same character and criminal cases those having statutory priority.

Sec. 4. K.S.A. 12-1744a and 12-1744c and K.S.A. 1983 Supp. 74-2426 are hereby repealed.

Sec. 5. 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 3, 1984.

Senate adopted Conference Committee report April 29, 1984.

President of the Senate. LU KENNEY Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984. House adopted Conference Committee report April 28, 1984.

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

APPROVED May 11, 1984.

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 17th day of May, 1984.

JACK H. BRIER Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 571

AN ACT relating to elections; concerning absentee voting; concerning marking and transmission of absentee ballots; amending K.S.A. 25-1122a and 25-1124 and K.S.A. 1983 Supp. 25-1122 and repealing the existing sections.

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

Section 1. K.S.A. 25-1124 is hereby amended to read as follows: 25-1124. (a) Any person qualified to vote pursuant to K.S.A. 25-1119 and amendments thereto, upon receiving any ballot transmitted to such person as provided in this act, shall cast his or her ~~their~~ vote as follows: The voter shall make a cross or check mark in the square or parenthesis opposite the name of each ~~person candidate or question~~ for whom the voter desires to vote. The voter shall make no other mark, and shall allow no other person to make any mark, upon such ballot. The voter shall then personally place the ballot in the ballot envelope bearing the same number as the ballot and seal the envelope. The voter shall then fill out in full the form on the ballot envelope and shall sign the same. The ballot envelope shall be mailed, or otherwise transmitted by the voter to the county election officer.

(b) *Any sick, physically disabled or illiterate voter who is unable to mark or transmit an absentee ballot and who has received an absentee ballot pursuant to K.S.A. 25-1119(b) and amendments thereto, may request assistance in marking or transmitting an absentee ballot.*

(c) *The county election officer shall allow a person to assist a sick, physically disabled or illiterate voter in marking and transmitting an absentee ballot, provided an affidavit is signed by the person who renders assistance to the sick, physically disabled or illiterate voter and submitted to the county election officer with the absentee ballot. The affidavit shall be on a form prescribed by the secretary of state and shall contain a statement from the person providing assistance that the person has not exercised undue influence on the voting decision of the sick, physically disabled or illiterate voter and that the person providing assistance has marked the ballot as instructed by the sick or physically disabled voter.*

(d) *Any person assisting a sick, physically disabled or illiterate voter in marking and transmitting an absentee ballot who knowingly and willfully fails to sign and submit the affidavit required by this section shall be guilty of a class E felony.*

Sec. 2. K.S.A. 1983 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any person described in K.S.A. 25-1119, and amendments thereto, or any qualified elector of such person's county of residence, on behalf of such person, may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an absentee ballot.

(b) Applications made by or on behalf of persons specified in subsection (a) of K.S.A. 25-1119, and amendments thereto, for absentee ballots to be transmitted to the voter by mail or by the person making application on behalf of the voter shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in even-numbered years, between April first of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

(3) For the primary election held five weeks preceding the first Tuesday in April, between January first of the year of such election and the last business day of the week preceding such primary election.

(4) For the general election occurring on the first Tuesday in April, between January first of the year of such election and the last business day of the week preceding such general election.

(5) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the

week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of absentee ballots, but such date shall not be more than three business days before such election.

(7) For any special election of officers, at such time as is specified by the secretary of state.

~~(8) For the presidential preference primary, between January first of the year in which such primary is held and the last business day of the week preceding such primary election.~~

The county election officer of any county may receive applications prior to the time specified in this subsection (b) and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(c) Applications made by persons specified in subsection (a) of K.S.A. 25-1119, and amendments thereto, for ballots to be transmitted to the voter in person in the office of the county election officer shall be filed only on the Tuesday next preceding the election or such earlier date as the county election officer may designate, on each subsequent business day and, if the county election officer so provides, on Saturday, until 12 o'clock noon on the day preceding such election. Upon receipt of any such application, properly executed, the county election officer shall deliver to the voter, in the ballot envelope, such ballots and instructions as are provided for in this act.

(d) Applications made by or on behalf of persons specified in subsection (b) of K.S.A. 25-1119, and amendments thereto, for absentee ballots to be transmitted to the voter by mail, messenger or by the person making application on behalf of the voter shall be filed not more than 90 days prior to the election or later than 12 o'clock noon on the day of such election.

(e) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, or in whose behalf such applications have been filed, together with their correct post-office address and the precinct, ward, township or voting area in which such persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant, which names and addresses shall remain so listed until the day of such election available for inspection upon request in compliance with this subsection (e) by any registered voter during regular business hours. The county election officer upon receipt of such applications shall enter upon a record kept by such officer the name and address of each such person, which record shall conform to the list above required. Before inspection of any absentee ballot application list, the person desiring to make such inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by such officer stating such person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the identifying number on ballots and ballot envelopes and records of such number shall in no case be made public.

Sec. 3. K.S.A. 25-1122a is hereby amended to read as follows: 25-1122a. The county election officer of any county in which voting machines are used may authorize persons filing applications for absentee ballots as provided by subsection (e) of K.S.A. 25-1122, and amendments thereto, to cast their votes upon voting machines. If the county election officer authorizes the use of voting machines by absentee voters ~~and such officer shall~~ equip the office of the county election officer with enough voting machines to enable all absentee voters to cast their votes upon such machines.

Such machines shall be of a make certified by the secretary of state and shall be sealed in a manner to allow tabulation of the total vote only at the time of the closing of the polls on the day of the election for which such machines are used.

Sec. 4. K.S.A. 25-1122a and 25-1124 and K.S.A. 1983 Supp. 25-1122 are hereby repealed.

(continued)

Sec. 5. 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 7, 1984.

SENATE concurred in HOUSE amendments April 28, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.

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

APPROVED May 11, 1984.

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 17th day of May, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 558

AN ACT concerning motor vehicles; relating to the licensure of vehicle sales and manufacture; amending K.S.A. 8-2401 and repealing the existing section; also repealing K.S.A. 8-2401, as amended by section 2 of 1984 Senate Bill No. 700.

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

Section 1. K.S.A. 8-2401, as amended by section 2 of 1984 Senate Bill No. 700, is hereby amended to read as follows: 8-2401. As used in this act, the following words and phrases shall have the meanings:

(a) "Vehicle dealer" means any person who: (1) For commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in vehicles; or (2) for commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in vehicles for other persons as an agent, middleman or negotiator; or (3) for commission, money or other thing of value is engaged in the business of bringing buyers and sellers of vehicles together; or (4) for commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in motor vehicles as an auction motor vehicle dealer as defined in (j); but does not include: (i) receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under the judgment or order of any court, or any bank, trustee or lending company or institution which is subject to state or federal regulations as such, with regard to its disposition of repossessed vehicles; or (ii) public officers while performing their official duties; or (iii) employees of persons enumerated in (i) and (ii), when engaged in the specific performance of their duties as such employees.

(b) "New vehicle dealer" means any vehicle dealer who is a party to an agreement, with a first or second stage manufacturer or distributor, which agreement authorizes the vehicle dealer to sell, exchange or transfer new motor vehicles, trucks, motorcycles, mobile homes, or trailers or parts and accessories made or sold by such first or second stage manufacturer or distributor and obligates the vehicle dealer to fulfill the warranty commitments of such first or second stage manufacturer or distributor.

(c) "Used vehicle dealer" means any person actively en-

gaged in the business of buying, selling or exchanging used vehicles.

(d) "Vehicle salesman" means any person who is employed as a salesman by a vehicle dealer to sell vehicles.

(e) "Mobile home dealer" means any person who: (1) For commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in mobile homes; or (2) for commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in mobile homes for other persons as an agent, middleman or negotiator; or (3) for commission, money or other thing of value is engaged in the business of bringing buyers and sellers of mobile homes together.

(f) "New mobile home dealer" means any mobile home dealer who is a party to a mobile home sales agreement, with a mobile home manufacturer, which mobile home sales agreement authorizes the mobile home dealer to sell, exchange or transfer new mobile homes or parts and accessories made or sold by such mobile home manufacturer and obligates the mobile home dealer to fulfill the warranty commitments of such mobile home manufacturer.

(g) "Used mobile home dealer" means any person actively engaged in the business of buying, selling or exchanging used mobile homes.

(h) "Mobile home salesman" means any person who is employed as a salesman by a mobile home dealer to sell mobile homes.

(i) "Board" means the vehicle dealer review board created by this act.

(j) "Director" means the director of vehicles, or a designee of the director.

(k) "Division" means the division of vehicles of the department of revenue.

(l) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, and is required to be registered under the provisions of article 1 of chapter 8 of Kansas Statutes Annotated and amendments thereto except that such term shall not include motorized bicycles or mobile homes.

(m) "Mobile home" means a living unit as defined by K.S.A. 8-126, and amendments thereto.

(m) "Manufactured home" means a structure, transportable in one or more sections which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet and which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. When the term mobile home is used in article 24 of chapter 8 of Kansas Statutes Annotated it shall be synonymous with and means the same as manufactured home.

(n) "Motor vehicle" means any vehicle other than a motorized bicycle, which is self-propelled and is required to be registered under the provisions of article 1 of chapter 8 of Kansas Statutes Annotated and amendments thereto.

(o) "Licensor" means the director or division or both.

(p) "First stage manufacturer" means any person who manufactures, assembles and sells new vehicles to new vehicle dealers for resale in this state.

(q) "Second stage manufacturer" means any person who assembles, installs or permanently affixes body, cab or special unit equipment to a chassis supplied by a first stage manufacturer, distributor or other supplier and sells the resulting new vehicles to new vehicle dealers for resale in this state.

(r) "Mobile home manufacturer" means any person who manufactures, assembles and sells new mobile homes to new mobile home dealers for resale in this state.

(s) "First stage converter" means any person who is engaged in the business of affixing to a chassis supplied by a first stage manufacturer, distributor or other supplier, specially constructed body units to result in motor vehicles used as, but not limited to, buses, wreckers, cement trucks and trash compactors.

(continued)

(t) "Second stage converter" means any person who is engaged in the business of adding to, subtracting from or modifying previously assembled or manufactured vehicles and sells the resulting converted vehicles at retail or wholesale.

(u) "Distributor" means any person who sells or distributes for resale new vehicles to new vehicle dealers in this state or who maintains distributor representatives in this state.

(v) "Wholesaler" means any person who purchases vehicles for the purpose of resale to a vehicle dealer.

(w) "Factory branch" means any branch office maintained in this state by a first or second stage manufacturer for the sale of new vehicles to distributors, or for the sale of new vehicles to new vehicle dealers, or for directing or supervising, in whole or in part, its representatives in this state.

(x) "Mobile home branch" means any branch office maintained in this state by a mobile home manufacturer for the sale of new mobile homes to new mobile home dealers, or for directing or supervising, in whole or in part, its representatives in this state.

(y) "Distributor branch" means any branch office similar to (w) maintained by a distributor for the same purposes as a factory branch.

(z) "Factory representative" means a representative employed by a first or second stage manufacturer, factory branch, mobile home manufacturer or mobile home branch for the purpose of making or promoting the sale of its new vehicles or new mobile homes to new vehicle dealers or new mobile home dealers, or for supervising or contacting its new vehicle dealers or mobile home dealers or prospective new vehicle dealers or mobile home dealers with respect to the promotion and sale of such vehicles or mobile homes and parts or accessories for the same.

(aa) "Distributor representative" means any representative similar to (z) employed by a distributor or distributor branch for the same purpose as a factory representative.

(bb) "Person" means any natural person, partnership, firm, corporation or association.

(cc) "New motor vehicle" means any motor vehicle which has never been titled or registered and has not been substantially driven or operated.

(dd) "Franchise agreement" means any contract or franchise or any other terminology, except mobile home sales agreement, used to describe the contractual relationship between first or second stage manufacturers, distributors and vehicle dealers, by which:

(1) A right is granted one party to engage in the business of offering, selling or otherwise distributing goods or services under a marketing plan or system prescribed in substantial part by the other party, and in which there is a community of interest in the marketing of goods or services at wholesale or retail, by lease, agreement or otherwise; and

(2) the operation of the grantee's business pursuant to such agreement is substantially associated with the grantor's trademark, service mark, trade name, logotype, advertising or other commercial symbol designating the grantor or an affiliate of the grantor.

(ee) "Mobile home sales agreement" means a contract between the manufacturer or distributor of mobile homes and a new mobile home dealer, by which the dealer is entitled to purchase new mobile homes from the manufacturer or distributor for resale within this state.

(ff) "Broker" means any person who, for commission, money or other thing of value, is engaged in the business of: (1) Selling or buying vehicles or mobile homes for other persons as an agent, middleman or negotiator; or (2) bringing buyers and sellers of vehicles or mobile homes together, but such term shall not include any person engaged in a business in which the acts described in this subsection are only incidentally performed.

(gg) "Salvage vehicle dealer" means any person engaged in the business of buying, dismantling, disassembling or recycling wrecked, abandoned or repairable vehicles and selling the usable parts thereof, or selling such wrecked, abandoned or repairable vehicles as a unit at wholesale or selling the hull of the vehicle after the salvageable parts have been removed.

(hh) "Lending agency" means any person, desiring to be

licensed under this act and engaged in the business of financing or lending money to any person to be used in the purchase or financing of a vehicle or mobile home.

(ii) "Established place of business" means a building or structure, other than a building or structure all or part of which is occupied or used as a residence, owned either in fee or leased and designated as an office or place to receive mail and keep records and conduct the routine of business.

(jj) "Auction motor vehicle dealer" means any person who for commission, money or other thing of value is engaged in an auction of motor vehicles except that the sales of such motor vehicles shall involve only motor vehicles owned by licensed motor vehicle dealers and sold to licensed motor vehicle dealers, *except that any auction motor vehicle dealer, registered as such and lawfully operating prior to June 30, 1980, shall be deemed to be and have been properly licensed under this act from and after July 1, 1980.* For the purposes of this subsection, an auction is a private sale of motor vehicles where any and all licensed motor vehicle dealers who choose to do so are permitted to attend and offer bids and the private sale of such motor vehicles is to the highest bidder.

(kk) "Licensee" means any person issued a valid license pursuant to this act.

(ll) "Dealer" means a mobile home dealer or a vehicle dealer as defined by this act, unless the context otherwise requires.

Sec. 2. K.S.A. 8-2401 is hereby repealed.

Sec. 3. On July 1, 1984, K.S.A. 8-2401, as amended by section 2 of 1984 Senate Bill No. 700, is hereby repealed.

Sec. 4. 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 7, 1984.

SENATE concurred in HOUSE amendments April 28, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.

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

APPROVED May 10, 1984.

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 17th day of May, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 569

AN ACT concerning regulation of watercraft; relating to safety requirements; amending K.S.A. 82a-804a and repealing the existing section.

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

Section 1. K.S.A. 82a-804a is hereby amended to read as follows: 82a-804a. (a) Motorboats subject to the provisions of this act shall be divided into four (4) classes as follows:

Class A. Less than ~~sixteen (16)~~ 16 feet in length.

Class 1. Sixteen (~~16~~) feet or over and less than ~~twenty-six (26)~~ 26 feet in length.

Class 2. Twenty-six (~~26~~) feet or over and less than ~~forty (40)~~ 40 feet in length.

Class 3. Forty (40) feet and over in length.

(b) Every motorboat in all weathers from sunset to sunrise shall carry and exhibit the following lights when underway, and during such time no other lights which may be mistaken for those prescribed shall be exhibited.

(1) Every motorboat of classes A and 1 shall carry the following lights:

First. A bright white light aft to show all around the horizon.

Second. A combined lantern in the fore part of the vessels and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

(2) Every motorboat of classes 2 and 3 shall carry the following lights:

First. A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show the unbroken light over an arc of the horizon of ~~twenty (20)~~ 20 points of the compass, so fixed as to throw the light ~~ten (10)~~ 10 points on each side of the vessel, namely, from right ahead to two (~~2~~) points abaft the beam on either side.

Second. A bright white light aft to show all around the horizon and higher than the white light forward.

Third. On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ~~ten (10)~~ 10 points of the compass, so fixed as to throw the light from right ahead to two (~~2~~) points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ~~ten (10)~~ 10 points of the compass, so fixed as to throw the light from right ahead to two (~~2~~) points abaft the beam on the port side. The side lights shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.

(3) Motorboats of classes A and 1 when propelled by sail alone and sailing vessels of similar size when propelled by sail alone shall carry the combined lantern prescribed by this section and a ~~twelve (12)~~ 12 point white light aft. Motorboats of classes 2 and 3, when so propelled, and sailing vessels of similar size, when propelled by sail alone, shall carry the colored side lights, suitably screened, prescribed by this section and a ~~twelve (12)~~ 12 point white light aft.

(4) Manually propelled vessels shall carry, ready at hand, a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

(5) Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two (~~2~~) miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one (~~1~~) mile. The word "visible" in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere.

(6) When propelled by sail and machinery any motorboat shall carry the lights required by this section for a motorboat propelled by machinery only.

(7) All vessels at anchor between sunset and sunrise, unless anchored at a designated site, shall carry forward, or where it can best be seen, a bright white light to show all around the horizon and visible for one (~~1~~) mile.

(c) Any vessel may carry and exhibit the lights required by the federal regulations for preventing collisions at sea, 1960, federal act of September 24, 1963 (33 USC 1051-1053) and

(1061-1064) as amended in lieu of the lights required by subsection (b) of this section.

(d) Every motorboat of class 1, 2, or 3 shall be provided with an efficient whistle or other sound-producing mechanical appliance.

(e) Every motorboat of class 2 or 3 shall be provided with an efficient bell.

(f) Every vessel, other than sail boards used for wind surfing, racing shells or rowing sculls shall carry at least one (~~1~~) coast guard approved lifesaving device of the sort prescribed by regulations of the commission, in good and serviceable condition, for each person on board, so placed as to be readily accessible. As used in this subsection, racing shell and rowing scull means a manually propelled vessel that is recognized by national or international racing associations for use in competitive racing in which all occupants row, scull or paddle, with the exception of a coxswain, and is not designed to carry and does not carry any equipment, not solely for competitive racing.

(g) Every motorboat shall be provided with such number, size, and type of coast guard approved fire extinguishers, capable of promptly and effectually extinguishing burning gasoline, as may be prescribed by the rules and regulations of the commission, which fire extinguishers shall be at all times kept in condition for immediate and effective use and shall be so placed as to be readily accessible.

(h) The provisions of subsections (d), (e) and (g) of this section shall not apply to outboard motorboats while competing in any race conducted pursuant to K.S.A. 82a-814, and amendments thereto, or, if such boats be designed and intended solely for racing, while engaged in such navigation as is incidental to the tuning up of the boats and engines for the race.

(i) Every motorboat shall have the carburetor or carburetors of every engine therein (except outboard motors) using gasoline as fuel, equipped with such efficient coast guard approved flame arrester, backfire trap, or other similar device as may be prescribed by the rules and regulations of the commission.

(j) Every such motorboat and every such vessel, except open boats, using as fuel any liquid of a volatile nature, shall be provided with such means as may be prescribed by the rules and regulations of the commission for properly and efficiently ventilating the bilges of the engine and fuel tank compartments so as to remove any explosive or inflammable gases.

(k) The commission is hereby authorized to make rules and regulations required to carry out in the most effective manner all of the provisions of this act and to alter, modify or supplement the equipment requirements contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the federal navigation laws or with the navigation rules promulgated by the United States coast guard.

(l) The commission is hereby authorized to establish and maintain for the operation of vessels on the waters of this state pilot rules in conformity with the pilot rules contained in the federal navigation laws or the navigation rules promulgated by the United States coast guard.

(m) No person shall operate or give permission for the operation of a vessel which is not equipped as required by the laws of Kansas and rules and regulations of the commission.

(n) No person shall operate a motorboat or other vessel close to swimming areas, moored boats, or vessels engaged in fishing, servicing buoys or markings, or similar activities, without reducing the speed of the vessel so as to prevent wash or wake from the vessel causing damage or unnecessary inconvenience to the occupants of the area or other vessels.

Sec. 2. K.S.A. 82a-804a 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 29, 1984.

SENATE concurred in HOUSE amendments April 28, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

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Passed the HOUSE as amended April 28, 1984.

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

APPROVED May 10, 1984.

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 17th day of May, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 31, 1984.)

Substitute for SENATE BILL No. 631

AN ACT concerning the development and redevelopment of central business district areas in cities; amending K.S.A. 12-1770, 12-1771, 12-1772, 12-1773, 12-1774, 12-1775 and 12-1778 and repealing the existing sections.

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

Section 1. K.S.A. 12-1770 is hereby amended to read as follows: 12-1770. It is hereby declared to be the purpose of this act to promote, stimulate and develop the general and economic welfare of the state of Kansas and its communities and to assist in the development and redevelopment of central business district areas of cities and enterprise zones located within cities, thus promoting the general welfare of the citizens of this state, by authorizing cities to acquire certain property and to issue special obligation bonds *and full faith and credit tax increment bonds* for the financing of redevelopment projects. It is further found and declared that the powers conferred by this act are for public uses and purposes for which public money may be expended and the power of eminent domain exercised, ~~and that~~. The necessity in the public interest for the provisions ~~herein~~ *enacted of this act* is hereby declared as a matter of legislative determination.

Sec. 2. K.S.A. 12-1771 is hereby amended to read as follows: 12-1771. (a) No city shall exercise any of the powers conferred by K.S.A. 12-1770 *et seq.*, and *amendments thereto*, unless the governing body of such city has adopted a resolution finding that: (1) The *specific project* area sought to be redeveloped is a blighted area; or (2) has been designated as an enterprise zone pursuant to K.S.A. 12-17,110, and *amendments thereto*; and (3) the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of such city. For the purpose of this subsection, the term "blighted area" means an area which, because of the presence of a majority of the following factors, substantially impairs or arrests the sound development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use: (A) A substantial number of deteriorated or deteriorating structures; (B) predominance of defective or inadequate street layout; (C) unsanitary or unsafe conditions; (D) deterioration of site improvements; (E) diversity of ownership; (F) tax or special assessment delinquency exceeding the fair value of the land; (G) defective or unusual conditions of title; (H) improper subdivision or obsolete platting or land uses; (I) the existence of conditions which endanger life or property by fire and other causes; or (J) conditions which create economic obsolescence.

(b) The powers conferred upon cities under the provisions of K.S.A. 12-1770 *et seq.*, and *amendments thereto*, shall be exercised in central business district areas of cities, as determined by resolution adopted pursuant to K.S.A. 12-1772, and *amendments thereto*, or in enterprise zones designated pursuant to K.S.A. 12-17,110, and *amendments thereto*.

(c) No privately owned property subject to ad valorem taxes

shall be acquired and redeveloped under the provisions of K.S.A. 12-1770 *et seq.*, and *amendments thereto*, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the hearing provided for in K.S.A. 12-1772, and *amendments thereto*, that the proposed project will have an adverse effect on such county or school district.

(d) Any redevelopment plan undertaken in accordance with the provisions of K.S.A. 12-1770 *et seq.*, and *amendments thereto*, shall fix a date on which the development shall: (1) Commence, which date shall be not more than one year from the date that any property is acquired by the city following adoption of the plan; and (2) be completed, which date shall be not more than five years from the date the plan was adopted.

(e) Any increment in ad valorem property taxes resulting from a redevelopment project undertaken in accordance with the provisions of this act, apportioned to a special fund for the payment of special obligation bonds *or full faith and credit tax increment bonds* issued to finance such project pursuant to K.S.A. 12-1775, and *amendments thereto*, may be pledged to such fund for not to exceed 20 years. For the purposes of this act, "increment" means that amount of ad valorem taxes collected from real property located within the redevelopment project area which is attributable to its increase in assessed valuation resulting from a redevelopment project and which is in excess of that amount which is produced from such property and attributable to the assessed valuation of such property prior to any increase in assessed valuation resulting from a redevelopment project and as of the date the redevelopment plan was adopted, as provided in subsection (c)(2) of K.S.A. 12-1775, and *amendments thereto*.

(f) Before any redevelopment project is undertaken, a comprehensive feasibility study, which shows the benefits derived from such project will exceed the costs and that the income therefrom will be sufficient to pay for the project shall be prepared.

Sec. 3. K.S.A. 12-1772 is hereby amended to read as follows: 12-1772. (a) Any city proposing to undertake a redevelopment project in accordance with the provisions of this act shall first prepare a redevelopment plan in consultation with the planning commission of the city. The redevelopment plan shall include: (1) A summary of the feasibility study required by K.S.A. 12-1771, and *amendments thereto*; (2) a description and map of the area to be redeveloped; (3) the relocation assistance plan required by K.S.A. 12-1777, and *amendments thereto*; (4) a description of the buildings and facilities proposed to be constructed or improved in such area; and (5) *any* other information the governing body deems necessary to advise the public of the intent of the plan. A copy of the redevelopment plan shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the proposed redevelopment project area. Upon a finding by the planning commission that the redevelopment plan is consistent with the comprehensive general plan for the development of the city, the governing body of the city shall adopt a resolution stating that the city is considering the adoption of the plan. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the adoption of the redevelopment plan and fix the date, hour and place of such public hearing;

(2) describe the boundaries of the central business district of the city or the boundaries of the enterprise zone to be established;

(3) describe the boundaries of the area proposed to be included within the redevelopment project area; and

(4) state that the redevelopment plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be redeveloped are available for inspection during regular office hours in the office of the city clerk.

Except as provided in paragraph (3) of subsection (b) of section 5, if the governing body determines that it may issue full faith and credit tax increment bonds to finance the redevelopment project, in whole or in part, the resolution also shall include notice thereof.

(continued)

(b) The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing.

(c) A copy of the resolution providing for the public hearing shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property within the proposed redevelopment project area. Copies shall also shall be mailed by certified mail to each owner and occupant of land within the proposed redevelopment project area not more than 10 days following the date of the adoption of the resolution. The resolution shall be published once in the official city newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the project area shall be published with the resolution.

(d) At the public hearing, a representative of the city shall present the city's proposed redevelopment plan. Following the presentation of the plan, all interested persons shall be given an opportunity to be heard. The governing body for good cause shown may recess such hearing to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(e) Following the public hearing, the governing body may adopt the redevelopment plan by ordinance passed upon a $\frac{2}{3}$ vote. Any substantial changes to the plan as adopted shall be subject to public hearing following publication of notice thereof at least twice in the official city newspaper.

Sec. 4. K.S.A. 12-1773 is hereby amended to read as follows: 12-1773. (a) Any city which has adopted a redevelopment plan in accordance with the provisions of this act may purchase or otherwise acquire real property. Upon a $\frac{2}{3}$ vote of the members of the governing body thereof a city may acquire by condemnation any interest in real property, including a fee simple title thereto, which it may deem deems necessary, for or in connection with any redevelopment plan of an area located within the central business district. Any such city may exercise the power of eminent domain in the manner provided in article 5 of chapter 26 of Kansas Statutes Annotated and acts amendatory thereof or supplemental thereto, but, by K.S.A. 26-501 et seq., and amendments thereto. In addition to any compensation or damages allowable allowed under the eminent domain procedure act, such city shall also provide for the payment of relocation assistance as provided in K.S.A. 12-1777, and amendments thereto.

(b) Any property acquired by a city under the provisions of this act may be sold or leased to any person, firm or corporation, hereinafter referred to as a developer, in accordance with the redevelopment plan and under such other conditions as may be agreed upon. Such city shall use the proceeds of special obligation bonds issued under K.S.A. 12-1774, and amendments thereto, or full faith and credit tax increment bonds issued under section 5 to acquire real property within the project area including the payment of relocation assistance, to prepare the site for redevelopment, to finance any necessary related streets and municipal utilities, and to pay all necessary related expenses to redevelop and finance the redevelopment project. None of the proceeds from the sale of such special obligation bonds shall be used for the construction of buildings or other improvements to be owned by such developer.

Sec. 5. K.S.A. 12-1774 is hereby amended to read as follows: 12-1774. (a) (1) Any city shall have the power to issue special obligation bonds to finance the undertaking of any redevelopment project in accordance with the provisions of this act. Such special obligation bonds shall be made payable, both as to principal and interest: (A) From property tax increments allocated to, and paid into a special fund of the city under the provisions of K.S.A. 12-1775, and amendments thereto;

(2) (B) from revenues of the city derived from or held in connection with the undertaking and carrying out of any redevelopment project or projects under this act;

(3) (C) from any private sources, contributions or other financial assistance from the state or federal government; or

(4) (D) by any combination of these methods.

(b) (2) Bonds issued under this section paragraph (1) of subsection (a) shall not be general obligations of the city, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in paragraph (1) of subsection (a) of this section; and special obligation and such bonds issued under this section shall so state on their face.

(e) (3) Bonds issued under the provisions of this act paragraph (1) of subsection (a) shall be special obligations of the city and are declared to be negotiable instruments. They shall be executed by the mayor and clerk of the city and sealed with the corporate seal of the city. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city. All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals, viz., the authority under which such special obligation bonds are issued, they are in conformity with the provisions, restrictions and limitations thereof, and that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in paragraph (1) of subsection (a) of this section.

(b) (1) Subject to the provisions of paragraph (2) of this subsection, any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking of any redevelopment project in accordance with the provisions of K.S.A. 12-1770 et seq., and amendments thereto. Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in paragraph (1) of subsection (a); and (B) subject to the provisions of paragraph (2) of this subsection, from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in paragraph (3) of this subsection, before the governing body of any city proposes to issue full faith and credit tax increment bonds as authorized by this subsection, the feasibility study required by K.S.A. 12-1771, and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by K.S.A. 12-1772, and amendments thereto, that it may issue such bonds to finance the proposed redevelopment project. The governing body may issue the bonds unless within 60 days following the date of the public hearing on the proposed redevelopment plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with K.S.A. 12-1774, and amendments thereto. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 12-1771, and amendments thereto, that the proposed project will have an adverse effect on the county or school district.

(3) As an alternative to paragraph (2) of this subsection, any city which adopts a redevelopment plan but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by K.S.A. 12-1772, and amendments thereto, and has not acquired property in the redevelopment project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a

(continued)

majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to paragraph (1) of subsection (a). Any redevelopment plan adopted by a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any redevelopment project in which the city's costs will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the city's cost for the project. Such temporary notes shall not be issued and the city shall not acquire property in the redevelopment project area until the requirements of paragraph (2) or (3) of this subsection, whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. They shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such city.

Sec. 6. K.S.A. 12-1775 is hereby amended to read as follows: 12-1775. (a) For the purposes of this act, the term "taxing subdivision" shall include only the county, the city and the unified school district, the territory or jurisdiction of which includes the redevelopment project area. The term "real property taxes" includes all taxes levied on an ad valorem basis upon land and improvements thereon.

(b) All tangible taxable property located within a redevelopment project area shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such area, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall likewise distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment area. Each redevelopment area established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of approval of any redevelopment plan by ordinance pursuant to K.S.A. 12-1772, and amendments thereto, real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined, on property located within such redevelopment area constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment area constituting a separate taxing unit under the provisions of this act, the county treasurer first shall first allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the effective date of such ordinance.

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment project area constituting a separate taxing unit under the provisions of this section in excess of an amount equal to the total assessed value of such real property on the effective date of such ordinance shall be allocated and paid by the county treasurer to the treasurer of the city and deposited in a special fund of the city to pay the principal of and interest on any special obligation

bonds or full faith and credit tax increment bonds issued by such city to finance, in whole or in part, such redevelopment project. When such special obligation bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment project area shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes.

(d) In any redevelopment plan or in the proceedings for the issuing of any special obligation bonds or full faith and credit tax increment bonds by the city to finance a redevelopment project, the property tax increment portion of taxes provided for in paragraph (2) of subsection (c)(2) of this section may be irrevocably pledged for the payment of the principal of and interest on such special obligation bonds, subject to the provisions of subsection (e) of K.S.A. 12-1771, and amendments thereto.

Sec. 7. K.S.A. 12-1778 is hereby amended to read as follows: 12-1778. Notwithstanding any other provision of law, it is hereby stated that it is an object of all ad valorem taxes levied by or for the benefit of any city, county or school district of the state on taxable tangible real property located within any redevelopment project undertaken pursuant to this act, that such taxes may be applied and allocated to and when collected paid into a special fund of a city pursuant to the procedures and limitations of this act to pay the principal of and interest on special obligation bonds or full faith and credit tax increment bonds issued by such city to finance, in whole or in part, such redevelopment project.

Sec. 8. K.S.A. 12-1770, 12-1771; 12-1772, 12-1773, 12-1774, 12-1775 and 12-1778 are hereby repealed.

Sec. 9. 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 29, 1984.

Senate adopted Conference Committee report April 29, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.

House adopted Conference Committee report April 29, 1984.

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

APPROVED May 11, 1984.

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 17th day of May, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, May 31, 1984.)

HOUSE BILL No. 3070

AN ACT concerning motor-vehicle fuels; alcohol additives; tax amounts imposed; amending K.S.A. 1983 Supp. 79-3401 and 79-3408 and repealing the existing sections.

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

Section 1. K.S.A. 1983 Supp. 79-3401 is hereby amended to read as follows: 79-3401. This act, and any amendments thereof and supplements thereto, shall be known and may be cited as the "motor-fuel tax law," and as so constituted is hereinafter referred to as "this act." The following words, terms and phrases, when used in this act, shall have the meanings ascribed to them in this section, except in those instances clearly indicating a different meaning:

(a) "Person." Every natural person, firm, association or corporation. ~~Whenever~~ *When* used in any clause, prescribing and imposing a fine or imprisonment, or both, the term "person" as applied to firms and associations shall mean means the partners or members thereof and, as applied to corporations, the corporation and the officers thereof.

(b) "Oil inspector." The director of taxation, or a duly authorized deputy, agent, or representative.

(c) "Director." The director of taxation, or a duly authorized deputy, agent, or representative.

(d) "Liquid fuels." Any inflammable liquid by whatever name such liquid shall be known or sold, which is used, or practically or commercially usable, either alone or when mixed or combined in an internal-combustion engine for the generation of power.

(e) "Motor-vehicle fuels." Gasoline, casinghead gasoline, natural gasoline, drip gasoline, and any other liquid fuel which, when subjected to the standard method of tests for distillation of petroleum products similar to those adopted by the American society for testing materials, shall show not less than 10% recovered when the thermometer reads 347 degrees Fahrenheit and not less than 95% recovered when the thermometer reads 464 degrees Fahrenheit. The term "motor-vehicle fuels" shall not include stove and lamp fuel, commercial and industrial solvents, benzol, benzine, cleaners' or painters' naphtha, nor does the term motor-vehicle fuels include liquefied gases, which exist in the gaseous state at a temperature of sixty degrees Fahrenheit and at a pressure of 14.7 pounds per square inch absolute.

(f) "Dealer." Any person engaged in the retail sale of motor-vehicle fuels.

(g) "Distributor." Any person, who or which: (1) Imports or causes to be imported from any other state or territory of the United States motor-vehicle fuels for such person's own use in the state of Kansas, or for sale and delivery therein, after the same shall have come to rest or storage therein, whether or not in the original package, receptacle, or container; or (2) imports or causes to be imported, from a foreign country, motor-vehicle fuels for such person's own use in the state of Kansas, or for sale and delivery therein, after the same shall have come to rest or storage, whether or not in the original package, receptacle, or container; or (3) purchases or receives motor-vehicle fuels in the original package, receptacle, or container in the state of Kansas for such person's own use therein, or for sale and delivery therein, from any person who has imported the same from any other state or territory of the United States, or any other nation, in case such motor-vehicle fuels have not, prior to such purchase or receipt, come to rest or storage in the state of Kansas; or (4) received and, in any manner, uses, sells or delivers motor-vehicle fuels in the state of Kansas on which the tax provided for in this act has not been previously paid.

(h) "Received." Motor-vehicle fuel produced, refined, prepared, distilled, manufactured, blended or compounded at any refinery, or other place, in the state of Kansas by any person, or imported into this state from any other state, territory, or foreign country by pipeline or connecting pipeline at a pipeline terminal or pipeline tank farm for storage, shall be deemed to be "received" by such person thereat when the same shall have been loaded at such refinery, pipeline terminal, pipeline tank farm or

other place, into tank cars, tank trucks, or other container, or placed in any tank from which any withdrawals are made direct into tank cars, tank trucks, or other types of transportation equipment, containers, or facilities.

(i) "Public highways" shall mean and include every way or place, of whatever nature, generally open to the use of the public as a matter of right, for the purposes of vehicular travel and notwithstanding that the same shall have been temporarily closed for the purpose of construction, reconstruction, or repair.

(j) "Manufacturer." Any person who or which produces, refines, prepares, blends, distills, manufactures, or compounds motor-vehicle fuels in the state of Kansas for such person's own use therein, or for sale or delivery therein. The term "manufacturer" shall not include any person who or which mechanically separates liquids from natural gas at production facilities or gathering system pipelines on the lease. No person who produces, refines, prepares, blends, distills, manufactures, or compounds motor-vehicle fuels shall be required to render a distributor's (manufacturer's) report as to any particular lot or lots of motor-vehicle fuels until such motor-vehicle fuels have been loaded at a refinery or other place of production into tank cars, or placed in any tank at such refinery or other place of production from which any withdrawals are made direct into tanks, tank wagons or other types of transportation equipment, containers or facilities.

(k) "Importer." Any licensed motor-vehicle fuel distributor, who or which imports motor-vehicle fuels from any other state or territory of the United States or from a foreign country, for such person's own use in the state of Kansas, or for sale or delivery therein, whether or not in the original package, receptacle, or container.

(l) "Aviation fuel." Motor-vehicle fuels for use as fuel for aircraft.

(m) "Agricultural ethyl alcohol." A motor-vehicle fuel component with a purity of at least 99%, exclusive of any added denaturants, denatured in conformity with one of the methods approved by the United States department of the treasury, bureau of alcohol, tobacco and firearms, and distilled in the United States of America from grain produced in the United States of America.

Sec. 2. K.S.A. 1983 Supp. 79-3408 is hereby amended to read as follows: 79-3408. (a) ~~Until 12:01 a.m. July 1, 1983, a tax of \$.08 per gallon, or fraction thereof, and from and after 12:01 a.m. July 1, 1983, From and after 12:01 a.m. July 1, 1984, a tax per gallon, or fraction thereof, at the rate computed as prescribed in K.S.A. 1983 Supp. 79-34,141 and amendments thereto~~ is hereby imposed on the use, sale, or delivery of all motor-vehicle fuels containing less than 10% agricultural ethyl alcohol by weight volume which is used, sold, or delivered in this state for any purpose whatsoever.

(b) ~~A tax is hereby imposed on the use, sale or delivery of all motor-vehicle fuels containing 10% or more of agricultural ethyl alcohol by weight, which is used, sold, or delivered in this state for any purpose whatsoever at a rate as follows: From and after 12:01 a.m. July 1, 1983, 1984, a tax of \$.06 per gallon, or fraction thereof. Whenever is hereby imposed on the sale, use or delivery of all motor-vehicle fuels containing 10% or more of agricultural ethyl alcohol by volume, which is used, sold or delivered in this state for any purpose whatsoever. When the gross tax revenue generated under the motor-fuels tax law from the sale in Kansas of motor-fuels containing agricultural ethyl alcohol equals \$5,000,000 less than the amount of revenue which would have been derived from the taxation of such motor fuel at the rate per gallon, or fraction thereof, prescribed for motor-vehicle fuels under subsection (a), commencing on the first day of the month next following 30 days thereafter, there shall be imposed a tax at the rate of \$.05 per gallon, or fraction thereof, less than that prescribed for motor-vehicle fuels under subsection (a).~~

(c) *Every retail pump for motor-vehicle fuels shall be conspicuously labeled to show the content and percentage of any ethyl alcohol or other alcohol combined or alone in excess of 1% by volume.*

(d) Such taxes shall be paid but once. Such tax shall be

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computed on all motor-vehicle fuels received by each distributor, manufacturer or importer in this state and paid in the manner provided for herein, except that an allowance of 2.5% of the first 1,000,000 gallons received during each calendar year and 2% of the total gallonage in excess of 1,000,000 gallons received during each calendar year shall be made and deducted by the distributor to cover all ordinary losses in handling such motor-vehicle fuels. No such allowance shall be made on any motor-vehicle fuel exported from the state or sold to the United States of America or any of its agencies or instrumentalities as are now or hereinafter exempt by law from liability to state taxation. A distributor shall not be entitled to such allowance unless the principal business in which he or she such distributor is engaged is the business of marketing motor-vehicle fuels or petroleum products. No such allowance shall be made for any motor-vehicle fuel sold or disposed of to a consumer in tank car, transport, or pipeline lots.

(d) No tax is hereby imposed upon or with respect to the following transactions:

(1) The sale or delivery of motor-vehicle fuel by a duly licensed distributor, manufacturer or importer to another duly licensed distributor, manufacturer or importer.

(2) The sale or delivery of motor-vehicle fuel for export from the state of Kansas to any other state or territory or to any foreign country.

(3) The sale or delivery of motor-vehicle fuel to the United States of America and such of its agencies as are now or hereafter exempt by law from liability to state taxation.

(4) The sale or delivery of motor-vehicle fuel to a contractor for use in performing work for the United States or those agencies of the United States above mentioned, provided such contractor has in effect with the United States or any such agency a cost-plus-a-fixed-fee contract covering the work.

(5) The sale or delivery of motor-vehicle fuel which is aviation fuel.

(e) Each distributor, manufacturer or importer shall make full reports and furnish such further information as the director may require with reference to all transactions upon which no tax is to be paid.

New Sec. 3. In order to be eligible for the lower motor-fuels tax imposed under subsection (b) of K.S.A. 79-3408 and amendments thereto, each manufacturer, importer or distributor of agricultural ethynol to be blended in this state with gasoline or other motor-vehicle fuel, shall annually submit to the director of taxation a certification under oath, administered by a notary public, that such manufacturer, importer or distributor's agricultural ethyl alcohol used, sold or delivered in this state in all respects conformed to the requirements of subsection (m) of K.S.A. 79-3401 and amendments thereto and subsection (c) of K.S.A. 79-3408 and amendments thereto.

Sec. 4. K.S.A. 1983 Supp. 79-3401 and 79-3408 are hereby repealed.

Sec. 5. 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 28, 1984.

HOUSE concurred in SENATE amendments April 28, 1984.

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

Passed the SENATE as amended April 26, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 10, 1984.

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 17th day of May, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 862

AN ACT concerning the creation of certain water districts; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 19-3536 and repealing the existing section.

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

Section 1. K.S.A. 19-3536 is hereby amended to read as follows: 19-3536. As used in this act K.S.A. 19-3536 through 19-3544, inclusive, and amendments thereto, unless the context clearly requires otherwise:

(a) "Board" means the board of county commissioners;

(b) "county" means (1) a county having a population of less than one hundred thousand (100,000) 100,000 and adjoining a major federal reservoir flood control project or (2) Finney county.

New Sec. 2. (a) The governing body of the city of Lansing, Kansas, and the governing body of Delaware township may establish a joint water district. The joint water district shall be governed by a nonpartisan board elected in the manner provided by subsection (b). Such board shall be independent of the township and city.

(b) Such district shall be governed by a five member board. The members of the board shall be residents of the joint district and shall be elected on an at-large basis. Except as provided by subsection (c), board members shall hold office for a term of four years and until their successors are elected and qualified. An election to choose board members shall be held on the first Tuesday in November, 1984, and every two years thereafter. If a vacancy occurs on the joint water district board, a successor shall be appointed by the remaining board members and shall hold office until the next regular election.

(c) At the first election, the two members receiving the largest number of votes shall hold office for a term of four years. The three remaining members shall serve for a term of two years. At all succeeding elections all members shall be elected for terms of four years.

(d) All assets and liabilities of any existing township water district may be transferred to the joint water district. All covenants, terms and conditions contained in the resolution authorizing the issuance of water revenue bonds which are outstanding at the time the joint district is established shall be maintained and complied with by the governing body of the joint water district.

(e) The joint water district board shall be responsible for the maintenance, operation, improvement and extension of the district's water system. The joint water district board shall establish rates for the district's customers.

New Sec. 3. (a) At the first meeting of the joint water district board following January 1, 1985, and annually thereafter, the board shall elect a chairperson, vice-chairperson and secretary-treasurer for a term of one year, or until a successor is elected and has qualified. The chairperson and all persons employed by the board shall be paid just and reasonable compensation as determined by the board. The board shall prepare annually a budget for the coming year, adjust water rates, if necessary to produce sufficient revenue required by such budget, and shall cause an annual audit of the district's records and accounts to be made.

(b) The joint water district board shall meet at such times as may be determined by the board or upon call by the chairperson or any two members of the board. The board shall adopt such rules and regulations and district bylaws deemed necessary for the conduct of the business of the district. It shall be the duty of

(continued)

the secretary to keep records showing all minutes, decisions and orders made by the board.

New Sec. 4. (a) Every district incorporated under this act shall have perpetual succession, subject to dissolution or consolidation pursuant to law and shall have the power to:

(1) Exercise eminent domain within the boundaries of such district;

(2) sue and be sued;

(3) contract;

(4) hold real and personal property acquired by will, gift, purchase or otherwise, as authorized by law;

(5) construct, install, maintain and operate such ponds, reservoirs, pipelines, wells, check dams, pumping installations or other facilities for the storage, transportation or utilization of water and such appurtenant structures and equipment necessary to carry out the purposes of its organization;

(6) employ any person necessary to carry out the provisions of this act;

(7) cooperate with and enter into agreements with the secretary of the United States department of agriculture or the secretary's duly authorized representative necessary to carry out the purposes of its organization;

(8) accept financial or other aid which the secretary of the United States department of agriculture is empowered to give pursuant to 16 U.S.C.A., §§ 590r, 590s, 590x-1, 590x-a and 590x-3, as amended;

(9) issue revenue bonds as provided by K.S.A. 80-1601 *et seq.*, and amendments thereto; and

(10) acquire loans for the financing of the cost of construction or purchase of any project necessary to carry out the purposes of the district, as provided by the provisions of subsection (c) of K.S.A. 82a-619, and amendments thereto. Any such loan may be secured by any or all of the physical assets owned by the district, including easements and rights-of-way.

(b) No district organized under the provisions of this act shall have the power to levy any tax.

Sec. 5. K.S.A. 19-3536 is hereby repealed.

Sec. 6. 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 2, 1984.

SENATE concurred in HOUSE amendments April 28, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.

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

APPROVED May 11, 1984.

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 17th day of May, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 887

AN ACT authorizing the secretary of social and rehabilitation services to settle a civil lawsuit, making and concerning appropriations and directing certain transfers and disbursements therefor; imposing certain conditions, restrictions and limitations.

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

Section 1. (a) "Secretary" means the secretary of social and rehabilitation services.

(b) In accordance with the provisions of this section, the secretary is authorized to enter into an agreement to settle for the sum of \$9,500,000 all claims against the secretary and the state of Kansas arising out of *Country Club Home, Inc., et al. vs. Robert C. Harder, as Secretary of Social and Rehabilitation Services*, case number 81-CV-1041, in the district court of Sedgwick County, Kansas.

(c) The authorization set forth in subsection (b) shall expire on July 31, 1984, unless the secretary's settlement offer is accepted by such date.

(d) Subject to the provisions of this section, if the secretary's settlement offer is accepted, the secretary shall pay the \$9,500,000 to the plaintiffs in three installments as follows: \$3,500,000 shall be paid within 10 days from the date of settlement; \$3,500,000 shall be paid within 10 days from the date of settlement or on July 10, 1984, whichever is later; and \$2,500,000 shall be paid on July 1, 1985.

(e) (1) Upon certification by the secretary that the settlement agreement authorized under this section has been entered into and upon approval by the state finance council in accordance with subsection (e)(4), the director of accounts and reports shall transfer by voucher \$3,500,000 from the state general fund to the social welfare fund of the department of social and rehabilitation services.

(2) Within 10 days from the date that the settlement agreement authorized under this section is entered into as certified by the secretary or on July 10, 1984, whichever is later, and upon the approval of the state finance council in accordance with subsection (e)(4) the director of accounts and reports shall transfer by voucher \$3,500,000 from the state general fund to the social welfare fund of the department of social and rehabilitation services.

(3) On July 1, 1985, and upon certification by the secretary that the settlement agreement authorized under this section has been entered into and upon the approval of the state finance council in accordance with subsection (e)(4), the director of accounts and reports shall transfer by voucher \$2,500,000 from the state general fund to the social welfare fund of the department of social and rehabilitation services.

(4) No moneys shall be transferred under this subsection (e) except: (A) Upon certification by the secretary to the director of accounts and reports that the settlement agreement authorized under this section has been entered into; and (B) upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto. Moneys transferred in accordance with this subsection (e) shall be used only for the payment of the settlement entered into under this section.

(f) Payment made under any settlement agreement entered into in accordance with this section shall not waive any rights the state may have in this matter to reimbursement from the federal department of health and human services or its successor agency.

Sec. 2. 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, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

(continued)

Passed the HOUSE April 28, 1984.

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

APPROVED May 10, 1984.

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 17th day of May, 1984.

(SEAL) **JACK H. BRIER**
Secretary of State.

(Published in the KANSAS REGISTER, May 31, 1984.)

SENATE BILL No. 882

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1984, June 30, 1985, June 30, 1986, and June 30, 1987; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending section 6 of 1984 House Bill No. 2684, sections 3, 7, 8 and 9 of 1984 House Bill No. 2805 and section 2 of 1984 House Bill No. 3093 and repealing the existing sections; and also repealing section 2 of 1984 Senate Bill No. 514 and section 25 of 1984 House Bill No. 2703.

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

Section 1. For the fiscal years ending June 30, 1984, June 30, 1985, June 30, 1986, and June 30, 1987, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements, and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 1984, the expenditure limitation established by section 2(a) of 1984 Senate Bill No. 506 on the construction, remodeling and special maintenance projects for buildings account of the state highway fund is hereby increased from \$930,300 to \$1,130,300.

(b) In addition to the purposes for which expenditures may be made for fiscal year 1985 from the state highway fund, as prescribed by section 2(a) of 1984 Senate Bill No. 506, the department of transportation is hereby authorized and directed to make expenditures for fiscal year 1985 from such fund for the following purpose, subject to the expenditure limitation prescribed therefor:

Reconstruct and maintain the roadway from state highways 56 and 156 to Pawnee rock historical state park. \$290,000

Sec. 3.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

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

	Fiscal Year 1984	Fiscal Year 1985
Salaries and wages.		\$87,029
Other operating expenditures.		153,307
Total.		\$240,336

(b) On July 1, 1984, the position limitation established by section 16 of 1984 House Bill No. 2692 for the attorney general—Kansas bureau of investigation is hereby increased from 134.0 to 141.0.

(c) On July 1, 1984, the expenditure limitation established by section 4(b) of 1984 House Bill No. 2692 on the drug enforcement—federal fund is hereby increased from \$0 to No limit.

Sec. 4.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

	Fiscal Year 1984	Fiscal Year 1985
Public assistance	\$569,217	
Foster care	101,591	
Vocational rehabilitation		\$67,416
Educational services—out-of-state foster care placements		125,000
Youth services		141,000
Total	\$670,808	\$333,416

(b) On July 1, 1984, the expenditure limitation established by section 4(b) of 1984 Senate Bill No. 514 on the state operations account of the social services clearing fund is hereby increased from \$96,761,047 to \$96,828,463.

(c) On July 1, 1984, the position limitation established by section 7 of 1984 Senate Bill No. 514 for the department of social and rehabilitation services is hereby increased from 2,743.6 to 2,744.6.

Sec. 5.

KANSAS HIGHWAY PATROL

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

	Fiscal Year 1984	Fiscal Year 1985
Emergency medical services—state operations		\$248,362
<i>Provided, That no expenditures shall be made from this account for rental of office space, except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.</i>		
Aid to local units—EMS administrative grants.		120,000
<i>Provided, That expenditures from this account are hereby authorized for grants to regional emergency medical services councils for support of administrative activities: Provided further, That such councils shall submit documentary evidence to the Kansas highway patrol that local support is available to match such state grants: Provided further, That local support may be provided on a dollar-for-dollar basis or the equivalent thereof.</i>		
Aid to local units—EMS communications system operating and maintenance expenditures		47,000
Total		\$415,362

(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 shall not exceed the following:

	Fiscal Year 1984	Fiscal Year 1985
Emergency medical service attendant testing fund		\$27,500

(c) On July 1, 1984, the director of accounts and reports shall transfer \$27,500 from the appropriate account of the restricted fee fund of the university of Kansas medical center to the emergency medical service attendant testing fund of the Kansas highway patrol.

(d) On July 1, 1984, the position limitation established by section 4 of 1984 Senate Bill No. 506 for the highway patrol of the Kansas highway patrol is hereby increased from 473.0 to 481.0.

Sec. 6.

DEPARTMENT OF HEALTH AND ENVIRONMENT

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

	Fiscal Year 1984	Fiscal Year 1985
Salaries and wages.		\$19,877
Other operating expenditures.		20,000

(continued)

Hemophilia program	75,000
Seizure clinic program	30,000
<i>Provided, That expenditures from this account shall be made only for the provision of services to persons eligible for financial assistance under subsection (n) of K.A.R. 28-4-406.</i>	
Total	\$144,877

(b) On July 1, 1984, the position limitation established by section 7 of 1984 Senate Bill No. 514 for the department of health and environment is hereby increased from 580.2 to 582.2.

(c) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 Senate Bill No. 514 on the medicare fund—federal is hereby decreased from \$343,161 to \$311,511.

(d) Within the limitations imposed by this or other appropriations act of the 1984 regular session of the legislature on the full-time equivalent number of full-time and regular part-time positions, excluding seasonal and temporary positions, paid from appropriations made for the fiscal year ending June 30, 1985, for the department of health and environment, the position of pre-school handicap coordinator shall be in the unclassified service under the Kansas civil service act.

(e) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 Senate Bill No. 514 on the national health planning act fund—federal is hereby increased from \$233,495 to \$400,495.

(f) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 Senate Bill No. 514 on the resource conservation and recovery act—federal fund is hereby increased from \$395,050 to \$534,657.

(g) 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 1984	Fiscal Year 1985
Hazardous waste clean-up fund		No limit

(h) On July 1, 1984, the director of accounts and reports shall transfer \$200,000 from the state general fund to the hazardous waste clean-up fund.

Sec. 7.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established by the state finance council on the securities act fee fund is hereby increased from \$477,718 to \$485,940.

(b) On June 30, 1984, if there is an unencumbered balance in excess of \$500,000 in the securities act fee fund as of that date, the director of accounts and reports shall transfer the amount equal to the portion of the unencumbered balance which is in excess of \$500,000 from the securities act fee fund to the state general fund so that the beginning balance in the securities act fee fund on the first day of fiscal year 1985 is \$500,000. The amount transferred under this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel, and purchasing services and any other governmental services which are performed on behalf of the office of the securities commissioner of Kansas by other state agencies which receive appropriations from the state general fund to provide such services. Such reimbursement is in addition to the reimbursements authorized by K.S.A. 75-3170a and amendments thereto.

(c) On July 1, 1984, the expenditure limitation established by section 19(a) of 1984 House Bill No. 2680 on the securities act fee fund is hereby increased from \$565,108 to \$698,248.

(d) On July 1, 1984, the position limitation established by section 22 of 1984 House Bill No. 2680 for the office of the securities commissioner of Kansas is hereby increased from 16.0 to 19.0.

Sec. 8.

BOARD OF STATE FAIR MANAGERS

(a) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 House Bill No. 2693 on the state fair fee fund is hereby increased from \$1,463,855 to \$1,485,299.

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

	Fiscal Year 1984	Fiscal Year 1985
Special maintenance of fairground facilities, including utility, building and grounds improvements		\$20,000

Sec. 9.

LARNED STATE HOSPITAL

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures	\$40,090	\$93,173

(b) On the effective date of this act, the expenditure limitation established by section 16(a) of 1984 Senate Bill No. 578 on the Larned state hospital fee fund is hereby decreased from \$1,556,314 to \$1,516,224.

(c) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 579 on the Larned state hospital fee fund is hereby decreased from \$1,479,812 to \$1,443,315.

Sec. 10.

OSAWATOMIE STATE HOSPITAL

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures	\$218,588	\$121,107

(b) On July 1, 1984, the expenditure limitation established by section 7(b) of 1984 Senate Bill No. 579 on the Osawatomi state hospital fee fund is hereby decreased from \$1,847,966 to \$1,788,233.

(c) On the effective date of this act, the expenditure limitation established by section 7(b) of chapter 10 of the 1983 Session Laws of Kansas on the Osawatomi state hospital fee fund is hereby decreased from \$2,521,805 to \$2,303,217.

(d) There is appropriated for the above agency from the state institutions building fund for the fiscal year specified, the following:

	Fiscal Year 1984	Fiscal Year 1985
Raze old sewage disposal plant		\$7,100

(e) On July 1, 1984, the position limitation established by section 14 of 1984 Senate Bill No. 579 for Osawatomi state hospital is hereby increased from 602.0 to 605.0

Sec. 11.

TOPEKA STATE HOSPITAL

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures	\$169,564	

(b) On July 1, 1984, the position limitation established by section 14 of 1984 Senate Bill No. 579 for the Topeka state hospital is hereby decreased from 669.0 to 668.0.

(c) On July 1, 1984, of the \$9,206,261 appropriated for the above agency by section 12(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$24,246 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established by section 12(b) of chapter 10 of the 1983 Session Laws of Kansas on the Topeka state hospital fee fund is hereby decreased from \$4,442,384 to \$4,272,820.

(e) On July 1, 1984, the expenditure limitation established by section 12(b) of 1984 Senate Bill No. 579 on the Topeka state hospital fee fund is hereby increased from \$3,298,057 to \$3,304,976.

Sec. 12.

RAINBOW MENTAL HEALTH FACILITY

(a) On July 1, 1984, of the \$1,692,587 appropriated for the

(continued)

above agency by section 8(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$18,302 is hereby lapsed.

(b) On the effective date of this act, of the \$1,600,760 appropriated for the above agency by section 8(a) of chapter 10 of the 1983 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$4,742 is hereby lapsed.

(c) On July 1, 1984, the expenditure limitation established by section 8(b) of 1984 Senate Bill No. 579 on the Rainbow mental health facility fee fund is hereby decreased from \$592,893 to \$590,441.

(d) On the effective date of this act, the expenditure limitation established by section 17(a) of 1984 Senate Bill No. 578 on the Rainbow mental health facility fee fund is hereby increased from \$622,747 to \$627,489.

Sec. 13.

KANSAS NEUROLOGICAL INSTITUTE

(a) On July 1, 1984, of the \$6,949,568 appropriated for the above agency by section 5(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$15,886 is hereby lapsed.

(b) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 Senate Bill No. 579 on the Kansas neurological institute fee fund is hereby decreased from \$452,641 to \$436,348.

Sec. 14.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) On July 1, 1984, of the \$4,720,005 appropriated for the above agency by section 9(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$57,112 is hereby lapsed.

(b) On July 1, 1984, the expenditure limitation established by section 9(b) of 1984 Senate Bill No. 579 on the Parsons state hospital and training center fee fund is hereby increased from \$477,649 to \$497,649.

Sec. 15.

NORTON STATE HOSPITAL

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures	\$923	\$1,071

(b) On the effective date of this act, the expenditure limitation established by section 6(a) of 1984 Senate Bill No. 578 on the Norton state hospital fee fund is hereby decreased from \$514,330 to \$513,407.

(c) On July 1, 1984, the expenditure limitation established by section 10(b) of 1984 Senate Bill No. 579 on the Norton state hospital fee fund is hereby decreased from \$394,372 to \$393,301.

Sec. 16.

WINFIELD 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 1984	Fiscal Year 1985
Operating expenditures	\$6,829	

(b) On July 1, 1984, of the \$8,012,265 appropriated for the above agency by section 13(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$52,992 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 13(b) of 1984 Senate Bill No. 578 on the Winfield state hospital and training center fee fund is hereby decreased from \$1,605,784 to \$1,598,955.

(d) On July 1, 1984, the expenditure limitation established by section 13(b) of 1984 Senate Bill No. 579 on the Winfield state hospital and training center fee fund is hereby increased from \$1,190,852 to \$1,203,859.

Sec. 17.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal years 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 1984	Fiscal Year 1985
Livestock dealers' registration fee fund	\$0	\$2,000

Sec. 18.

CRIME VICTIMS REPARATIONS BOARD

(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 1984	Fiscal Year 1985
Protection from abuse fund		No limit

Sec. 19.

YOUTH CENTER AT TOPEKA

(a) On July 1, 1984, of the \$5,101,300 appropriated for the above agency by section 2(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$30,754 is hereby lapsed.

Sec. 20.

YOUTH CENTER AT BELOIT

(a) On July 1, 1984, of the \$2,488,812 appropriated for the above agency by section 3(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$17,564 is hereby lapsed.

Sec. 21.

YOUTH CENTER AT ATCHISON

(a) On July 1, 1984, of the \$2,973,230 appropriated for the above agency by section 4(a) of 1984 Senate Bill No. 579 from the state general fund in the operating expenditures account, the sum of \$16,425 is hereby lapsed.

Sec. 22.

STATE PARK AND RESOURCES AUTHORITY

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

	Fiscal Year 1984	Fiscal Year 1985
State park operations	\$86,500	

(b) In addition to the purposes for which expenditures are authorized for fiscal year 1984 from the land and water conservation fund—state, as prescribed by section 4(b) of chapter 9 of the 1983 Session Laws of Kansas, expenditures may be made for fiscal year 1984 from such fund for the following purpose, subject to the expenditure limitation prescribed therefor:

El Dorado state park—FY 1984 capital improvements	\$62,500
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(c) On July 1, 1984, the expenditure limitation established by section 4(b) of 1984 Senate Bill No. 550 on the state operations account of the state park and resources authority general fees fund is hereby decreased from \$1,754,538 to \$1,681,101.

(d) On July 1, 1984, the position limitation established by section 8 of 1984 Senate Bill No. 550 for the state park and resources authority is hereby decreased from 112.0 to 111.0.

Sec. 23.

KANSAS DEPARTMENT OF ECONOMIC DEVELOPMENT

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

	Fiscal Year 1984	Fiscal Year 1985
Industrial development		\$27,266
Travel and tourism		15,000
Total		\$42,266

(continued)

(b) Of the amounts authorized to be transferred during fiscal year 1985 from the Kansas advanced technology commission—research projects grants account by the secretary of the Kansas department of economic development, with the approval of the Kansas advanced technology commission, the total amount of such transfers to the following institutions made during fiscal year 1985 shall not exceed the following amounts prescribed therefor: \$220,000 for the university of Kansas, \$175,000 for Kansas state university, \$130,000 for Wichita state university and \$85,000 for Pittsburg state university.

(c) Expenditures may be made from the community development block grant—federal fund during fiscal year 1985 for incubator facilities grants in accordance with 1984 House Bill No. 2652, except that expenditures for incubator facilities grants during fiscal year 1985 shall not exceed \$100,000.

(d) On the effective date of this act, the expenditure limitation established by section 45(b) of chapter 26 of the 1983 Session Laws of Kansas on the economic development planning assistance grant—federal fund is hereby increased from \$25,000 to \$32,800.

(e) On July 1, 1984, the position limitation established by section 16 of 1984 House Bill No. 2692 for the department of economic development is hereby increased from 66.0 to 67.0.

Sec. 24.

KANSAS FISH AND GAME COMMISSION

(a) In addition to the purposes for which expenditures are authorized for fiscal year 1984 from the forestry, fish and game commission fee fund, as prescribed by section 5(a) of chapter 9 of the 1983 Session Laws of Kansas, expenditures may be made for fiscal year 1984 from such fund for the following purpose, subject to the expenditure limitation prescribed therefor:

Repair and modification of upstream channel at Nemaha state fishing lake \$20,000

(b) On July 1, 1984, the expenditure limitation established by section 5(a) of 1984 Senate Bill No. 550 on the salaries and wages and other operating expenditures account of the forestry, fish and game commission fee fund is hereby increased from \$10,217,492 to \$10,241,492.

Sec. 25.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 1984, the expenditure limitation established by section 2(b) of 1984 House Bill No. 2686 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$2,187,964 to \$2,217,728.

(b) On the effective date of this act, the expenditure limitation established by the state finance council on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$2,132,912 to \$2,138,312.

Sec. 26.

DEPARTMENT OF CORRECTIONS

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

	Fiscal Year 1984	Fiscal Year 1985
Community services		\$47,487

(b) On July 1, 1984, the expenditure limitation established by section 5(a) of 1984 Senate Bill No. 552 on expenditures from the amount reappropriated in the community services account of the state general fund is hereby decreased from \$46,217 to \$31,710.

(c) Expenditures may be made by the above agency for fiscal year 1984 from the community services account of the state general fund for capital improvements at the Topeka pre-release center, except that such expenditures shall not exceed \$30,000.

(d) On July 1, 1984, the position limitation established by section 12 of 1984 Senate Bill No. 552 for the department of corrections is hereby increased from 308.0 to 309.8.

Sec. 27.

KANSAS CORRECTIONAL INSTITUTION AT LANSING

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

	Fiscal Year 1984	Fiscal Year 1985
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Operating expenditures \$30,000

Sec. 28.

MENTAL HEALTH AND RETARDATION SERVICES

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures		\$45,108
Grants for court-ordered evaluations		60,000
Total		\$105,108

(b) On July 1, 1984, the position limitation established by section 14 of 1984 Senate Bill No. 579 for the mental health and retardation services central office is hereby increased from 19.5 to 20.5.

Sec. 29.

STATE BOARD OF TAX APPEALS

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures		\$15,900

Sec. 30. On July 1, 1984, Section 2 of 1984 House Bill No. 3093 is hereby amended to read as follows: Sec. 2.

DEPARTMENT OF HUMAN RESOURCES

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

Administration and staff services	\$120,370
Industrial safety	215,372
Special services	237,441
Veterans' services	1,030,494

Provided, That expenditures may be made from this account for payment of claims under K.S.A. 73-1217 and 73-1218 and amendments thereto: *Provided, however*, That expenditures from this account for such claims shall not exceed \$17,000: *Provided further*, That expenditures may be made from this account for such claims regardless of when the enrollments were provided for persons under such statutes.

Labor relations and employment standards 554,136 565,829

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, in the salaries and wages account is hereby reappropriated to the labor relations and employment standards account for fiscal year 1985: *Provided further*, That all expenditures from such reappropriated balance shall be for the apprenticeship training subprogram: *Provided, however*, That expenditures from such reappropriated balances shall not exceed \$12,482 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: *And provided further*, That expenditures may be made from this account for the costs incurred for mediation and for fact-finding under K.S.A. 75-4332 and amendments thereto: *Provided, however*, That such expenditures for mediation and fact-finding shall not exceed \$1,036 and such amount shall not be used for any other purpose.

Total \$2,157,813 \$2,169,506

(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:

Workmen's compensation fee fund	\$1,290,270
Kansas veterans' commission fund	129,252
Publication and sale of labor laws fund	0
Conversion of materials and equipment fund	0
Occupational health and safety—federal fund	301,434
Boiler inspection fee fund	159,003
Special employment security fund	0

Provided, That any expenditures for purposes specified in K.S.A. 44-716a and amendments thereto or K.S.A. 1983 Supp. 75-6210 and amendments thereto shall be in addition to any expenditure limitation imposed on this fund.

Employment security administration fund No limit

Provided, That expenditures from this fund for the operating expenditures of the work incentive program shall not exceed

(continued)

\$1,172,931: *Provided, however,* That any transfers of any work incentive program moneys from this fund to state agencies shall be in addition to any expenditure limitation imposed on this fund: *Provided further,* That expenditures from this fund for equipment, other than from moneys made available to the state under the provisions of section 903 of the social security act, as amended, shall not exceed \$235,000: *And provided further,* That no expenditures may be made from this fund for acquiring land or additional buildings, for constructing additions to existing buildings or for paving or landscaping except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto or except as otherwise specified by this section: *And provided further,* That expenditures may be made from this fund from moneys made available to the state under section 903 of the social security act, as amended, shall be made only for the following purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: *Provided further,* That expenditures from this fund of moneys made available to the state under section 903 of the social security act, as amended, shall not exceed \$249,000.

Work incentive program fund	150,000
Employment security computer systems institute fund	No limit
Job training partnership act—title III—dislocated workers fund	924,805
Job training partnership act—title II-A—disadvantaged training fund	11,784,850
Job training partnership act—title II-B—summer youth training fund	4,465,938
Occupational information system—federal fund	120,949

Provided, That any transfers of moneys from this fund to state agencies or to any other special revenue fund of the above agency shall be in addition to any expenditure limitation imposed on this fund.

Human resources special projects fund	No limit
Advisory committee on Mexican American affairs—donations fund	No limit
Committee on employment of the handicapped—gifts, grants and donations fund	No limit
Dispute resolution fund	No limit

Provided, That all moneys received by the secretary of human resources for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto shall be deposited in the state treasury and credited to this fund: *Provided further,* That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures: *Provided further,* That expenditures may be made from this fund to pay the costs incurred for mediation and for fact-finding under K.S.A. 75-4332 and amendments thereto except that such expenditures shall not exceed \$5,874.

Employment security fund	No limit
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Provided, That expenditures may be made from this fund from moneys made available to the state under section 903 of the social security act, as amended: *Provided, however,* That expenditures from this fund of moneys made available to the state under section 903 of the social security act, as amended, shall be made only for the following purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: *Provided further,* That expenditures from this fund of moneys made available to the state under section 903 of the social security act, as amended, shall not exceed \$204,000.

Sec. 31.

DEPARTMENT OF REVENUE

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

	Fiscal Year 1984	Fiscal Year 1985
Salaries and wages		\$97,648
Other operating expenditures	\$7,790	68,277
Study of trending factors		75,000

Provided, That expenditures from this account shall be made in accordance with a contract

which is hereby authorized to be entered into between the secretary of revenue and an educational institution under the control and supervision of the state board of regents.

Total	\$7,790	\$240,925
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(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 1984	Fiscal Year 1985
State bingo regulation fund		No limit

(c) On the effective date of this act, the expenditure limitation established by section 4(b) of 1984 House Bill No. 2703 on the division of vehicles operating fund is hereby increased from \$14,522,482 to \$14,523,628.

(d) On July 1, 1984, the expenditure limitation established by section 3(b) of 1984 House Bill No. 2686 on the division of vehicles operating fund is hereby increased from \$17,874,361 to \$17,915,962.

(e) On July 1, 1984, the expenditure limitation established by section 3(b) of 1984 House Bill No. 2686 on the salaries and wages account of the division of vehicles operating fund is hereby increased from \$11,736,159 to \$11,748,224.

(f) On July 1, 1984, and quarterly thereafter, the director of accounts and reports shall transfer \$10,400 from the state highway fund to the division of vehicles operating fund for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(g) On July 1, 1984, the position limitation established by section 4 of 1984 House Bill No. 2686 for the department of revenue is hereby increased from 1,457.0 to 1,468.5.

Sec. 32.

ATTORNEY GENERAL

(a) On July 1, 1984, of the \$319,971 appropriated for the above agency by section 3(a) of 1984 House Bill No. 2692 from the state general fund in the other operating expenditures account, the sum of \$6,418 is hereby lapsed.

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

	Fiscal Year 1984	Fiscal Year 1985
Additional operating expenditures for investigation and litigation regarding adult care homes		\$30,000

(c) On the effective date of this act, of the appropriation made for the above agency by section 8(a) of chapter 26 of the 1983 Session Laws of Kansas from the state general fund in the costs of litigation and administrative proceedings involving natural gas dedicated in interstate and intrastate commerce and enforcement of related statutory, implied and contractual covenants account, any unencumbered balance is hereby lapsed.

Sec. 33.

INSURANCE DEPARTMENT

(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 1984	Fiscal Year 1985
State firefighters relief fund		No limit

Provided, That expenditures from this fund for administrative expenses shall not exceed \$41,240.

(b) There is appropriated from the state general fund for the fiscal year specified the following:

(continued)

	Fiscal Year 1984	Fiscal Year 1985
Salaries and wages.....		\$24,165
Other operating expenditures.....		5,835
Total.....		\$30,000

(c) The position limitation established by section 16 of 1984 House Bill No. 2692 for the insurance department is hereby increased from 138.0 to 139.0.

Sec. 34.

SECRETARY OF STATE

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

	Fiscal Year 1984	Fiscal Year 1985
Official hospitality.....	\$1,443	

(b) On the effective date of this act, of the \$484,817 appropriated for the above agency by section 13(a) of chapter 24 of the 1983 Session Laws of Kansas from the state general fund in the other operating expenditures account, the sum of \$1,443 is hereby lapsed.

Sec. 35.

STATE TREASURER

(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 1984	Fiscal Year 1985
Unclaimed property contract fund.....		No limit

Sec. 36.

ADJUTANT GENERAL

(a) On July 1, 1984, the director of accounts and reports shall transfer any unencumbered balance in the air national guard OMA fund to the military fees fund.

Sec. 37.

FORT HAYS STATE UNIVERSITY

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$62,582	

Sec. 38.

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 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$275,077	

(b) Prior to June 30, 1984, and upon the request of the president, the director of accounts and reports shall transfer amounts specified by the president from the research projects grants matching fund to the sponsored research overhead fund for the purpose of restoring amounts transferred to facilitate receipt of equipment donations to match grants from the Kansas advanced technology commission for fiscal year 1984.

Sec. 39. On July 1, 1984, Section 3 of 1984 House Bill No. 2805 is hereby amended to read as follows: Sec. 3.

KANSAS STATE UNIVERSITY

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

Salaries and wages.....	\$40,393,486
Supplemental retirement benefits.....	5,236

Provided, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

Other operating expenditures (including official hospitality).....	4,095,557
<i>Provided</i> , That expenditures may be made from this account to purchase health and accident insurance for students participating in women's intercollegiate athletics.	
Operating expenditures for utilities.....	4,364,754

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: *Provided further*, That expenditures may be made from such reappropriated balance for energy conservation projects.

Extension.....	7,863,129
Experimental fields.....	1,100,493
Organized research.....	10,676,452
Equipment purchases.....	90,000
Agricultural institute expenses (including official hospitality).....	299,687

Provided, That the Kansas state university food and feed grains institute shall be planned and developed in conjunction with representatives of the Kansas wheat commission, the Kansas corn commission, the Kansas grain sorghum commission, the Kansas soybean commission and the marketing division of the state board of agriculture.

Colby branch station operations.....	428,107
Fort Hays branch station operations.....	963,169
Garden City branch station operations.....	661,123
Southeast Kansas branch station operations.....	578,819
Tribune branch station operations.....	156,393
Centers of excellence.....	140,050
Total	160,000

Provided, That expenditures may be made from this account for supplemental salaries and wages support, support for research assistants and laboratory and equipment support; *Provided, however*, That expenditures from this account for supplemental salaries and wages support shall not be less than \$26,750: *Provided further*, That expenditures from this account for laboratory and equipment support shall not be less than \$58,300: *And provided further*, That no expenditures shall be made from this account until at least \$210,075 \$80,000 has been deposited in the state treasury to the credit of the centers of excellence matching fund: *And provided further*, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985.

Student salaries and wages.....	1,063,209
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Provided, That expenditures may be made from this account for an off-campus work-study program: *Provided, however*, That expenditures from this account for such program shall be matched by an equal amount of salaries and wages paid by employers other than state agencies.

Student off-campus work-study program.....	74,057
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: *Provided further*, That all expenditures from this account shall be matched by an equal amount of salaries and wages from employers other than state agencies.

Wheat nonfoodstuff and nonfeedstuff market and product development research.....	25,000
Research on ARKAN and other milling wheats.....	100,000

Provided, That this research shall be conducted to insure the correct classification and grading of all milling wheats.

Research on feed wheats.....	100,000
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Total	\$73,178,791	\$73,198,671
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(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:

Parking fees fund.....	\$607,628
General fees fund.....	16,197,798

Provided, That expenditures from this fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements: *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (g) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Interest on endowment fund.....	175,000
Restricted fees fund.....	No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Copy centers; standardized test fees; overhead—international development programs; placement center; recreational services; professorships; air charter service; comprehensive employment and training act; student services support fees; chamber music series; student activities fees; academic services fee; U.S. foreign trainees; army and air force uniforms; air force uniform augmentation; ROTC flight instruction; army uniform enhancement; biology sales and services; chemistry storeroom; geology field camp; state department of

(continued)

education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office—federal government; summer institutes or workshops; library collections; agricultural experiment station, director's office; agronomy—Ashland farm; agronomy-general; agronomy-experimental field crop sales; chemical service; entomology sales; grain science and industry products and service sales; food and nutrition research; civil engineering testing service; statistical laboratory; engineering experiment station, director's office; extension services and publication; continuing education; AID contracts; sponsored construction or improvement projects; vehicle clearing; water resources research; state industrial extension; library courier service; speech and hearing fees; gifts; child development research and training; college of education-publications and services; animal resource facility; student financial assistance—federal reimbursement; higher education act; collection agency enrollment fees; guaranteed student loan application processing; student identification card; science laboratories; auditorium receipts; refunds due to or from sponsors; catalog sales; center for student development VA service contract; transcript fees; computational research in engineering institute; environmental research institute; South Asian curriculum sales; home economics storeroom; college of home economics sales; telephone clearing; animal sciences and industry livestock and product sales; student recreational building programs; horticulture greenhouse and farm products sales; family resource center fees; human movement performance; Konza prairie operations; application for post baccalaureate programs; art exhibit fees; adult and occupational education—Kansas careers; other specifically designated receipts not available for general operations of the university: *And provided*, That the Kansas state university foundation is hereby authorized to construct buildings on state-owned property of Kansas state university from any private moneys granted or given to it, but such building projects shall be approved by the state board of regents and the plans and specifications therefor shall be approved by the secretary of administration; any such building project shall be totally financed from such private moneys and the resulting building shall become the property of the state of Kansas upon completion and acceptance by the secretary of administration: *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 and amendments thereto, 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: *And provided further*, That expenditures from the sponsored research account or any other account of this fund for a sponsored research project may be made at any time during the term of the grant or contract for the project regardless of the state fiscal year in which the expenditures are made: *And provided further*, That when such sponsored research project involves one or more other entities, Kansas state university is hereby authorized to enter into contracts with such entities and such contracts shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes: *And provided further*, That when such sponsored research project requires that certain expenditures be made in foreign nations, such expenditures shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes.

Federal extension fund	3,794,872
Morrill Nelson—federal fund	No limit
Bankhead Jones—federal fund	No limit
Federal experimental station fund	No limit
Smith-Lever special program grant—federal fund	No limit
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: Supplies stores; photographic services; K-State printing services; postage; computing center; physical plant services; physical plant—carpool; data processing: *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 and amendments thereto, may amend the list of service activities included in the service clearing fund: *Provided further*, That the director of accounts and reports shall approve the accounting procedures to be used to insure a self-supporting operation of the service clearing fund.

Sponsored research overhead fund	2,800,000
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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.

Colby experiment station fee fund	No limit
Fort Hays experiment station fee fund	No limit
Garden City experiment station fee fund	No limit

Provided, That expenditures may be made from this fund to construct a pesticide storage building at the Garden City branch experiment station.

Southeast Kansas experiment station fee fund	No limit
Tribune experiment station fee fund	No limit
Dormitory fees fund	No limit
Kansas artificial breeding service unit fees fund	No limit
K-State sports network fund	No limit
Student health fees fund	No limit
Jardine terrace III—project revenue fund	No limit
Housing system project revenue fund	No limit
Haymaker hall project revenue fund	No limit
Scholarship funds fund	No limit
National direct student loan fund	No limit
Advance housing collections suspense fund	No limit
Dormitory fees—unpledged housing projects fund	No limit
Nine month payroll clearing account fund	No limit
Federal extension civil service retirement clearing fund	No limit
Educational opportunity grants fund	No limit
Federal construction funds fund	No limit
Bond construction funds fund	No limit
Housing system repair and replacement reserve fund	No limit
Stadium bond and interest sinking fund	No limit
Student union annex II bond and interest sinking fund	No limit
Housing system bond and interest sinking fund	No limit
Haymaker hall bond and interest sinking fund	No limit
Student union annex I bond and interest sinking fund	No limit
Jardine terrace III bond and interest sinking fund	No limit
Student recreational building bond and interest sinking fund	No limit
Student recreational building construction bond fund	No limit
Student recreational building fees fund	No limit
Shellenberger hall third floor expansion private gifts fund	No limit
Engineering complex—phase II—private gifts fund	No limit
International grains program development fund	No limit
Student coliseum bond fee fund	No limit
Equipment reserve fund	No limit

Provided, That expenditures from this fund shall be made only for the purchase of equipment.

Centers of excellence matching fund	No limit
Research projects grants fund	No limit
Research projects grants matching fund	No limit
Wheat nonfoodstuff and nonfeedstuff market and product development fund	75,000

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

Renovation of and addition to Weber hall—final planning	\$285,000
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Provided, That no expenditures may be made from this account for final planning of any addition to Weber hall of more than 23,000 net assignable square feet: *Provided further*, That no expenditures may be made from this account until after the preliminary plans for this project have been presented to the joint committee on state building construction: *And provided further*, That no expenditures may be made from this account except upon approval of the state finance council, after consultation with the joint committee on state building construction, 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.

Chemistry-biochemistry building—final planning	485,000
Barn replacement—southeast Kansas branch station	30,000
Total	\$770,000

(d) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the federal revenue sharing fund is hereby lapsed: Weatherstripping, storm sash, and glazing, screening and sealing of windows for institutions of higher education; plant science complex; renovation of Waters hall annex.

(e) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the Kansas educational building fund is hereby lapsed: Installation of fan timers; renovation of facilities for handicapped accessibility; major repairs, special maintenance and remodeling for institutions of higher education; classroom and office building.

(f) On July 1, 1984, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$10,000 from the general fees fund to the national direct student loan fund.

(g) The director of accounts and reports shall transfer an

(continued)

amount specified by the president prior to July 1, 1985, from the general fees fund to the equipment reserve fund.

(h) On or before July 10, 1984, and on or before the 10th day of each month thereafter during fiscal year 1985, the director of accounts and reports shall transfer from the state general fund to the student coliseum bond fee fund the amount of money certified by the pooled money investment board in accordance with this subsection. Prior to July 10, 1984, and prior to the 10th day of each month thereafter during fiscal year 1985, the pooled money investment board shall certify to the director of accounts and reports an amount of money equal to the proportionate amount of all the interest credited to the state general fund for the preceding month, pursuant to K.S.A. 75-4210a and amendments thereto, that is attributable to moneys in the student coliseum bond fee fund. Such amount of money shall be determined by the pooled money investment board based on: (1) The average daily balance of moneys in the student coliseum bond fee fund during the preceding month as certified to the board by the president of Kansas state university and (2) the average interest rate on time deposit, open accounts for that period as determined under K.S.A. 75-4212 and amendments thereto. On or before July 5, 1984, and on or before the fifth day of each month thereafter during fiscal year 1985, the president of Kansas state university shall certify to the pooled money investment board the average daily balance of moneys in the student coliseum bond fee fund during the preceding month.

(i) On July 1, 1984, the director of accounts and reports shall transfer \$29,796 from the Kansas wheat commission fund of the Kansas wheat commission to the international grains program development fund of Kansas state university.

(j) On July 1, 1984, the director of accounts and reports shall transfer \$6,098 from the Kansas corn commission fund of the state board of agriculture to the international grains program development fund of Kansas state university.

(k) On July 1, 1984, the director of accounts and reports shall transfer \$10,966 from the Kansas grain sorghum commission fund of the state board of agriculture to the international grains program development fund of Kansas state university.

(l) On July 1, 1984, the director of accounts and reports shall transfer \$6,633 from the Kansas soybean commission fund of the state board of agriculture to the international grains program development fund of Kansas state university.

(m) On July 1, 1984, January 1, 1985, and March 1, 1985, the director of accounts and reports shall transfer \$25,000 from the Kansas wheat commission fund of the Kansas wheat commission to the wheat nonfoodstuff and nonfeedstuff market and product development fund of Kansas state university.

Sec. 40.

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 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$46,549	

Sec. 41.

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 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$33,486	

(b) On June 30, 1984, any unencumbered balance in the physical education building roof and floor replacement account of the Kansas educational building fund is hereby lapsed.

Sec. 42.

PITTSBURG STATE UNIVERSITY

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$30,194	
Other operating expenditures (including official hospitality).....		35,000

University council on world affairs		\$5,000
Total	\$65,194	\$5,000

Sec. 43.

UNIVERSITY OF KANSAS

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures for utilities.....	\$205,778	
Other operating expenditures (including official hospitality).....		750,000
Total	\$955,778	

(b) On the effective date of this act, of the \$51,968,893 appropriated for the above agency by section 7(a) of chapter 22 of the 1983 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$750,000 is hereby lapsed.

(c) Prior to June 30, 1984, and upon request of the chancellor, the director of accounts and reports shall transfer amounts specified by the chancellor from the research projects grants matching fund to the sponsored research overhead fund for the purpose of restoring amounts transferred to facilitate receipt of equipment donations to match grants from the Kansas advanced technology commission for fiscal year 1984.

(d) On July 1, 1984, the position limitation established by section 12(b) of 1984 House Bill No. 2805 for the university of Kansas is hereby increased from 2,240.7 to 2,241.7.

Sec. 44. On July 1, 1984, Section 7 of 1984 House Bill No. 2805 is hereby amended to read as follows: Sec. 7.

UNIVERSITY OF KANSAS

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

Salaries and wages	\$55,819,376	\$55,850,779
Supplemental retirement benefits		723

Provided, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system: Provided, however, That the amount of \$35 per month shall be paid from this account to Christian E. Buehler, a retired faculty member, during his lifetime.

Operating expenditures for utilities	6,296,510
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided further, That expenditures may be made from such reappropriated balance for energy conservation projects: And provided further, That expenditures may be made from this account for the acquisition of natural gas by negotiating costs per unit and such expenditures shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto: Provided, however, That no such expenditures for acquisition of natural gas by negotiating costs per unit may 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 and amendments thereto: And provided further, That expenditures may be made from this account for construction of a natural gas pipeline for use in connection with natural gas acquired by negotiating costs per unit: Provided, however, That no expenditures may be made from this account for construction of a natural gas pipeline except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

Other operating expenditures (including official hospitality).....	7,859,313
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Provided, That expenditures may be made from this account to purchase insurance for the university aircraft: Provided further, That such insurance for the university aircraft may include public liability, physical damage, medical payments and voluntary settlement coverages.

Fire service training program operations	191,339
Equipment purchases and library acquisitions	413,500
Geological survey	3,406,610

Provided, That expenditures may be made from this account to purchase insurance for the university aircraft: Provided further,

(continued)

That such insurance for the university aircraft may include public liability, physical damage, medical payments and voluntary settlement coverages.

General research	1,425,762
Research program in tertiary oil recovery	367,457
For renting Carruth O'Leary hall for office space	188,401
Kansas applied remote sensing program	54,828
Student salaries and wages	1,097,324

Provided, That expenditures may be made from this account for an off-campus work-study program: *Provided, however*, That expenditures from this account for such program shall be matched by an equal amount of salaries and wages paid by employers other than state agencies.

Student off-campus work-study program	94,120
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: *Provided further*, That any expenditures from this account shall be matched by an equal amount of salaries and wages from employers other than state agencies.

Capitol complex public management degree program	161,063
Centers of excellence	160,000

Provided, That expenditures may be made from this account for supplemental salaries and wages support, support for research assistants and laboratory and equipment support: *Provided, however*, That expenditures from this account for supplemental salaries and wages support shall not be less than \$26,750: *Provided further*, That expenditures from this account for laboratory and equipment support shall not be less than \$58,300: *And provided further*, That no expenditures shall be made from this account until at least \$200,000 has been deposited in the state treasury to the credit of the centers of excellence matching fund: *And provided further*, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985.

Academic computing improvements	100,000
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Any unencumbered balance in excess of \$100 as of June 30, 1984, in each of the following accounts of the state general fund is hereby reappropriated for fiscal year 1985: Renovate Lindley hall; energy conservation projects and other operating expenditures.

Total..... \$77,516,202 \$77,667,729

(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:

Parking fees fund	\$883,173
General fees fund	24,840,000

Provided, That expenditures from this fund may be made only for salaries and wages and for other operating expenditures, but shall not be made for capital improvements: *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (f) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Interest fund	35,000
Sponsored research overhead fund	3,486,722

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

Law enforcement training center fund	830,919
	842,037

Provided, That this appropriation may be used to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided, however*, That any academic credit granted through this program shall not be included in the university's budgeted enrollment figures.

Law enforcement training center fees fund	No limit
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Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to this fund.

Restricted fees fund	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Center for public affairs; clinical psychology conference; concert course; dormitory maintenance; speech and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; housing and dormitories; endowment research salaries; engineering research salaries; music and art camp; national defense education programs; child development

lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; applied English center; cartographic services; economic education; study abroad programs; recreational activities; animal care activities; geological survey; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the Kansas university endowment association is hereby authorized to construct buildings on state-owned property of the university of Kansas from any private moneys granted or given to it, but such building projects shall be approved by the state board of regents and the plans and specifications therefor shall be approved by the secretary of administration; any such building project shall be totally financed from such private moneys and the resulting building shall become the property of the state of Kansas upon completion and acceptance by the secretary of administration: *Provided further*, 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 and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all restricted fees shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures from the sponsored research account or any other account of this fund for a sponsored research project may be made at any time during the term of the grant or contract for the project regardless of the state fiscal year in which the expenditures are made: *And provided further*, That when such sponsored research project involves one or more other entities, the university of Kansas is hereby authorized to enter into contracts with such entities and such contracts shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes: *And provided further*, That when such sponsored research project requires that certain expenditures be made in foreign nations, such expenditures shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes.

Service clearing fund..... No limit

Provided, That the service clearing fund shall be used only as a working capital fund to finance the 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: Dormitory food stores; university motor pool; bus operations; furniture stores; business office stores; university printing service; military uniforms; computer service; telecommunications service: *Provided further*, 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 and amendments thereto, 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 be used to insure a self-supporting operation of the service clearing fund.

Health service fund..... No limit

Student union fund..... No limit

J.R. Pearson revenue fund..... No limit

Hashinger hall revenue fund..... No limit

Stouffer III revenue fund..... No limit

Student health facility maintenance, repairs and equipment fee fund..... No limit

Provided, however, That funds from this account may be used to purchase insurance for the student health facility building and contents.

J.R. Pearson residence hall—bond and interest sinking fund..... No limit

Hashinger hall—bond and interest sinking fund..... No limit

Stouffer III—bond and interest sinking fund..... No limit

Scholarship funds fund..... No limit

National direct student loan fund..... No limit

Revolving student loan fund..... No limit

Ford foundation—forgivable loan fund..... No limit

Repair and replacement reserve funds—dormitory accounts fund..... No limit

Ellsworth hall—revenue fund..... No limit

Ellsworth hall—bond and interest fund..... No limit

Housing system revenue fund..... No limit

J.R. Pearson—maintenance and equipment reserve fund..... No limit

Housing system bond and interest sinking fund..... No limit

Health professions student loan fund..... No limit

Historical sites grant fund..... No limit

Geological survey fund..... No limit

(continued)

Provided, That expenditures may be made from this fund for a work of art for Moore hall which shall be selected by the state geologist after consultation with industry representatives: *Provided further*, That such expenditures shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments to those statutes.

Equipment reserve fund	No limit
<i>Provided</i> , That expenditures from this fund shall be made only for the purchase of equipment.	
Centers of excellence matching fund	No limit
Research projects grants fund	No limit
Research projects grants matching fund	No limit
Moore hall gift fund	No limit

Provided, That expenditures may be made from this fund for a work of art for Moore hall which shall be selected by the state geologist after consultation with industry representatives: *Provided further*, That such expenditures shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments to those statutes.

Public radio translator system grants fund No limit

(c) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the Kansas educational building fund is hereby lapsed: Haworth hall addition—planning; replace ground—laid steamlines to scholarship halls; Flint hall renovation; Robinson gymnasium addition; remodeling and special maintenance of existing Robinson gym; remodeling of Watson library; Malott hall addition.

(d) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the federal revenue sharing fund is hereby lapsed: Robinson gym addition; Malott hall addition—planning; Malott hall addition; planning for power needs; renovate Marvin hall.

(e) On July 1, 1984, the director of accounts and reports shall transfer by voucher to the press publications account of the restricted fees fund of the university of Kansas, moneys in the respective amounts determined by the state board of regents and certified to the director of accounts and reports from the operating expenditures (including official hospitality) accounts of the state general fund of each of the following institutions: University of Kansas, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(f) The director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 1985, from the general fees fund to the equipment reserve fund.

Sec. 45.

WICHITA STATE UNIVERSITY

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures for utilities	\$46,693	

(b) Prior to June 30, 1984, and upon request of the president, the director of accounts and reports shall transfer amounts specified by the president from the research projects grants matching fund to the research overhead fund for the purpose of restoring amounts transferred to facilitate receipt of equipment donations to match grants from the Kansas advanced technology commission for fiscal year 1984.

Sec. 46. On July 1, 1984, Section 8 of 1984 House Bill No. 2805 is hereby amended to read as follows: Sec. 8.

WICHITA STATE UNIVERSITY

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

Salaries and wages	\$27,857,283
Other operating expenditures (including official hospitality)	2,751,159
<i>Provided</i> , That expenditures may be made from this account to purchase health and accident insurance for students participating in women's intercollegiate athletics.	
Operating expenditures for utilities	2,450,325
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: <i>Provided further</i> , That expenditures may be made from such reappropriated balance for energy conservation projects.	
General research	192,568

Rental of Grace Wilkie hall and dormitory food facilities buildings	25,894
Purchase of additional instructional and research equipment	53,500
Student salaries and wages	863,686

Provided, That expenditures may be made from this account for an off-campus work-study program: *Provided, however*, That expenditures from this account for such program shall be matched by an equal amount of salaries and wages paid by employers other than state agencies.

Student off-campus work-study program	48,683
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: *Provided further*, That any expenditures from this account shall be matched by an equal amount of salaries and wages from employers other than state agencies.

Centers of excellence	138,245	160,000
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Provided, That expenditures may be made from this account for supplemental salaries and wages support, support for research assistants and laboratory and equipment support: *Provided, however*, That expenditures from this account for supplemental salaries and wages support shall not be less than \$26,750: *Provided further*, That expenditures from this account for laboratory and equipment support shall not be less than \$58,300: *And provided further*, That no expenditures shall be made from this account until at least \$207,368 \$80,000 has been deposited in the state treasury to the credit of the centers of excellence matching fund: *And provided further*, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985.

Total	\$34,300,343	\$34,412,098
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(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	\$10,693,966
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Provided, That expenditures from this fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements: *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (f) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Restricted fees fund	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; departmental receipts—for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the Wichita state university board of trustees and the Wichita state university endowment association are hereby authorized to construct buildings on state-owned property of the Wichita state university from any private moneys granted or given to them, but such building projects shall be approved by the state board of regents and the plans and specifications therefor shall be approved by the secretary of administration; any such building project shall be financed totally from such private moneys and any matching federal grants and the resulting building shall become the property of the state of Kansas upon completion and acceptance by the secretary of administration: *Provided further*, 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 and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures from the sponsored research account or any other account of this fund for a sponsored research project may be made at any time during the term of the grant or contract for the project regardless of the state fiscal year in which the expenditures are made: *And provided further*, That when such sponsored research project involves one or more other entities, Wichita state university is hereby authorized to enter into contracts with such entities and such contracts shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes: *And provided further*, That when such sponsored research project requires that certain expenditures be made in foreign nations, such expenditures shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes.

(continued)

Service clearing fund No limit

Provided, That the service clearing fund shall be used only as a working capital fund to finance the 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: Central service duplicating and re-producing bureau; automobiles; furniture stores; postal clearing; computer service: *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 and amendments thereto, may amend the list of service activities included in the service clearing fund: *Provided further*, That the director of accounts and reports shall approve the accounting procedures to be used to insure a self-supporting operation of the service clearing fund.

On-campus parking—bond and interest fund No limit

On-campus parking revenue fund No limit

Parking—major maintenance fund No limit

1960 dormitory bond and interest sinking fund No limit

Dormitory repair and replacement reserve fund No limit

1960 dormitory revenue fund No limit

National direct student loan fund No limit

Library revenue sinking fund No. 2 No limit

Library bond reserve fund No. 3 No limit

Scholarship funds fund No limit

Library surplus fund No. 5 No limit

Library revenue fund No limit

Library maintenance reserve fund No. 4 No limit

Sponsored research fund No limit

Research overhead fund 475,000

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.

Economic opportunity—federal fund No limit

Education opportunity grant—federal fund No limit

McKnight fine arts building gift fund No limit

Work-study program fund No limit

Stadium revenue fund No limit

Stadium bond and interest sinking fund No limit

Academic and service building bond reserve fund No limit

Academic and service building revenue fund No limit

Academic and service building bond and interest sinking fund No limit

1976 dormitory revenue fund No limit

1976 dormitory bond and interest sinking fund No limit

1976 dormitory bond reserve fund No limit

1976 dormitory maintenance reserve fund No limit

On-campus parking construction and maintenance fund No limit

Stadium maintenance reserve fund No limit

Stadium bond redemption fund No limit

Health professions student assistance program—loans fund No limit

Nine month payroll clearing account fund No limit

Physical education and student services complex and associated play fields private gifts fund No limit

Equipment reserve fund No limit

Provided, That expenditures from this fund shall be made only for the purchase of equipment.

Centers of excellence matching fund No limit

Research projects grants fund No limit

Research projects grants matching fund No limit

(c) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the Kansas educational building fund is hereby lapsed: Physical education and student services complex and associated play fields; remodel college of health-related professions building for medical technology and physician's assistant programs.

(d) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the federal revenue sharing fund is hereby lapsed: Morrison hall—construct loading dock, improve drive and install elevator; improvements and repairs to Duerksen fine arts center.

(e) On July 1, 1984, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$50,000 from the general fees fund to the national direct student loan fund and an amount specified by the president of not to exceed \$5,000 from the general fees fund to the health professions student assistance program—loans fund.

(f) The director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1985, from the general fees fund to the equipment reserve fund.

Sec. 47.

KANSAS TECHNICAL INSTITUTE

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures for utilities	\$10,156	

Sec. 48. On July 1, 1984, Section 9 of 1984 House Bill No. 2805 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:

Operating expenditures (including hospitality)	\$50,685,881	\$51,067,773
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Provided, 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.: *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 10% in such employee's rate of pay under the pay plan in effect under K.S.A. 75-2938 and amendments thereto or under 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. 75-2938 and amendments thereto or under any amendments to such pay plan: *And provided further*, That in no case shall such pay rate differential provide additional pay at a rate less than \$.20 per hour: *And provided further*, That expenditures may be made from this account for the purchase of malpractice insurance for undergraduate students in training at the university of Kansas school of medicine, nursing and allied health care: *And provided further*, That such malpractice insurance shall be approved by the commissioner of insurance of the state of Kansas: *And provided further*, That expenditures may be made from this account to purchase insurance for the university aircraft: *And provided further*, That such insurance for the university aircraft may include public liability, physical damage, medical payments and voluntary settlement coverages.

Operating expenditures for utilities	5,593,696
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Provided, That if there is any unencumbered balance in excess of \$100 \$325,000 in this account as of June 30, 1984, that portion of such unencumbered balance which is in excess of \$325,000 is hereby reappropriated for fiscal year 1985: *Provided further*, That expenditures may be made from such reappropriated balance for energy conservation projects: *And provided further*, That expenditures may be made from this account for the acquisition of natural gas by negotiating costs per unit and such expenditures shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto: *Provided, however*, That no such expenditures for acquisition of natural gas by negotiating costs per unit may 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 and amendments thereto: *And provided further*, That expenditures may be made from this account for construction of a natural gas pipeline for use in connection with natural gas acquired by negotiating costs per unit: *Provided, however*, That no expenditures may be made from this account for construction of a natural gas pipeline except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

Contractual agreements and scholarships for medical education	3,518,560
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Total	\$50,708,077	\$60,180,029
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(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	\$5,236,736
Hospital revenue fund	50,683,113
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; gift receipts; sponsored research; departmental

(continued)

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 and amendments thereto, 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: *And provided further,* That expenditures from the sponsored research account or any other account of this fund for a sponsored research project may be made at any time during the term of the grant or contract for the project regardless of the state fiscal year in which the expenditures are made: *And provided further,* That when such sponsored research project involves one or more other entities, the university of Kansas medical center is hereby authorized to enter into contracts with such entities and such contracts shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes: *And provided further,* That when such sponsored research project requires that certain expenditures be made in foreign nations, such expenditures shall not be subject to K.S.A. 75-3738 to 75-3740a, inclusive, and amendments to those statutes.

Sponsored research overhead fund 1,745,841
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 327,178
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; telecommunications services: *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 and amendments thereto, 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 fund 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
Medical scholarship repayment fund 252,000

(c) Any unencumbered balance as of June 30, 1984, in the following account of the Kansas educational building fund is hereby lapsed: Radiation center—capital improvement.

(d) Any unencumbered balance as of June 30, 1984, in each of the following accounts of the federal revenue sharing fund is hereby lapsed: Acquisition and renovation of E.B. Allen facility; preliminary planning—development of alternatives for reuse of vacated clinical space including library purposes and planning of a new library.

(e) On July 1, 1984, 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 \$20,555 from the general fees fund to the national direct student loan fund; and (2) 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.

(f) Total expenditures during the fiscal year ending June 30, 1985, from general use funds for salaries of unclassified staff of clinical departments, excluding residents, interns, fellows and nonclinical faculty positions funded wholly from restricted fees, shall not exceed 38% of the total compensation for such employees. The proportion of general use fund salary support for any individual clinical department shall not exceed 50%, except that this 50% limitation shall not apply to the departments of family practice, pediatrics, psychiatry and rehabilitation medicine. The provisions of this subsection (f) shall not apply to unclassified staff of clinical departments at the university of Kansas school of medicine at Wichita.

(g) On July 1, 1984, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas of not to exceed ~~\$2,100,000~~ \$2,350,000 from the hospital revenue fund to the university of Kansas hospital fund.

(h) There is appropriated for the above agency from the university of Kansas hospital fund for the fiscal year ending June 30, 1985, the following:

Plan and prepare site for installation of nuclear magnetic resonance imaging system for diagnostic radiology	\$200,000
Nuclear magnetic resonance imaging system for diagnostic radiology — acquisition by lease or lease-purchase and site planning and preparation for installation	\$450,000
Plan and remodel old power plant building boiler room area for installation of automated laundry equipment	310,000
Total	\$510,000 \$760,000

(i) *The above agency is hereby authorized to develop a proposal for the acquisition of air ambulance services to be financed from the hospital revenue fund and for presentation to the state finance council in support of a request for an increase in the expenditure limitation on the hospital revenue fund therefor.*

Sec. 49.

STATE BOARD OF AGRICULTURE

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

	Fiscal Year 1984	Fiscal Year 1985
Salaries and wages		\$56,612
Other operating expenditures		24,850
Total		\$81,462

(b) On the effective date of this act, the expenditure limitation established by section 15(b) of chapter 26 of the 1983 Session Laws of Kansas on the wheat quality survey fund is hereby increased from \$24,001 to \$26,501.

(c) On July 1, 1984, the expenditure limitation established by section 2(b) of 1984 House Bill No. 2693 on the meat and poultry inspection fund (federal) is hereby increased from \$988,668 to \$1,001,696.

(d) On July 1, 1984, the position limitation established by section 9 of 1984 House Bill No. 2693 for the state board of agriculture is hereby increased from 298.0 to 300.5.

Sec. 50.

STATE CONSERVATION COMMISSION

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures		\$2,545

Sec. 51. On July 1, 1984, Section 6 of 1984 House Bill No. 2684 is hereby amended to read as follows: Sec. 6.

DEPARTMENT OF EDUCATION

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

(continued)

Salaries and wages	\$2,639,749	\$2,599,415
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$1,080 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.</i>		
Other operating expenditures	1,015,222	1,069,002
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$64,063 \$38,303 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: Provided further, That expenditures from this account for official hospitality shall not exceed \$550.</i>		
Fort Leavenworth school district		930,550
<i>Provided, That such distribution shall not exceed \$503 per pupil enrolled in the district on September 15, 1984.</i>		
State school equalization aid	412,056,000	
State school transportation aid	41,035,450	
Community college credit hour state aid	19,915,592	21,186,800
Community college out-district state aid entitlement	5,649,512	
Bilingual education programs aid	645,000	
School food assistance	2,510,486	
Area vocational-technical school program—state	6,160,535	
Aid to area vocational-technical schools for instructional equipment		1,000,000
<i>Provided, That expenditures may be made from this account for grants to area vocational-technical schools for acquisition of instructional equipment: Provided, however, That expenditures from this account shall be matched by the area vocational-technical school in an amount which is equal to 50% of the grant and which was obtained from sources other than state agencies.</i>		
Municipal university fund	3,445,235	3,635,882
<i>Provided, That no expenditures shall be made from this account during fiscal year 1985 for reimbursement of credit hours offered in any course or program for training of court reporters.</i>		
Municipal university out-district state aid		665,082
<i>Provided, That no expenditures shall be made from this account during fiscal year 1985 for reimbursement of credit hours offered in any course or program for training of court reporters.</i>		
Special education services aid		70,703,165
<i>Provided, That expenditures made from this account for state aid payments for special education teaching units pursuant to subsection (d) of K.S.A. 72-978 and amendments thereto shall not exceed \$61,173,165.</i>		
Educable deaf-blind and severely handicapped children's programs aid	82,160	
Post-secondary aid for vocational education	10,864,735	
Vocational education program aid—unified school districts	876,439	
Adult basic education	126,500	
Municipal university state aid for student off-campus work-study program		19,178
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from this account shall be matched by an equal amount of salaries and wages from employers other than state agencies.</i>		
Kansas foundation for agriculture project grant		25,000
<i>Provided, That expenditures from this account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agriculture information: Provided further, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a dollar-for-dollar basis.</i>		
Total	\$580,365,500	\$581,840,891

(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 and transfers to other state agencies shall not exceed the following:

Conversion of materials and equipment fund	\$15,000
State safety fund	1,445,848
<i>Provided, That expenditures from this fund for state operations shall not exceed \$45,849.</i>	
Economic and consumer education fund	23,872
<i>Provided, That all moneys received pursuant to any contract between the department of education and the consumer credit commissioner for the development and implementation of a</i>	

consumer credit education program shall be credited to this fund: <i>Provided further, That all expenditures from this fund shall be in accordance with that contract.</i>	
GED credentials processing fees fund	27,460
Motorcycle safety fund	92,750
Certificate fee fund	263,874 309,208
Proprietary school fee fund	26,015
Adult basic education—federal fund	975,404
<i>Provided, That expenditures from this fund for state operations shall not exceed \$47,404.</i>	
Food assistance—federal fund	30,726,689
<i>Provided, That expenditures from this fund for state operations shall not exceed \$361,689.</i>	
State operations fund—federal	1,163,365 1,165,365
Elementary and secondary school aid—federal	26,295,000
Education of handicapped children fund—federal	11,227,271
<i>Provided, That expenditures from this fund for state operations shall not exceed \$412,271.</i>	
Vocational education amendments of 1968—federal fund	6,776,342
<i>Provided, That expenditures from this fund for state operations shall not exceed \$574,342.</i>	
Job training partnership act fund—federal	0 919,978
<i>Provided, That expenditures from this fund for state operations shall not exceed \$0 \$29,623.</i>	
Educational research grants and projects fund	750,000

(c) On July 1, 1984, the position limitation established by section 9 of 1984 House Bill No. 2684 for the department of education is hereby increased from 173.0 to 174.0.

Sec. 52.

STATE HISTORICAL SOCIETY

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

	Fiscal Year 1984	Fiscal Year 1985
Administration	\$22,925	
Repair and restoration of memorial building cornice		\$250,000
<i>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 and amendments thereto.</i>		
Total	\$22,925	\$250,000

(b) On October 1, 1984, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$13,918 from the all-sports hall of fame trust fund to the all-sports hall of fame fund.

(c) On the effective date of this act, of the \$1,245,705 appropriated for the above agency by section 7(a) of chapter 9 of the 1983 Session Laws of Kansas from the state general fund in the museum account, the sum of \$22,925 is hereby lapsed.

Sec. 53.

STATE BOARD OF HEALING ARTS

(a) On July 1, 1984, the expenditure limitation established by section 7(a) of 1984 House Bill No. 2680 on the healing arts fee fund is hereby increased from \$350,461 to \$415,407.

(b) On July 1, 1984, the position limitation established by section 22 of 1984 House Bill No. 2680 for the state board of healing arts is hereby increased from 8.0 to 10.0.

Sec. 54.

KANSAS ARTS COMMISSION

(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 1984	Fiscal Year 1985
State capitol dome sculpture fund		\$0

Sec. 55.

KANSAS WHEAT COMMISSION

(a) On the effective date of this act, the expenditure limita-

(continued)

tion established by the state finance council on the Kansas wheat commission fund is hereby decreased from \$1,469,726 to \$1,449,326.

(b) On July 1, 1984, the expenditure limitation established by section 6 of 1984 House Bill No. 2693 on the Kansas wheat commission fund is hereby increased from \$1,683,953 to \$1,709,813.

Sec. 56.

STATE CORPORATION COMMISSION

(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 1984	Fiscal Year 1985
Mined land reclamation fund.....		No limit

(b) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the energy conservation plan—federal fund is hereby increased from \$559,597 to \$591,531.

(c) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the motor carrier license fees fund is hereby increased from \$1,411,653 to \$1,441,080.

(d) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the salaries and wages account of the motor carrier license fees fund is hereby increased from \$905,391 to \$925,268.

(e) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the mined-land conservation and reclamation fee fund is hereby increased from \$146,270 to \$147,911.

(f) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the salaries and wages account of the mined-land conservation and reclamation fee fund is hereby increased from \$107,698 to \$109,339.

(g) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the national surface mining control and reclamation act—federal fund is hereby increased from \$119,850 to \$121,491.

(h) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the salaries and wages account of the national surface mining control and reclamation act—federal fund is hereby increased from \$88,062 to \$89,703.

(i) On July 1, 1984, the expenditure limitation established by section 6(b) of 1984 Senate Bill No. 550 on the salaries and wages account of the abandoned mined-land reclamation act—federal fund is hereby increased from \$109,399 to \$113,827.

(j) On July 1, 1984, the position limitation established by section 8 of 1984 Senate Bill No. 550 for the state corporation commission is hereby increased from 252.0 to 254.0.

Sec. 57.

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 1984	Fiscal Year 1985
Buildings and grounds.....		\$36,350
Central management information systems and computing operations.....		3,272,194
Budget analysis.....		5,500
General administration.....		50,000
Data processing equipment.....		300,000

Provided, That no expenditures may 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 and amendments thereto.

Salaries and wages—accounting services.....		150,000
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Provided, That no expenditures may 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 and amendments thereto.

Grants to institutions under the state board of regents for personnel or payroll computer software.....		300,000
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Provided, That no expenditures may 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 and amendments thereto.

Total.....		\$4,114,044
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(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 1984	Fiscal Year 1985
Motor vehicle and highway equipment sales fee fund.....		No limit
Health care benefits program fund.....		No limit
Provided, That expenditures from this fund for salaries and wages and other operating expenditures for administering the health care benefits program shall not exceed \$106,904.		
State agency unemployment claims audit fund.....		No limit
Law enforcement memorial fund.....		No limit

(c) On July 1, 1984, of the \$1,525,747 appropriated for the above agency by section 2(a) of 1984 Senate Bill No. 550 from the state general fund in the architectural services and planning account, the sum of \$5,500 is hereby lapsed.

(d) On July 1, 1984, the expenditure limitation established by section 2(b) of 1984 Senate Bill No. 550 on the state buildings operating fund is hereby increased from \$4,119,465 to \$4,186,565.

(e) On July 1, 1984, the position limitation established by section 8 of 1984 Senate Bill No. 550 for the department of administration is hereby increased from 895.5 to 905.5.

Sec. 58.

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 1984	Fiscal Year 1985
Grant to KANZ-FM public educational radio.....		\$50,000
KANU-FM—matching translator system grants.....		12,500
Total.....		\$62,500

Sec. 59.

STATE CORRECTIONAL-VOCATIONAL TRAINING CENTER

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures.....		\$23,125

(b) On July 1, 1984, the expenditure limitation established by section 6(a) of 1984 Senate Bill No. 552 on expenditures from the amount reappropriated in the operating expenditures account of the state general fund is hereby decreased from \$74,574 to \$64,574.

Sec. 60.

STATE INDUSTRIAL REFORMATORY

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures.....		\$17,743

(continued)

Sec. 61.

KANSAS STATE PENITENTIARY

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

	Fiscal Year 1984	Fiscal Year 1985
Operating expenditures	\$8,537	\$115,308

(b) On July 1, 1984, the expenditure limitation established by section 9(a) of 1984 Senate Bill No. 552 on expenditures from the amount reappropriated in the operating expenditures account of the state general fund is hereby decreased from \$225,245 to \$109,937.

Sec. 62.

DEPARTMENT OF CORRECTIONS

(a) The above agency is hereby authorized to initiate and complete capital improvement projects for major repairs, special maintenance and remodeling for correctional institutions, to plan and construct an expansion of the El Dorado honor camp for 32 additional beds, including acquisition of loose equipment, and to plan for a new correctional facility, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement projects and the following purposes and for the fiscal years specified as follows:

Major repairs, special maintenance and remodeling for correctional institutions	
For the fiscal year ending June 30, 1985	\$300,000
<i>Provided</i> , That the secretary of corrections is hereby authorized to transfer moneys from this account of the state general fund to an account or accounts of the state general fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended by the institution or facility for projects approved by the secretary of corrections.	
Plan and construct an expansion of the El Dorado honor camp for 32 additional beds, including acquisition of loose equipment	
For the fiscal year ending June 30, 1985	550,000
Comprehensive study of space needs and buildings and facilities for use by the department of corrections, including repair, renovation or conversion of existing facilities, buildings and institutions of state agencies and new buildings and facilities	
For the fiscal year ending June 30, 1984	150,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985.	

(c) On July 1, 1984, the expenditure limitation established by section 5(b) of 1984 Senate Bill No. 552 on the correctional industries fund is hereby increased from \$3,729,103 to \$3,804,103.

Sec. 63.

STATE CORRECTIONAL-VOCATIONAL TRAINING CENTER

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to replace and repair roofs, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement project and for the fiscal year specified as follows:

Replace and repair roofs	
For the fiscal year ending June 30, 1985	\$262,000
<i>Provided</i> , That this project is not subject to the provisions of K.S.A. 75-5404 and amendments thereto requiring the convening of a negotiating committee for architectural services.	

Sec. 64.

STATE INDUSTRIAL REFORMATORY

(a) The above agency is hereby authorized to initiate and complete capital improvement projects to renovate and construct an addition to D cellhouse, for an alternate power source including switchgear and interconnections and to renovate a Kansas correctional industries building for additional bedspace, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement projects and the following purposes and for the fiscal years specified as follows:

Renovate and construct addition to D cellhouse	
For the fiscal year ending June 30, 1985	\$900,000
For the fiscal year ending June 30, 1986	600,000
Alternate power source including switchgear and interconnections	
For the fiscal year ending June 30, 1985	130,000
Operating expenditures	
For the fiscal year ending June 30, 1984	72,900
For the fiscal year ending June 30, 1985	236,500

(c) The above agency is hereby authorized to initiate and complete and to negotiate and enter into contracts for a capital improvement project to renovate a Kansas correctional industries building for additional bedspace and to make expenditures from the operating expenditures account of the state general fund for such project. Such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments thereto.

(d) On the effective date of this act, the position limitation established by section 12 of chapter 7 of the 1983 Session Laws of Kansas for the state industrial reformatory is hereby increased from 305.5 to 317.5.

(e) On July 1, 1984, the position limitation established by section 12 of 1984 Senate Bill No. 552 for the state industrial reformatory is hereby increased from 328.5 to 342.0.

Sec. 65.

KANSAS STATE PENITENTIARY

(a) The above agency is hereby authorized to initiate and complete capital improvement projects to plan and construct medium-custody and support facilities, including remodeling of inside service building, to acquire and install manufactured housing to alleviate crowding in emergencies, including loose equipment and security capital improvements therefor, for water system improvements, for a needs analysis for new steam generating system, to replace locking system in B cellhouse and to renovate locking system in C cellhouse, for reconfiguration of electrical system and to renovate the upper level of the laundry building for additional bedspace, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement projects and the following purposes and for the fiscal years specified as follows:

Correctional capital improvements	
For the fiscal year ending June 30, 1985	\$1,200,000
<i>Provided</i> , That expenditures may be made from this account prior to January 1, 1985, for a project to acquire and install manufactured housing to alleviate crowding in emergencies, including loose equipment and security capital improvements therefor: <i>Provided further</i> , That such project shall not be subject to the provisions of K.S.A. 1983 Supp. 75-5404 and amendments thereto requiring the convening of a negotiating committee for architectural services: <i>And provided further</i> , That the above agency is hereby authorized to negotiate and enter into contracts for such project: <i>And provided further</i> , That such contracts shall not be subject to the competitive bid requirements of K.S.A. 1983 Supp. 75-3739 to 75-3741, inclusive, and amendments thereto: <i>Provided, however</i> , 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 and amendments thereto: <i>And provided further</i> , That after December 31, 1984, expenditures may be made from any unencumbered balance in this account to plan and construct medium-custody and support facilities, including remodeling of inside service building.	
Plan and construct medium-custody and support facilities, including remodeling of inside service building	
For the fiscal year ending June 30, 1986	\$2,799,500
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1985, in the correctional capital improvements account is hereby reappropriated to the plan and construct medium-custody and support facilities, including remodeling of inside service building account for fiscal year 1986.	
For the fiscal year ending June 30, 1987	1,134,200
Water system improvements	
For the fiscal year ending June 30, 1985	221,300
For the fiscal year ending June 30, 1986	1,090,700
For the fiscal year ending June 30, 1987	132,000
Needs analysis for new steam generating system	
For the fiscal year ending June 30, 1985	50,000
Replace locking system in B cellhouse and renovate locking system in C cellhouse	

(continued)

For the fiscal year ending June 30, 1985	676,172
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985:	
<i>Provided further</i> , That no expenditures shall be made from this account for replacement of the locking system in B cellhouse except upon approval of the state finance council, after consultation with the joint committee on state building construction, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.	
For the fiscal year ending June 30, 1986	351,258
Reconfiguration of electrical system	
For the fiscal year ending June 30, 1985	217,024
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985.	
Operating expenditures	
For the fiscal year ending June 30, 1984	92,700
For the fiscal year ending June 30, 1985	231,500

(c) The above agency is hereby authorized to initiate and complete and to negotiate and enter into contracts for a capital improvement project to renovate the upper level of the laundry building for additional bedspace and to make expenditures from the operating expenditures account of the state general fund for such project. Such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments thereto:

(d) On the effective date of this act, the position limitation established by section 3(b) of 1984 Senate Bill No. 495 for the Kansas state penitentiary is hereby increased from 431.5 to 443.5.

(e) On July 1, 1984, the position limitation established by section 12 of 1984 Senate Bill No. 552 for the Kansas state penitentiary is hereby increased from 525.5 to 537.5.

Sec. 66.

DEPARTMENT OF ADMINISTRATION

(a) The above agency is hereby authorized to initiate and complete a capital improvement project for exterior repair of the statehouse, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement project and for the fiscal years specified as follows:

Exterior repair, statehouse	
For the fiscal year ending June 30, 1985	\$150,000
For the fiscal year ending June 30, 1986	150,000

Sec. 67.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) The above agency is hereby authorized to initiate and complete capital improvement projects to construct a vocational training building and to construct a heating plant, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state institutions building fund for the capital improvement projects and for the fiscal years specified as follows:

Construct vocational training building	
For the fiscal year ending June 30, 1986	\$100,000
Construct heating plant	
For the fiscal year ending June 30, 1986	807,700

Sec. 68.

OSAWATOMIE STATE HOSPITAL

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to construct a new administration building, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state institutions building fund for the capital improvement project and for the fiscal years specified as follows:

Construction of new administration building	
For the fiscal year ending June 30, 1985	\$900,000
For the fiscal year ending June 30, 1986	1,650,000

Sec. 69. *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 appropriation act of the 1983 regular session of the

legislature or in any other appropriation act of the 1984 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 and amendments thereto.

Sec. 70. *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 and amendments thereto, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 71. *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 1984 regular session of the legislature, is hereby appropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 72. On the effective date of this act, section 25 of 1984 House Bill No. 2703 is hereby repealed.

Sec. 73. On July 1, 1984, section 2 of 1984 Senate Bill No. 514, section 6 of 1984 House Bill No. 2684, sections 3, 7, 8 and 9 of 1984 House Bill No. 2805 and section 2 of 1984 House Bill No. 3093 are hereby repealed.

Sec. 74. 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 25, 1984.

Senate adopted Conference Committee report April 29, 1984.

President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 28, 1984.
House adopted Conference Committee report April 29, 1984.

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

APPROVED May 11, 1984.

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 17th day of May, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

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