

KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

Vol. 7, No. 23

June 9, 1988

Pages 1067-1110

IN THIS ISSUE . . .

	Page
Legislative Interim Committee Schedule	1068
Kansas Wildlife and Parks Commission	
Notice of Meeting	1069
Historic Sites Board of Review	
Notice of Meeting	1069
Department of Administration	
Notice of Commencement of Negotiations for Engineering Services.....	1069
State Board of Agriculture	
Request for Comments on Proposed Special Local Need Registration.....	1069
State Board of Mortuary Arts	
Notice of Hearing on Proposed Administrative Regulations	1070
Secretary of State	
Usury Rate for June	1070
Attorney General	
Opinion No. 88-73.....	1070
Department of Transportation	
Notice to Consulting Engineers.....	1071
Notice to Contractors.....	1071
State Conservation Commission	
Notices to Contractors.....	1071, 1072
Notice to Bidders for State Purchases	1072
Department of Health and Environment	
Notices Concerning Underground Injection Control Permits.....	1073, 1075
Notice of Meeting	1075
Kansas Water Authority	
Notice of Meeting	1075
Temporary Administrative Regulations	
The Kansas Lottery.....	1076
Notice of Bond Sale	
U.S.D. 229, Johnson County	1077
City of LaHarpe	1079
Sedgwick County.....	1081
New State Laws	
House Bill 2796, making and concerning appropriations.....	1084
Senate Bill 550, making and concerning appropriations.....	1089
Senate Bill 774, making and concerning appropriations.....	1094
House Substitute for Senate Bill 775, making and concerning appropriations	1098

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of June 13 through June 26:

Date	Room	Time	Committee	Agenda
June 13	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of committees' annual reports; review of rules and regulations filed by the Racing Commission, State Employees Health Care Commission, Department of Education, Department of Wildlife and Parks, SRS, and Department of Health and Environment. Staff review of statutes creating Board of Barber Examiners and briefing on regulations adopted by that board.
June 14	514-S	9:00 a.m.		
June 15	519-S	10:00 a.m.	Joint Committee on Economic Development	Agenda unavailable.
June 16	Kansas City	9:00 a.m.		
June 16	529-S	10:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
June 17	529-S	9:00 a.m.		
June 22	527-S	10:00 a.m.	Legislative Educational Planning Committee	Review of topics for interim study; other agenda items to be determined later.
June 23	527-S	9:00 a.m.		

Interim proposals and interim committee assignments have not been designated at this time. That information will be published as it becomes available.

WILLIAM R. BACHMAN
 Director of Legislative
 Administrative Services

Doc. No. 006667

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$55. Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS. ISSN No. 0744-2254.

Postmaster. Send change of address form to *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

© Kansas Secretary of State 1988. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
 BILL GRAVES
 Secretary of State
 2nd Floor, State Capitol
 Topeka, KS 66612-1594



Phone: (913) 296-3489

**State of Kansas
WILDLIFE AND PARKS COMMISSION**

NOTICE OF MEETING

A meeting of the Kansas Wildlife and Parks Commission is scheduled for June 16-17 at the Doubletree Hotel, 10100 College Blvd., Overland Park. The commission's formal meeting will begin at 7:30 p.m. Thursday, June 16, in the Monterey Room. The formal meeting will be preceded at 5:30 p.m. by a reception hosted by the Johnson County Park and Recreation District Board of Commissioners at the hotel.

Items to be discussed at the formal meeting include an update on Hillsdale State Park, a review of the 1989 budget, and a discussion of the new rules and regulations process.

The commission will reconvene at 8:30 a.m. Friday, June 17, in the Houston Room to conclude any unfinished business.

GERALD W. TOMANEK
Commission Chairman

Doc. No. 006674

**State of Kansas
STATE HISTORICAL SOCIETY
HISTORIC SITES BOARD OF REVIEW**

NOTICE OF MEETING

The Kansas Historic Sites Board of Review will meet at 10 a.m. Saturday, June 25, in Classroom A at the Kansas Museum of History, 6425 S.W. 6th, Topeka.

The agenda will include the evaluation of the following properties for nomination to the National Register of Historic Places and/or the Register of Historic Kansas Places:

State Register Only

Haldeman-Julius House, Route 4, Girard, Crawford County

National Register

Eureka Carnegie Library, 502 N. Main, Eureka, Greenwood County
Cottage House Hotel, 25 N. Neosho, Council Grove, Morris County
Fox-Watson Theater Building, 155 S. Santa Fe Ave., Salina, Saline County

The board will also evaluate the applications received for pre-development grants and make recommendations for funding them.

RAMON POWERS
Executive Director

Doc. No. 006665

**State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for engineering services for the design of a sanitary sewer connection for the Kansas State University Northwest Research-Extension Center at Colby. The connection will be from the Extension Center to the Colby sanitary sewer system.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to June 24.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 006666

**State of Kansas
BOARD OF AGRICULTURE**

**REQUEST FOR COMMENTS ON PROPOSED
SPECIAL LOCAL NEED REGISTRATION**

Notice is hereby given that pursuant to 7 U.S.C. 136v, FMC Corporation has filed an application for a special local need registration for Talstar 10 WP.

The purpose of the proposed special local need registration is to allow the use of this pesticide for control of a broad spectrum of insects and mites on field grown ornamental plants. At present, this pesticide is federally registered to be applied on greenhouse grown ornamentals, trees and shrubs. The special local need registration, if granted, will allow the additional use of this pesticide on ornamental trees, shrubs, plants and flowers grown in the field.

Information submitted by the applicant is on file with the Kansas State Board of Agriculture. Anyone wishing to present written comments, data, or other evidence in support of or in opposition to the proposed special local need registration may do so on or before July 11 to Jon I. Flint, Plant Health Division, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612.

JON I. FLINT, Administrator
Plant Health Division

Doc. No. 006670

State of Kansas

BOARD OF MORTUARY ARTS**NOTICE OF MEETING AND
HEARING ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The State Board of Mortuary Arts will conduct its regularly scheduled quarterly meeting July 14-15 in Room 858, Landon State Office Building, 900 S.W. Jackson, Topeka. The meeting will begin at 9 a.m. Thursday, July 14. The board will conduct a public hearing at 1 p.m. the same day to consider the adoption of proposed amendments and new and revoked regulations of the agency.

These changes will take place May 1, 1989. The following summarizes the proposed changes:

K.A.R. 63-1-1 amends the definition of a "suitable combustible container."

K.A.R. 63-1-3 amends the accreditation process of embalming schools and the apprenticeship period of successful examinees.

K.A.R. 63-1-4 and 63-1-6 contain grammatical changes only.

K.A.R. 63-1-12 requires licensees to make up continuing education hours within one year of licensure reinstatement.

K.A.R. 63-2-14 amends requirements for reinstatement of licenses more than six months elapsed.

K.A.R. 63-5-2 is a new regulation concerning hearing costs.

K.A.R. 63-6-3 contains grammatical amendments.

K.A.R. 63-6-6 combines three regulations: 63-6-6, 63-6-7 and 63-6-8.

K.A.R. 63-6-7 and 63-6-8 are revocations.

There is no fiscal impact expected from these changes.

All interested parties may submit written comments prior to the hearing to Douglas "Mack" Smith, Executive Secretary, Kansas State Board of Mortuary Arts, 900 S.W. Jackson, Suite 856, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to orally present their views in regard to the adoption of the proposed changes to the regulations. In order to give all parties an opportunity to present their views, it may be necessary to limit oral presentations to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the board as the basis for making changes to these regulations.

DOUGLAS "MACK" SMITH
Executive Secretary

Doc. No. 006661

State of Kansas

SECRETARY OF STATE**NOTICE**

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1987 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1988 through June 30, 1988 shall be 12.15 percent.

In testimony whereof: I have hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 31st day of May, A.D. 1988.

BILL GRAVES
Secretary of State

Doc. No. 006660

State of Kansas

ATTORNEY GENERAL**Opinion No. 88-73**

Eminent Domain—Procedure Act—Compensation.
Representative Betty Jo Charlton, 46th District, Lawrence, May 25, 1988.

1988 House Bill No. 2704 places restraints on the "property rights" of individuals in order to promote and protect the well established public welfare interest of insuring that human remains are treated properly.

In our opinion it clearly represents a valid exercise of the state's inherent police power. Therefore, any private individual claiming ownership of human skeletal remains would not be entitled to compensation simply because the state regulation requires relinquishment of the remains.

However, if a claimant convinced the court that 1988 House Bill No. 2704 operated as an eminent domain taking of an identifiable property interest, rather than a valid exercise of police power, the court could require compensation for any legally held property interest taken by the court could require compensation for any legally held property interest taken by the regulation. Valuation of such a property interest would require consideration of factors set forth in K.S.A. 26-513(d) and evidence of the fair market value and condition of the portion of property at the time of the taking, and the loss of that value to the legal owner. Cited herein: K.S.A. 7-103; 12-707; 12-1401; 13-14c01; 14-1007; 15-1001; 15-1014; 17-1302; 19-1015; 19-2901; 19-3106; 21-3512; 21-4112; 21-4115; 21-4214; 22-3902; 26-513; 41-101; 58-2501; 65-901; 65-1701; 65-4127; 73-301; and 80-916. TMN

ROBERT T. STEPHAN
Attorney General

Doc. No. 006664

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 65,500 cubic yard detention dam, Site 1-11 in Marshall County, will be received by the Vermillion (Robidoux) Creek Watershed District No. 70 at the office of King and Associates Engineering, 125 W. 4th, Holton 66436, until 5 p.m. on June 23; or at the field office of the Soil Conservation Service, R.F.D. 3, Marysville 66508, until 10 a.m. on June 24. Bids will be opened at 10 a.m. June 24 at the Soil Conservation Service office.

A copy of the invitation for bids and plans and specification can be obtained from the office of King and Associates Engineering, (913) 364-4309, or the Soil Conservation Service field office, (913) 562-3133.

KENNETH F. KERN
Executive Director

Doc. No. 006663

State of Kansas
DEPARTMENT OF TRANSPORTATION

NOTICE TO CONSULTING ENGINEERS

The Kansas Department of Transportation is seeking qualified consultant engineers for the following projects:

Johnson—7-46 K-3382-01—Reconstruct to 4-lane expressway from the north city limits of Olathe to the existing 4-lane divided. (3.6 miles)

Wyandotte—69-105 K-2862-01—Replacement of the Jersey Creek bridge #065, 0.5 mile north of U.S. 24.

Jackson and Shawnee—75-43 K-2448-01 and 75-89 K-2866-01—Reconstruct to 4-lane expressway from the existing end 4-lane in Shawnee County to the junction of K-16 in Holton. (21.1 miles)

Butler—196-8 K-3321-01—Reconstruct to 4-lane expressway from K-254 to KTA (0.8 miles) and replacement of bridge #063 over the KTA.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by June 30.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

1. Size and professional qualification of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 006675

State of Kansas
DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

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, until 10 a.m. C.D.T. June 16, 1988, and then publicly opened:

DISTRICT FOUR—Southeast

Crawford—69-19 M-1529-01—U.S. 69, beginning at the south city limits of Frontenac north to the Atchison, Topeka and Santa Fe Railway crossing, approximately 50 feet north of the north junction of U.S. 69 and U.S. 160, .76 mile, concrete pavement patching. (State Funds)

DISTRICT FIVE—Southcentral

Cowley—15-18 M-1529-01—K-15, 0.9 mile west of the north U.S. 77 and K-15 junction, bridge repair. (State 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 because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 006651

State of Kansas

STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 31,500 cubic yard detention dam, Site 31-3 in Nemaha County, will be received by the Nemaha-Brown Watershed Joint District No. 7 at the district office, 125 W. 4th, Holton 66436, until 6:45 p.m. on July 1. Bids will be opened at 7 p.m. July 1 at the district office.

A copy of the invitation for bids and plans and specification can be obtained from the district office, (913) 364-4309.

KENNETH F. KERN
Executive Director

Doc. No. 006662

State of Kansas

DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, June 20, 1988

#26297

Fort Hays State University—PIANO TUNING AND MAINTENANCE

#27055

Statewide—CALCULATORS

#27458

Statewide—LINENS

#27774

University of Kansas—TRANSPORTATION SERVICE

#73876-A

Department of Transportation—PORTABLE GENERATORS, various locations

#74664

Department of Transportation—HYDRAULIC POST PULLER

#74665

Kansas State Industrial Reformatory—TOBACCO

#74668

Norton State Hospital—ELEVATOR REPAIRS

#74701

Department of Wildlife and Parks—AMPHIBIOUS EXCAVATOR, Great Bend

#74754

Kansas Bureau of Investigation—PHOTO EQUIPMENT

#74813

Kansas State Industrial Reformatory, Ellsworth Correctional Facility, and Department of Corrections—CLOTHING

Tuesday, June 21, 1988

#25163

Youth Center at Beloit—LAUNDRY SERVICE

#26633

University of Kansas—RADIATION MONITORING PROGRAM

#27233

Kansas Correctional Industries—METHYL CARBITOL, VARIOUS GLYCOLS AND PHOSPHATE

#27456

Various state agencies—POTATO CHIPS AND RELATED PRODUCTS

#27397

Statewide—TRAVEL SERVICES

#27675

University of Kansas Medical Center—FLOOR CARE PRODUCTS

#27830

Department of Social and Rehabilitation Services—PEST CONTROL SERVICES

#74692

Department of Transportation—LASER PRINTERS

#74735

Winfield State Hospital and Training Center and Department of Corrections—DRAPERY FABRIC, Winfield and Norton

#74767

Kansas State University—IMAGE MASTER

#74768

Department of Administration, Division of Printing—FINE PAPER

#74769

Department of Health and Environment—PLAIN PAPER COPIER

Wednesday, June 22, 1988

#A-4821(g)

Kansas State University—CHEMISTRY-BIOCHEMISTRY SITE WORK

#A-4821(h)

Kansas State University—CHEMISTRY-BIOCHEMISTRY BUILDING IRRIGATION

#A-4821(i)

Kansas State University—CHEMISTRY-BIOCHEMISTRY LANDSCAPE PLANTING

#A-5938

Adjutant General's Department—PARTIAL REROOF, Concordia Armory Building Number 03400-KS070

#A-5951(a)

University of Kansas—REROOFING, Pearson Scholarship Hall

#27474

University of Kansas Medical Center—AUGUST (1988) MEAT PRODUCTS

#27524

University of Kansas—AUGUST (1988) MEAT PRODUCTS

#74667

Department of Corrections—IBM 4234-2 PRINTER, Ellsworth

#74778

Kansas Correctional Industries—NORTHERN HARD
MAPLE

#74779

Kansas Securities Commissioner and Kansas Bureau
of Investigation—GUNS

Thursday, June 23, 1988

#A-5681

Department of Administration—REPLACE
CONVECTOR PIPING, Docking State Office Building

#A-5782

Youth Center at Topeka—REPLACE CONDENSING
UNITS AND STEAM COILS, Mohawk and Cherokee
Cottages

#A-5813

Osawatomie State Hospital—REPLACE WALK-IN
COOLERS AND FREEZER, Adair Complex
Building D

#A-5831

Department of Transportation—CONSTRUCT
GARDNER SUB AREA SHOP

#27477

Statewide—CONSUMER GRADE AA EGGS

#74683

Various agencies—USED VEHICLES

#74795

Kansas State School for the Visually Handicapped—
MINI VAN

#74801

Wichita State University—MAGNETOMETER
ACCESSORIES

#74802

Department of Wildlife and Parks—TRACTOR,
Hillsdale Lake, near Paola

#74814

Department of Wildlife and Parks—PICKUP
TRUCK, Hillsdale Lake, near Paola

#74818

Department of Health and Environment—PLAIN
PAPER COPIER

Friday, June 24, 1988

#A-5794

Topeka State Hospital—REPLACE ELECTRIC FIRE
DAMPERS, Ray, Eastman, Woodward

#A-5855

Department of Transportation—REROOF
(COMPLETE REPLACEMENT) AREA BUILDING
(NO. 27600-11005), Horton

Tuesday, June 28, 1988

#74666

Department of Corrections—KITCHEN SUPPLIES,
Ellsworth

Wednesday, June 29, 1988

#27302

University of Kansas—DAIRY PRODUCTS

Friday, July 1, 1988

#27212

Hospitals Administered by Board of Regents—
PROFESSIONAL LIABILITY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 006671

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT

NOTICE CONCERNING UNDERGROUND
INJECTION CONTROL PERMIT

The Kansas Department of Health and Environment is providing public notice regarding modification of the Underground Injection Control (UIC) and the Hazardous Waste Facility (HWF) permits issued to the Vulcan Materials Company (VMC), located at 6200 S. Ridge Road, in Wichita. The proposed modifications will extend the schedule for compliance with injection limitations to November 1, 1989. The proposed modifications will also expand the data gathering and reporting responsibilities and will establish a waste minimization program at VMC.

Name and Address
of Applicant

Vulcan Materials Company
6200 S. Ridge Road
P.O. Box 12283
Wichita, KS 67277
County: Sedgwick
KS-01-173-004

Well Location

NE SW SW Section 27-
28-1W, of Sedgwick
County, Kansas 4015' fel,
1177' fsl.

Well Identification: Well #3

Description of Facility: The disposal wells receive wastewater consisting primarily of sodium, calcium and magnesium chloride brine with variable pH and trace organic compounds. The liquids to be injected are considered to be hazardous by definition in the Resource Conservation and Recovery Act and K.S.A. 65-3430 *et seq.* and regulations adopted thereunder.

Name and Address
of Applicant

Vulcan Materials Company
6200 S. Ridge Road
P.O. Box 12283
Wichita, KS 67277
County: Sedgwick
KS-01-173-005

Well Location

SW NE SW Section 27-
28-1W, of Sedgwick
County, Kansas 3791' fel,
1788' fsl.

Well Identification: Well #4

Description of Facility: The disposal wells receive wastewater consisting primarily of sodium, calcium and magnesium chloride brine with variable pH and trace organic compounds. The liquids to be injected are considered to be hazardous by definition in the Resource Conservation and Recovery Act and K.S.A. 65-3430 *et seq.* and regulations adopted thereunder.

Name and Address
of Applicant

Vulcan Materials Company
6200 S. Ridge Road
P.O. Box 12283
Wichita, KS 67277
County: Sedgwick
KS-01-173-006

Well Location

NE NW SW Section 27-
28-1W, of Sedgwick
County, Kansas 4178' fel,
2019' fsl.

Well Identification: Well #7

Description of Facility: The disposal wells receive wastewater consisting primarily of sodium, calcium and magnesium chloride brine with variable pH and trace organic compounds. The liquids to be injected are considered to be hazardous by definition in the Resource Conservation and Recovery Act and K.S.A. 65-3430 *et seq.* and regulations adopted thereunder.

Name and Address
of Applicant

Vulcan Materials Company
6200 S. Ridge Road
P.O. Box 12283
Wichita, KS 67277
County: Sedgwick
KS-01-173-007

Well Location

SE NW SW Section 27-
28-1W, of Sedgwick
County, Kansas 4325' fel,
1640' fsl.

Well Identification: Well #8

Description of Facility: The disposal wells receive wastewater consisting primarily of sodium, calcium and magnesium chloride brine with

(continued)

variable pH and trace organic compounds. The liquids to be injected are considered to be hazardous by definition in the Resource Conservation and Recovery Act and K.S.A. 65-3430 *et seq.* and regulations adopted thereunder.

**Name and Address
of Applicant**

Vulcan Materials Company
6200 S. Ridge Road
P.O. Box 12283
Wichita, KS 67277
County: Sedgwick
KS-01-173-008

Well Location

SE NW SW Section 27-
28-1W, of Sedgwick
County, Kansas 4040' fel,
1545' fsl.

Well Identification: Well #9

Description of Facility: The disposal wells receive wastewater consisting primarily of sodium, calcium and magnesium chloride brine with variable pH and trace organic compounds. The liquids to be injected are considered to be hazardous by definition in the Resource Conservation and Recovery Act and K.S.A. 65-3430 *et seq.* and regulations adopted thereunder.

On June 30, 1986, VMC was issued permits to operate five Class I Hazardous Waste UIC disposal wells at their Wichita facility. The permits were issued by KDHE's Bureau of Water Protection and regulate the injection of wastes into the Arbuckle Formation at a depth of approximately 4,000 ft. below ground surface. Various wastewaters, generated by VMC chemical manufacturing activities, are disposed of via the UIC wells. On December 19, 1986, the UIC permits were incorporated into the HWF permits issued to VMC by KDHE's Bureau of Waste Management. The only modifications to the HWF permit will be to incorporate the proposed modifications to the UIC permits.

The original UIC permits contained injection limits and established July 1, 1988, as a deadline for VMC to comply with these permit conditions. The proposed modifications will extend the compliance date to November 1, 1989.

The draft permits incorporate modifications that require the applicant to submit to the department a report on the suitability of continued use of the injection wells, including a review of: injection well construction; the nature and status of past and present injection activities; injection well construction, monitoring, and operation; and area of review expanded to a 2.5 mile radius; regional geology, local geology, geohydrology and geochemistry of the fresh and usable water zones, the injection zone, and the confining zone; compatibility of injection fluids with the injection zones and confining zone material and fluids and with the well components. A model describing the movement of the injection fluids once these fluids reach the disposal zone will also be included.

A compliance schedule is established in the draft permits for completing installation of waste minimization projects. The waste minimization program will require installation of seal-less non-leaking pumps, segregation of hazardous waste streams from non-hazardous streams, studies to identify and eliminate organic contamination of waste streams, recovery of chlorosolvents from spent trap materials, recovery of organic compounds as feedstock to the perchloroethylene plant, reduction of the volume of wastestreams generated by the perc neutralizer, removal of methyl chloride from the HCL purge stream, centralizing equipment washing to isolate washings from the wastewater and recovery of organics from spills and major maintenance activities. A summary report is to be prepared and submitted to KDHE addressing the effectiveness of the waste minimization program.

In addition, for wells number 7, 8 and 9, a more accurate flow meter, approved by KDHE, is required to be installed to resolve metering errors.

The proposed UIC and HWF permit modifications are being made in accordance with K.A.R. 28-46-7, 28-46-15, 28-31-9 and the authority vested in the state of Kansas by the administrator of the U.S. Environmental Protection Agency. The extension of the compliance date allows the applicant time to develop and submit the information requested by the department, complete the installation of the waste minimization projects and monitor their effectiveness, and enable KDHE to evaluate the reports and project results to determine the applicability of the injection limitations.

Copies of the administrative record, which includes the draft permits, and relative correspondence are available for public review at the following locations during normal business hours: KDHE central office, Forbes Field, Topeka; EPA Region VII Office, 726 Minnesota Ave., Kansas City, Kansas; West Link Library, 8515 Bekemeyer, Wichita; KDHE south central office, 3244 E. Douglas, Wichita; Seneca Square Library, 3132-225 S. Seneca, Wichita; and Orchard Park Library, 4808 W. 9th, Wichita.

Comments on the proposed permit modifications may be directed to Michael H. Cochran, Bureau of Water Protection, or to John Paul Goetz, Bureau of Waste Management, at the KDHE central office in Topeka. Comments must be submitted in writing prior to July 23. Requests for additional information, including the fact sheet, may be made by telephone by contacting the Bureau of Water Protection at (913) 296-5560 or the Bureau of Waste Management at (913) 296-1607.

A public hearing has been scheduled for 7 p.m. Wednesday, July 13, in the City Council Chamber, Wichita City Hall, 455 N. Main, Wichita.

The KDHE secretary will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations. If a decision is made to modify the permits as proposed, the secretary will notify all persons in writing who submitted comments or requested notice of the final decision. If the permit modifications are substantially changed from the draft made available to the public, the secretary will issue a public notice of the revisions.

STANLEY C. GRANT, Ph.D.
Secretary of Health
and Environment

Doc. No. 006672

**State of Kansas
KANSAS WATER AUTHORITY**

NOTICE OF MEETING

The June meeting of the Kansas Water Authority will be held at the Holiday Inn, Pittsburg. Committees of the authority will have their meetings on the evening of June 21 with the full authority convening the morning of June 22. A tour of water-related projects will take place that afternoon.

A copy of the agenda may be obtained by contacting Dotty Kester, Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

JOHN L. BALDWIN
Chairman

Doc. No. 006677

**State of Kansas
DEPARTMENT OF HEALTH
AND ENVIRONMENT**

**NOTICE CONCERNING UNDERGROUND
INJECTION CONTROL PERMIT**

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the continued use of three salt solution mining wells, within the state of Kansas, for the applicants described below.

Name and Address of Applicant	Well No.	Well Location
Carey Salt, a division of Processed Minerals, Inc. 1800 Carey Blvd. P.O. Box 1728 Hutchinson, KS 67504-1728 Reno County, Kansas Kansas Permit No. KS-03-155-139	98	NE SW SE 17-23-5W, Reno County, Kansas 1200' fsl and 1360' fel of SE/4

Description of Facility: This facility is designed for the production of salt by solution mining activities.

Name and Address of Applicant	Well No.	Well Location
Carey Salt, a division of Processed Minerals, Inc. 1800 Carey Blvd. P.O. Box 1728 Hutchinson, KS 67504-1728 Reno County, Kansas Kansas Permit No. KS-03-155-140	99	NW SE SE 17-23-5W, Reno County, Kansas 1200' fsl and 1060' fel of SE/4

Description of Facility: This facility is designed for the production of salt by solution mining activities.

Name and Address of Applicant	Well No.	Well Location
Carey Salt, a division of Processed Minerals, Inc. 1800 Carey Blvd. P.O. Box 1728 Hutchinson, KS 67504-1728 Reno County, Kansas Kansas Permit No. KS-03-155-141	109	SW SE SE 17-23-5W, Reno County, Kansas 300' fsl and 1200' fel of SE/4

Description of Facility: This facility is designed for the production of salt by solution mining activities.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, KDHE, Division of Environment, Bureau of Water Protection,

Forbes Field, Topeka 66620. All comments received prior to July 8 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-EG-88-6/8) and name of applicant as listed when preparing comments. If no objections are received, the Secretary of Health and Environment will issue the final determination.

The application, proposed permit, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the Division of Environment.

STANLEY C. GRANT, Ph.D.
Secretary of Health and Environment

Doc. No. 006669

**State of Kansas
DEPARTMENT OF HEALTH
AND ENVIRONMENT**

NOTICE OF MEETING

The technical committee of the Kansas Department of Health and Environment will conduct a public hearing on information contained in the preliminary report about the application to license or register clinical laboratory technologists, technicians, assistants and phlebotomists. The hearing is scheduled for 9 a.m. Wednesday, June 15, in Room 313-S, State Capitol, Topeka.

Persons desiring to provide oral testimony should contact Cathy Rooney at (913) 296-1281. Written comments will be accepted until the date of the hearing and should be addressed to Cathy Rooney, Bureau of Adult and Child Care, Kansas Department of Health and Environment, Landon State Office Building, 10th Floor, 900 S.W. Jackson, Topeka 66612-1290.

STANLEY C. GRANT, Ph.D.
Secretary of Health and Environment

Doc. No. 006668

State of Kansas

THE KANSAS LOTTERY
TEMPORARY ADMINISTRATIVE
REGULATIONS

Article 4.—INDIVIDUAL GAME RULES

RULES FOR INSTANT GAME NO. 4
"KANSAS TREASURES"

111-4-83. Name of Game. The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Treasures" commencing on April 28, 1988. The specific rules for the "Kansas Treasures" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-83 through 111-4-86. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710; effective T-89-17, April 22, 1988.)

111-4-84. Definitions. The following definitions shall apply to the "Kansas Treasures" instant lottery game:

(a) "Play symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the play symbols are printed in gray-black ink in Kansas font in positive. A play symbol appears in each of six play spots within the play area. Each play symbol for this instant game is one of the following: "FREE," "\$2.00," "\$5.00," "\$20.00," "\$50.00," or "\$1,000.00."

(b) "Play symbol captions" are the words or portions of words printed beneath each play symbol in the play area and are used to repeat or explain the play symbol. The play symbol caption associated with each play symbol is as follows:

Play Symbol	Play Symbol Caption
FREE	TICKET
\$2.00	TWO
\$5.00	FIVE
\$20.00	TWENTY
\$50	FIFTY
\$1000	ONE THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears under the "Void If Removed" spot on the bottom right center portion of the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in gray-black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by

the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of nine varying locations among the play symbols. The codes and their meanings are as follows: DD = Free Ticket; JJ = \$2.00; AA = \$5.00; BB = \$20.00. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710; effective T-89-17, April 22, 1988.)

111-4-85. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six play symbols and captions. If any three play symbols match, the player wins the following prize:

GET	WIN
3—FREE'S	FREE TICKET
3—\$2.00's	\$2
3—\$5.00's	\$5
3—\$20.'s	\$20
3—\$50.'s	\$50
3—\$1000.'s	\$1000

(Authorized by K.S.A. 1987 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1987 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective T-89-17, April 22, 1988.)

111-4-86. Number and Value of Instant Prizes. (a) There will be approximately 17,100,000 tickets initially ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	1,710,000	—
\$ 2.00	1,482,000	\$2,964,000
\$ 5.00	285,000	1,425,000
\$ 20.00	57,000	1,140,000
\$ 50.00	8,550	427,500
\$1000.00	475	475,000
	<u>3,543,025</u>	<u>\$6,431,500</u>

Additional Prizes

Events	Expected No.	Expected Payments
Grand Prize	1	\$ 100,000
Draw Show Prizes	Approx. 112	434,000
Other Prizes	various	<u>138,510</u>
		\$ 672,510
TOTAL PRIZES		\$7,104,010

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1987 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f) and 74-8720; effective T-89-17, April 22, 1988.)

LARRY MONTGOMERY
 Executive Director

Doc. No. 006658

(Published in the *Kansas Register*, June 9, 1988.)

NOTICE OF BOND SALE
\$18,500,000
General Obligation School Bonds
Series 1988-A
 of
Unified School District 229
Johnson County, Kansas
(Blue Valley)

Unified School District 229, Johnson County, Kansas, will receive sealed bids addressed to Diane Harris, District Clerk, District Office, 15020 Metcalf, P.O. Box 23901, Stanley, (913) 681-2866, until 2 p.m. C.D.T. on Monday, June 13, 1988, for the purchase of \$18,500,000 general obligation school bonds, Series 1988-A, of the school district, at which time and place such bids will be publicly opened and read. All bids so received will be reported to the Board of Education of the district at a meeting to be held the same evening, and the board will accept the best bid or reject all bids at that meeting. No oral or auction bids will be considered.

Terms of the Bonds

The bonds will be dated June 1, 1988, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated or uncertificated bonds, each in the denomination of \$5,000 or integral multiples thereof, not exceeding the principal amount of bonds maturing on the same maturity date. Interest will be payable April 1, 1989, and thereafter semiannually on April 1 and October 1 (the interest payment dates).

The principal of the bonds will be payable at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date (the record dates). The fees of the bond registrar for registration and transfer of the bonds will be paid by the school district.

The bonds will become due on the stated maturity dates as follows:

Amount	Maturity
\$ 400,000	10/1/89
450,000	10/1/90
475,000	10/1/91
520,000	10/1/92
565,000	10/1/93
610,000	10/1/94
655,000	10/1/95
665,000	10/1/96
735,000	10/1/97
715,000	10/1/98
800,000	10/1/99
910,000	10/1/00
650,000	10/1/01
1,300,000	10/1/02
1,265,000	10/1/03
1,655,000	10/1/04
1,365,000	10/1/05
1,470,000	10/1/06
1,585,000	10/1/07
1,710,000	10/1/08

Bonds maturing on October 1, 1999, and thereafter will be subject to redemption prior to maturity at the option of the school district, as a whole or in part, in inverse order of maturity (selection of bonds for partial redemption of bonds of the same maturity to be by such method as the bond registrar shall deem fair and appropriate) on October 1, 1998, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed plus accrued interest to the redemption date.

Conditions of Bids

Bids will be received for the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be a multiple of 1/8 or 1/20 of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed 2 1/2 percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of treasury bonds published in the weekly *Credit Markets* in New York, New York, on June 6, 1988, plus 2 percent. No bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by the school district, and will be addressed to Diane Harris, District Clerk, District Office, 15020 Metcalf, P.O. Box 23901, Stanley, KS 66223, and will be plainly marked "Bond Bid." Each bid will specify the total interest cost to the school district on the basis of such bid and the average annual net interest rate on the basis of such bid. The net interest cost to the school district will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The school district will be entitled to rely on such dollar amount as stated in the bid as the basis of determining the lowest net interest cost bid. If there is any discrepancy between the said net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check equal to \$370,000, made payable to "Treasurer, Unified School District 229, Johnson County, Kansas." In the event a bidder whose bid is accepted fails to carry out his contract to purchase the bonds, said deposit will be retained by the school district as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Basis of Award

The school district reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the school district.

Delivery of the Bonds

The bonds will be sold subject to the unqualified approving opinion of Stinson, Mag & Fizzell, bond counsel, of Kansas City, Missouri, a copy of whose opinion will

(continued)

be printed on the reverse side of each certificated bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of the opinion of bond counsel and the expense of printing the bonds will be paid by the school district. Bond counsel's legal opinion will contain a statement to the effect that the bonds will constitute general obligations of the school district, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district.

The number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than June 21, 1988.

The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 11 a.m. C.D.T. on the day of delivery. Delivery of the bonds will be made to the successful bidder on or before June 30, 1988, at such location as may be specified by the purchaser. The purchase price, including accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

Tax Exemption

Federal Income Taxation. In the opinion of bond counsel, under existing statutes, regulations, rulings and court decisions, including the Internal Revenue Code of 1986, interest on the bonds is not includable in gross income for purposes of federal income taxation. In rendering its opinion, bond counsel will state that it has assumed the school district's present and continuing compliance with covenants in the proceedings of the school district authorizing the issuance of the bonds and other documents. Interest on the bonds is not an item of tax preference for purposes of the individual or corporate alternative minimum tax, except that interest on the bonds may be subject indirectly to a corporate alternative minimum tax as pre-tax book income in taxable years beginning in 1987, 1988 and 1989, or as adjusted earnings and profits for taxable years beginning after 1989. Interest on the bonds also may be subject to a tax based on the modified alternative minimum taxable income of a corporation under the Superfund Amendments and Reauthorization Act of 1986 in taxable years beginning after 1986. In addition, interest on the bonds held by certain foreign corporations may be subject to the branch profits tax under the code in taxable years beginning after 1986. The school district has not designated the bonds as "qualified tax-exempt obligations" under Section 265 of the code relating to interest deductions for banks and thrift institutions. Reference is made to the preliminary official statement for further discussion of federal income tax matters relating to the interest on the bonds.

Kansas State Income Taxation. On May 3, 1988, the Kansas Legislature adopted Senate Substitute for House

Bill No. 2543. The bill, if signed by the Governor, will become effective upon publication in the statute book (July 1, 1988). Section 4 of the bill provides that interest income on obligations of the state of Kansas or political subdivisions thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income, whether or not included in federal adjusted gross income, for taxable years commencing after December 31, 1987. If the bill becomes law, bond counsel will provide a supplemental opinion that interest on the bonds is not includable in adjusted gross income for purposes of Kansas income taxation for taxable years commencing after December 31, 1987.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds. All expenses in relation to printing of CUSIP numbers on the bonds and the expenses charged by the CUSIP Service Bureau for the assignment of said numbers, shall be the responsibility of and shall be paid for by the school district.

Bond Rating

The school district has applied to Moody's Investor's Service, Inc. and Standard & Poor's Corporation for ratings on the bonds.

Assessed Valuation and Bonded Indebtedness

The total assessed valuation of the taxable tangible property within the school district for the year 1987 for the computation of limits upon bonded indebtedness is \$212,593,583. The total general obligation bonded indebtedness of the school district as of this date, including this \$18,500,000 proposed issue of bonds, is \$68,710,000.

Preliminary Official Statement and Official Statement

The school district has prepared a preliminary official statement dated May 11, 1988, copies of which may be obtained from the undersigned or the district's financial adviser. Upon the same of the bonds, the board will approve the final official statement and will furnish the successful bidder a reasonable number of copies thereof without additional cost. Additional copies may be ordered at the successful bidder's expense.

Official Information

Additional copies of this notice of bond sale, the official bid form or further information may be obtained from George K. Baum & Company, 1004 Baltimore Ave., Kansas City, MO 64105, (816) 474-1100, the school district's financial adviser.

Dated May 11, 1988.

UNIFIED SCHOOL DISTRICT 229
JOHNSON COUNTY, KANSAS

By Diane Harris, Clerk
Board of Education

Doc. No. 006657

(Published in the *Kansas Register*, June 9, 1988.)

NOTICE OF BOND SALE
\$200,000
City of LaHarpe, Kansas
General Obligation Refunding Bonds
Series 1988

Sealed Bids

Sealed bids for the purchase of \$200,000 principal amount of general obligation refunding bonds, Series 1988, of the city hereinafter described, will be received by the undersigned, city clerk of the city of LaHarpe, Kansas, on behalf of the governing body of the city at City Hall, Main Street, LaHarpe, until 7 p.m. C.D.T. on Wednesday, June 15, 1988. All bids will be publicly opened and read at said time and place and will be acted upon by the city immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 15, 1988, and will become due serially on July 1 in the years as follows:

Year	Principal Amount
1989	\$ 5,000
1990	5,000
1991	5,000
1992	5,000
1993	5,000
1994	5,000
1995	5,000
1996	5,000
1997	10,000
1998	10,000
1999	10,000
2000	10,000
2001	10,000
2002	10,000
2003	15,000
2004	15,000
2005	15,000
2006	15,000
2007	20,000
2008	20,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on July 1 and January 1 in each year, beginning on July 1, 1989.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on July 1, 1999, and thereafter will be subject to redemption and payment prior to maturity on July 1, 1998, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

Proposals 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 of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate shall exceed the index of treasury bonds published by the weekly *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed $1\frac{1}{2}$ percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds

(continued)

shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will 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 the 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 providing 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.

Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to refund certain outstanding obligations of the city. The bonds will be general obligations of the city payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance

companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations, such as the bonds, if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. The city does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

On May 3, 1988, the Kansas Legislature adopted Senate Substitute for House Bill No. 2543. The bill, as signed into law by the Governor of the State of Kansas, will become effective July 1, 1988, upon publication in the statute book. Section 4 of the bill provides that interest on obligations of the state of Kansas or its political subdivisions issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income. When the bill becomes law, interest on the bonds will be excluded from computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. As indicated under the immediately preceding section hereof entitled "Tax Exemption," when the Senate Substitute for House Bill No. 2543 becomes law, interest on the bonds will be excluded from the computation of Kansas adjusted income.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or prior to July 11, 1988, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations 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 and bond registrar not

later than noon C.D.T. on June 30, 1988. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by noon C.D.T. on June 30, 1988, a certificate acceptable to the city's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,000, payable to the order of the city 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 upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. 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 shall 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 shall be retained by the city as and for liquidated damages.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligation Refunding Bonds." Bids may be submitted by mail or delivered in person to the undersigned at City Hall and must be received by the undersigned prior to 7 p.m. C.D.T. on Wednesday, June 15, 1988.

Official Statement

Upon the sale of the bonds, the city will adopt an official statement in substantially the form as the preliminary official statement, subject to minor amendments and supplementation. Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial adviser, Dave Malone, Vice President—Municipal Finance, Mid-Continent In-

vestments, Inc., 333 Century Plaza, Wichita, KS 67202 (316) 262-5161. Upon request, a reasonable number of copies of the official statement will be made available to the successful bidder without charge. Additional copies may be obtained at the expense of such bidder.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1987 is \$738,405. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$385,000. This amount does not include the \$88,000 outstanding principal amount of the city's general obligation sewer system bond, Series B, 1981, which will be redeemed and paid from the proceeds of the bonds described herein at a discounted price.

Dated June 2, 1988.

CITY OF LAHARPE, KANSAS

Mignonette L. Kelley

City Clerk

City Hall

Main Street

LaHarpe, KS 66751

(316) 496-2241

Doc. No. 006656

(Published in the *Kansas Register*, June 9, 1988.)

NOTICE OF BOND SALE

\$6,744,778

General Obligation Bonds

Series A & B, 1988

of

Sedgwick County, Kansas

Sedgwick County, Kansas, will receive sealed bids at the office of the Board of County Commissioners, Sedgwick County Courthouse, Wichita, Kansas, until 10 a.m. C.D.T. on Wednesday, June 29, 1988, for \$6,744,778 par value general obligation bonds, consisting of two series A & B, 1988, of the county, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The bonds will be dated as of July 1, 1988, and shall mature on August 1 in each of the years and in the amounts set forth below. Such bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof, except one of the Series A, 1988 bonds in denomination of \$4,962, and one of the Series B, 1988 bonds in denomination of \$4,816, not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing February 1 for Series A & B, and each February 1 and August 1 thereafter. The principal on the bonds shall be payable in lawful money of the United States of America at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding

(continued)

the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the county.

The bonds will mature serially in accordance with the following schedule:

Series A, 1988 Bonds

Principal	Amount
\$ 649,962	August 1, 1989
620,000	August 1, 1990
620,000	August 1, 1991
620,000	August 1, 1992
620,000	August 1, 1993
620,000	August 1, 1994
620,000	August 1, 1995
620,000	August 1, 1996
620,000	August 1, 1998
620,000	August 1, 1998
<u>\$6,229,962</u>	

Series A, 1988 Bonds

Principal	Amount
\$ 24,816	August 1, 1989
35,000	August 1, 1990
35,000	August 1, 1991
35,000	August 1, 1992
35,000	August 1, 1993
35,000	August 1, 1994
35,000	August 1, 1995
35,000	August 1, 1996
35,000	August 1, 1997
35,000	August 1, 1998
35,000	August 1, 1999
35,000	August 1, 2000
35,000	August 1, 2001
35,000	August 1, 2002
35,000	August 1, 2003
<u>\$514,816</u>	

Combined Schedule
Series A & B, 1988

Principal	Amount
\$ 674,778	August 1, 1989
655,000	August 1, 1990
655,000	August 1, 1991
655,000	August 1, 1992
655,000	August 1, 1993
655,000	August 1, 1994
655,000	August 1, 1995
655,000	August 1, 1996
655,000	August 1, 1997
655,000	August 1, 1998
35,000	August 1, 1999
35,000	August 1, 2000
35,000	August 1, 2001
35,000	August 1, 2002
35,000	August 1, 2003
<u>\$6,744,778</u>	

Interest Rate

Proposals will be received on not less than all the bonds bearing such rate or rates of interests as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The difference between the highest and lowest coupon rates specified in any bid shall not exceed 3 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax

exempt municipal bonds published by the *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold (June 27, 1988), plus 2 percent, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the county, and shall be addressed to the board of county commissioners, Sedgwick County Courthouse, Wichita, KS 67203, and shall be plainly marked "Bond Bid." All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate—all certified by the bidder to be correct—and the county will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total par amount of the bonds, and shall be payable to "Treasurer, Sedgwick County, Kansas." In the event a bidder whose bid is accepted shall fail to carry out its contract of purchase, said deposit shall be retained by the county as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bids

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice, and the bonds will be sold to the best bidder. The county reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the county, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities. If there is a discrepancy between the lowest net interest cost and the average annual interest rate specified, the net interest cost figure shall govern and the interest rates in the bid shall be adjusted accordingly. In the event more than one bid is received at the same net interest cost the successful bidder will be selected by lot.

Delivery of Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the county. The Series A, 1988 and Series B, 1988 bonds will be sold subject to the unqualified approving opinion of William P. Timmerman, attorney and bond counsel, 400 N. Woodlawn, Wichita, KS 67208. The number, denomination of bonds, and names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than July 15, 1988. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before August 15, 1988, at any bank in the state

of Kansas or Kansas City, Missouri, New York, San Francisco, Los Angeles or Chicago at the expense of the county. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

Bids shall be conditioned upon the unqualified opinion of William P. Timmerman, bond counsel, Wichita, Kansas, on the Series A & B, 1988 bonds, a copy of which opinions will be printed on the reverse side of each bond and manually signed originals will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of the legal opinions and the expense of printing the bonds and legal opinions will be paid by the county. Said legal opinions with respect to the Series A, 1988 bonds will state in part substantially that the bonds will constitute general obligations of the county, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county, and with respect to the Series B, 1988 bonds, will constitute general obligations of the county, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property; but if not so paid, then said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

Purpose of Issue

The Series A, 1988 bonds are being issued for the purpose of paying the cost of road and bridge improvements under the authority of K.S.A. 68-5, 103, 68-1103, and 68-1106. The Series B, 1988 bonds are being issued for the purpose of paying the cost of street and sewer improvements in certain benefit districts under the authority of K.S.A. 68-728 and 68-729, and 19-27a03 to 19-27a07, and any amendments thereto.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and to pay for said bonds in accordance with the terms of this notice. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the county.

Assessed Valuation

Assessed valuation figures for Sedgwick County, Kansas, for the year 1987, are as follows:

Equalized assessed valuation of taxable tangible property	\$1,494,160,620
Tangible valuation of motor vehicles and motor vehicles dealers' inventory	<u>299,006,663</u>
Equalized assessed tangible valuation for computation of bonded debt limitations	<u>\$1,793,167,283</u>

Other Pending Bond Issues

Neither Sedgwick County, Kansas, nor the city of Wichita, nor Unified School District 259 (Wichita Public School System), anticipates the issuance of any additional general obligation bonds within the next 30 days.

Bonded Indebtedness

The total bonded indebtedness of Sedgwick County, Kansas, as of the date of sale, including this \$6,744,778 proposed issue of bonds, is \$45,410,221.75. In addition, the county has \$24,247,675 of temporary notes outstanding, of which \$709,400 will be retired from the proceeds of the bonds, special assessments which have been collected in cash, and other available funds.

Ratings

The county has applied for ratings on the bonds to Moody's Investors Service, Inc. and Standard and Poor's Corporation. In April, 1986, Moody's revised the rating of general obligation issues of the county to "Aa1," from "Aa," indicating belief that the issues possess the strongest investment attributes. Standard and Poor's Corporation has rated previous general obligation issues as "AA" defined as follows: "Debt rated AA has a strong capacity to pay interest and repay principal and differs from the higher rated issue only in small degree." This rating may be changed, suspended, or withdrawn as a result of changes in or unavailability of information.

Official Statement

Additional copies of this notice of bond sale, copies of the county's official statement relating to the bonds, or further information may be received from the Office of Financial Services, Accounting Group, Suite 333, Sedgwick County Courthouse, Wichita, KS 67203.

Dated June 8, 1988.

Mark F. Schroeder
Billy Q. McCray
David Bayouth
Tom Scott
Bernard A. Hentzen
Commissioners
Sedgwick County, State of Kansas
Don Wright
County Clerk

Doc. No. 006673

(Published in the *Kansas Register*, June 9, 1988.)

(Editor's Note: A section of the following bill has been line-item vetoed by Governor Hayden. A veto message by the Governor is on page 1088.)

HOUSE BILL No. 2796

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1988, for the state bank commissioner, consumer credit commissioner, department of commerce, insurance department, Kansas lottery, Kansas public employees retirement system, Kansas public disclosure commission, Kansas technology enterprise corporation, department of revenue, state treasurer, board of examiners in optometry, Kansas real estate commission, department of human resources, Kansas soldiers' home, Kansas commission on veterans affairs, Kansas state school for the deaf, department of education, Emporia state university, Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Kansas technical institute, Pittsburg state university, university of Kansas, university of Kansas medical center, Kansas state school for the visually handicapped, Wichita state university; attorney general — Kansas bureau of investigation, state board of agriculture, Kansas animal health department, Kansas state grain inspection department, Kansas wheat commission, state fair board, secretary of state, attorney general, board of nursing, department of administration, judicial branch and Kansas public broadcasting commission; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending sections 29 and 53 of chapter 37 of the 1987 Session Laws of Kansas and repealing the existing sections.

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

Section 1. For the fiscal year ending June 30, 1988, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

STATE BANK COMMISSIONER

(a) The expenditure limitation established by section 4(a) of chapter 20 of the 1987 Session Laws of Kansas on the bank commissioner fee fund is hereby increased from \$2,312,862 to \$2,315,876.

Sec. 3.

CONSUMER CREDIT COMMISSIONER

(a) The position limitation established by section 22 of chapter 20 of the 1987 Session Laws of Kansas for the consumer credit commissioner is hereby decreased from 8.0 to 7.0.

Sec. 4.

DEPARTMENT OF COMMERCE

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

General administration (including official hospitality).....	\$13,675
Community development.....	4
Travel and tourism development.....	5,845
Total.....	\$19,524

(b) The expenditure limitation established by section 13(e) of chapter 37 of the 1987 Session Laws of Kansas on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$631,000 to \$699,300.

(c) The expenditure limitation established by section 8(b) of chapter 35 of the 1987 Session Laws of Kansas on the conversion of materials and equipment fund is hereby increased from \$0 to \$14,500.

(d) On the effective date of this act, of the \$250,000 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 8(a) of chapter 35 of the 1987 Session Laws of Kansas from the state general fund in the special projects account, the sum of \$30,669 is hereby lapsed.

Sec. 5.

INSURANCE DEPARTMENT

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

Insurance company regulation.....	\$282
-----------------------------------	-------

(b) The expenditure limitation established by the state finance council on the administration account of the workers' compensation fund is hereby increased from \$164,514 to \$164,749.

(c) The expenditure limitation established by the state finance council on the administration account of the state firefighters relief fund is hereby increased from \$48,072 to \$48,126.

Sec. 6.

KANSAS LOTTERY

(a) The expenditure limitation established by the state finance council on the lottery operating fund is hereby increased from \$15,656,301 to \$16,071,213.

(b) Expenditures from the lottery operating fund for official hospitality shall not exceed \$3,000.

Sec. 7.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) The expenditure limitation established by the state finance council on the administrative expenses account of the Kansas public employees retirement fund is hereby decreased from \$2,737,730 to \$2,713,738.

Sec. 8.

KANSAS PUBLIC DISCLOSURE COMMISSION

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

Operating expenditures.....	\$6,284
-----------------------------	---------

Sec. 9.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

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

Kansas technology enterprise corporation operations.....	\$79,612
--	----------

Provided, That expenditures from this account for official hospitality shall not exceed \$2,000.

(b) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 15(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the grants for small business innovative research account, the sum of \$79,612 is hereby lapsed.

(c) On the effective date of this act, of the \$305,000 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 15(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the Kansas technology enterprise corporation research grant account, the sum of \$250,000 is hereby lapsed.

(d) On the effective date of this act or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the Kansas economic development research and development account of the state economic development initiatives fund of the department of commerce to the economic development research and development fund of the Kansas technology enterprise corporation.

(e) The expenditure limitation established by section 15(b) of chapter 37 of the 1987 Session Laws of Kansas on the economic development research and development fund is hereby increased from \$2,150,000 to \$2,400,000.

Sec. 10.

DEPARTMENT OF REVENUE

(a) The expenditure limitation established by section 3(b) of chapter 19 of the 1987 Session Laws of Kansas on the child support enforcement contractual agreement fund is hereby increased from \$33,248 to \$34,268.

(b) The expenditure limitation established by section 3(b) of chapter 19 of the 1987 Session Laws of Kansas on the vehicle dealers and manufacturers fee fund is hereby increased from \$76,003 to \$77,406.

(c) The expenditure limitation established by section 3(b) of chapter 19 of the 1987 Session Laws of Kansas on the setoff services revenue fund is hereby increased from \$21,608 to \$22,790.

(d) The expenditure limitation established by section 3(b) of chapter 19 of the 1987 Session Laws of Kansas on the division of vehicles operating fund is hereby decreased from \$27,453,761 to \$27,430,227.

(e) The expenditure limitation established by section 3(b) of chapter 19 of the 1987 Session Laws of Kansas on the state operations account of the division of vehicles operating fund is hereby decreased from \$23,961,098 to \$23,937,564.

(f) Expenditures may be made from the reimbursement to counties for VIPs account of the division of vehicles operating

fund for the purchase of VIPS computer equipment and software to be placed in counties.

Sec. 11.

STATE TREASURER

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

Administration and fiscal services	\$1,276
--	---------

Sec. 12.

BOARD OF EXAMINERS IN OPTOMETRY

(a) The expenditure limitation established by the state finance council on the optometry fee fund is hereby increased from \$22,630 to \$29,391.

Sec. 13.

KANSAS REAL ESTATE COMMISSION

(a) The expenditure limitation established by section 17(a) of chapter 20 of the 1987 Session Laws of Kansas on the real estate fee fund is hereby decreased from \$446,357 to \$433,116.

Sec. 14.

DEPARTMENT OF HUMAN RESOURCES

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

Other operating expenditures	\$26,841
------------------------------------	----------

(b) The expenditure limitation established by section 5(d) of chapter 37 of the 1987 Session Laws of Kansas on the workmen's compensation fee fund is hereby increased from \$1,982,589 to \$2,024,784.

(c) On the effective date of this act, of the \$964,342 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 7(a) of chapter 35 of the 1987 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$36,902 is hereby lapsed.

(d) The expenditure limitation established by section 5(g) of chapter 37 of the 1987 Session Laws of Kansas on the state operations account of the job training partnership act—title III—dislocated workers fund is hereby increased from \$158,500 to \$288,606.

Sec. 15.

KANSAS SOLDIERS' HOME

(a) Any unencumbered balance on the effective date of this act in the following accounts of the state institutions building fund is hereby lapsed: Fire safety sprinkler system; reroof maintenance building.

(b) The expenditure limitation established by section 15(b) of chapter 35 of the 1987 Session Laws of Kansas on the soldiers' home fee fund is hereby decreased from \$2,171,888 to \$2,126,303.

Sec. 16.

KANSAS COMMISSION ON VETERANS AFFAIRS

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

Payment of educational claims	\$8,000
-------------------------------------	---------

(b) On the effective date of this act, of the \$1,223,445 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 14(a) of chapter 35 of the 1987 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$6,845 is hereby lapsed.

Sec. 17.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures	\$3,717
------------------------------	---------

(b) The expenditure limitation established by section 5(b) of chapter 34 of the 1987 Session Laws of Kansas on the vocational education fund—federal is hereby increased from \$4,000 to \$7,373.

Sec. 18.

DEPARTMENT OF EDUCATION

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

Community college credit hour state aid	\$308,322
Community college out-district state aid entitlement	235,000

Municipal university fund	85,000
Municipal university out-district state aid	30,000
State aid for inspection of asbestos	52,632

Provided, That expenditures from this account shall not exceed \$26,316 except upon receipt of an additional federal grant of not less than \$500,000 for this purpose.

Total	\$710,954
-------------	-----------

(b) On the effective date of this act, of the \$44,094,250 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 6(a) of chapter 34 of the 1987 Session Laws of Kansas from the state general fund in the state school transportation aid account, the sum of \$3,427,242 is hereby lapsed.

(c) On the effective date of this act, of the \$90,615,910 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 6(a) of chapter 34 of the 1987 Session Laws of Kansas from the state general fund in the special education services aid account, the sum of \$822,260 is hereby lapsed.

(d) The expenditure limitation established by the state finance council on the state operations account of the vocational education amendments of 1968—federal fund is hereby increased from \$604,087 to \$639,258.

Sec. 19.

EMPORIA STATE UNIVERSITY

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

Salaries and wages	\$28,532
Other operating expenditures for utilities	14,587
Total	\$43,119

(b) The expenditure limitation established by section 5(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$4,228,276 to \$4,353,565.

Sec. 20.

FORT HAYS STATE UNIVERSITY

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

Salaries and wages	\$27,037
Other operating expenditures for utilities	13,771
Other operating expenditures (including official hospitality)	65,330
Total	\$106,138

(b) The expenditure limitation established by section 2(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby decreased from \$4,060,573 to \$3,995,243.

Sec. 21.

KANSAS STATE UNIVERSITY

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

Salaries and wages	\$95,884
Other operating expenditures for utilities	27,118
Centers of excellence	45
International grains program (including official hospitality)	349
International livestock program	181
Extension	38,947
Experimental fields	1,683
Wheat research	124
Colby agricultural experiment station operations	694
Fort Hays agricultural experiment station operations	1,320
Southeast Kansas agricultural experiment station operations	825
Organized research	13,793
Southwest Kansas agricultural experiment station operations	1,502
Total	\$182,465

(b) The expenditure limitation established by section 3(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$18,705,122 to \$19,004,234.

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

Construct chemistry-biochemistry building	\$320,000
Repair electrical generator	72,000
Reconstruct and equip Nichols gymnasium	71,000
Total	\$463,000

(d) On the effective date of this act, the director of accounts and reports shall transfer \$71,000 from the construction defects recovery fund to the Kansas educational building fund.

(e) The expenditure limitation established by section 3(b) of

(continued)

chapter 36 of the 1987 Session Laws of Kansas on the sponsored research overhead fund is hereby increased from \$2,665,000 to \$4,000,000.

Sec. 22.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

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

Salaries and wages \$9,735

Sec. 23.

KANSAS TECHNICAL INSTITUTE

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

Salaries and wages \$5,002

(b) On the effective date of this act, of the \$126,000 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 11(a) of chapter 36 of the 1987 Session Laws of Kansas from the state general fund in the engineering technology program—Wichita account, the sum of \$50,000 is hereby lapsed.

Sec. 24.

PITTSBURG STATE UNIVERSITY

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

Salaries and wages \$28,056
Other operating expenditures for utilities 43,828
Shirk hall rental 9,150
Total \$81,034

Sec. 25.

UNIVERSITY OF KANSAS

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

Capitol complex public management degree program \$229
Centers of excellence 349
Fire service training program operations 440
Research program in tertiary oil recovery 461
University affiliated research program at Parsons state hospital and training center 312
Kansas applied remote sensing program 143
Geological survey 1,965
General research 3,354
Econometric modeling 451
Total \$7,704

(b) The expenditure limitation established by section 7(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$33,348,656 to \$34,943,298.

(c) On the effective date of this act, of the \$58,952,900 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 7(a) of chapter 36 of the 1987 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$989,617 is hereby lapsed.

Sec. 26. On the effective date of this act, section 29 of chapter 37 of the 1987 Session Laws of Kansas is hereby amended to read as follows: Sec. 29.

UNIVERSITY OF KANSAS

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

	Fiscal Year 1987	Fiscal Year 1988
Parking structure construction bond fund		No limit

(b) On July 1, 1987, the expenditure limitation established by section 7(b) of 1987 House Bill No. 2439 on the parking fees fund is hereby increased from \$1,036,028 to \$1,400,000.

(c) On July 1, 1987, the expenditure limitation established by section 7(b) of 1987 House Bill No. 2439 on the law enforcement training center fund is hereby increased from \$903,533 to ~~\$1,030,000~~ \$1,303,000. *Provided*, That during fiscal year 1988 not more than ~~\$300,000~~ \$453,000 shall be expended from such fund for final planning, renovating or construction for capital improvements: *Provided further*, That capital improvements shall be limited to sustaining the existing program at the law enforcement training center. *And provided further*, That no

expenditures for final planning or construction from this fund shall be made unless the written project description has been reviewed by the joint committee on state building construction and approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-2711e and amendments thereto.

Sec. 27.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

Operating expenditures (including official hospitality) \$701,334
Other operating expenditures for utilities 51,043
Total \$752,377

(b) The expenditure limitation established by section 28(b) of chapter 37 of the 1987 Session Laws of Kansas on the hospital revenue fund is hereby increased from \$76,406,794 to \$77,100,857.

(c) On the effective date of this act, the \$808,754 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 8(a) of chapter 36 of the 1987 Session Laws of Kansas from the state general fund in the contractual agreements and scholarships for medical education account is hereby lapsed.

(d) The expenditure limitation established by section 8(b) of chapter 36 of the 1987 Session Laws of Kansas on the medical scholarship repayment fund is hereby increased from \$1,321,046 to \$1,842,540.

(e) The expenditure limitation established by section 8(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby decreased from \$5,990,000 to \$5,288,716.

Sec. 28.

KANSAS STATE SCHOOL FOR THE
VISUALLY HANDICAPPED

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

Operating expenditures \$9,800

(b) The expenditure limitation established by section 4(b) of chapter 34 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$28,000 to \$53,055.

Sec. 29.

WICHITA STATE UNIVERSITY

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

Salaries and wages \$73,456
Centers of excellence 56
Total \$73,512

(b) The expenditure limitation established by section 9(b) of chapter 36 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$12,812,448 to \$12,921,546.

(c) The expenditure limitation established by section 9(b) of chapter 36 of the 1987 Session Laws of Kansas on the sponsored research overhead fund is hereby increased from \$750,000 to \$1,000,000.

Sec. 30.

ATTORNEY GENERAL—KANSAS BUREAU
OF INVESTIGATION

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

Administration and support services \$12,008
Laboratory services 25,303
Total \$37,311

(b) There is appropriated for the above agency from the following special revenue fund 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:

Lottery and racing investigations fee fund \$0

Provided, That expenditures may be made from this fund for operating expenditures, directly or indirectly related to investigations and related activities conducted by the Kansas bureau of investigation for the Kansas lottery or the Kansas racing commission: *Provided further*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and

collect fees for investigations and related activities conducted for the Kansas lottery or the Kansas racing commission: And provided further, That such fees shall be fixed to recover all of the direct and indirect expenses incurred for such investigations and related activities: And provided further, That all fees received for such investigations and related activities shall be deposited in the state treasury and credited to this fund.

(c) On the effective date of this act, of the \$1,295,812 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 4(a) of chapter 35 of the 1987 Session Laws of Kansas from the state general fund in the investigations account, the sum of \$81,190 is hereby lapsed.

Sec. 31.

STATE BOARD OF AGRICULTURE

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

Economic development fund \$65,400

(b) On the effective date of this act, the director of accounts and reports shall transfer \$65,400 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development fund of the state board of agriculture.

(c) The expenditure limitation established by the state finance council on the federal dam inspection fund is hereby increased from \$177,364 to \$179,107.

(d) The expenditure limitation established by section 2(b) of chapter 31 of the 1987 Session Laws of Kansas on the pesticide use fee fund is hereby decreased from \$310,375 to \$233,675.

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

Other operating expenditures (including official hospitality) \$30,000

(f) On the effective date of this act, of the \$5,363,122 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 2(a) of chapter 31 of the 1987 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$30,000 is hereby lapsed.

Sec. 32.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) The expenditure limitation established by section 3(b) of chapter 31 of the 1987 Session Laws of Kansas on the livestock brand fee fund is hereby decreased from \$183,872 to \$141,934.

(b) The expenditure limitation established by section 3(b) of chapter 31 of the 1987 Session Laws of Kansas on the animal disease control fund is hereby decreased from \$440,838 to \$430,326.

(c) The expenditure limitation established by section 3(b) of chapter 31 of the 1987 Session Laws of Kansas on the livestock market brand inspection fee fund is hereby decreased from \$139,471 to \$137,471.

Sec. 33.

KANSAS STATE GRAIN INSPECTION DEPARTMENT

(a) The expenditure limitation established by the state finance council on the grain inspection fee fund is hereby increased from \$4,925,033 to \$5,068,084.

Sec. 34.

KANSAS WHEAT COMMISSION

(a) The expenditure limitation established by section 6(a) of chapter 31 of the 1987 Session Laws of Kansas on the Kansas wheat commission fund is hereby decreased from \$1,277,007 to \$1,230,049.

Sec. 35.

STATE FAIR BOARD

(a) The expenditure limitation established by the state finance council on the state fair fee fund is hereby increased from \$1,544,440 to \$1,593,248.

Sec. 36.

SECRETARY OF STATE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$200,000 from the uniform commercial code fee fund to the state general fund. 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 secretary of state 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.

(b) On the effective date of this act, of the \$3,328,428 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 23(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the Kansas state census expenditures account, the sum of \$200,000 is hereby lapsed.

Sec. 37.

ATTORNEY GENERAL

(a) On the effective date of this act, the director of accounts and reports shall transfer \$100,000 from the state general fund to the attorney general's antitrust special revenue fund. After receipt and crediting of antitrust litigation proceeds to the attorney general's antitrust special revenue fund and at such time as funds are available, the director of accounts and reports shall transfer \$100,000 from the attorney general's antitrust special revenue fund to the state general fund.

(b) The director of accounts and reports shall not make the transfer of \$12,000 directed to be made by section 17(c) of chapter 37 of the 1987 Session Laws of Kansas from the polygraphists fee fund to the state general fund.

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

Work-study reimbursement fund No limit

Sec. 38.

BOARD OF NURSING

(a) The expenditure limitation established by the state finance council on the board of nursing fee fund is hereby decreased from \$529,993 to \$519,858.

Sec. 39.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the following special revenue fund 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:

State gaming revenues fund \$0

(b) On the effective date of this act and on June 30, 1988, the director of accounts and reports shall make transfers from the state gaming revenues fund to the funds and in the manner as prescribed by K.S.A. 1987 Supp. 79-4801 through 79-4804 and amendments thereto.

Sec. 40.

JUDICIAL BRANCH

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

Judicial and professional review \$10,000

Sec. 41. On the effective date of this act, section 53 of chapter 37 of the 1987 Session Laws of Kansas is hereby amended to read as follows: Sec. 53.

KANSAS PUBLIC BROADCASTING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1988, 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:

KOOD television station southwest Kansas signal extension fund. \$100,000

Provided, That all expenditures from this fund shall be matched on a dollar-for-dollar basis from nongovernmental sources: Provided, however, That no expenditures may be made from this fund unless moneys are received from the federal government for this project: Provided further, That no expenditures shall be made from this fund except upon approval of the state finance council, after presentation of a plan for reconstitution of the

(continued)

governing board for KOOD television station to assure broadly based participation in the governance of such station in western Kansas, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (e) of K.S.A. 75-3711c and amendments thereto.

(b) On or after July 1, 1987, as soon as moneys are available therefor and upon request of the Kansas public broadcasting commission, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the KOOD television station southwest Kansas signal extension fund of the Kansas public broadcasting commission.

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1989, 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:

KOOD television station southwest Kansas signal extension fund. \$300,000

(d) On July 1, 1988, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$300,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the KOOD television station southwest Kansas signal extension fund of the Kansas public broadcasting commission.

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

Sec. 42. *Appeals to exceed position limitations.* The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriations act of the 1987 regular session of the legislature or in any other appropriations act of the 1988 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 43. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 44. On the effective date of this act, sections 29 and 53 of chapter 37 of the 1987 Session Laws of Kansas are hereby repealed.

Sec. 45. *Effective date.* 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 22, 1988.

HOUSE adopted Conference Committee report April 27, 1988.

JAMES D. BRADEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended April 9, 1988.

SENATE adopted Conference Committee report April 27, 1988.

ROBERT V. TALKINGTON
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED May 13, 1988.

MIKE HAYDEN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, BILL GRAVES, 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 3rd day of June, 1988.

BILL GRAVES
Secretary of State.

(SEAL)

State of Kansas

OFFICE OF THE GOVERNOR

Message to the House of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Bill No. 2796 with my signature approving the bill, except for the item enumerated below.

Section 36(b) that reads as follows has been line-item vetoed:

"(b) On the effective date of this act, of the \$3,328,428 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 23(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the Kansas state census expenditures account, the sum of \$200,000 is hereby lapsed."

The 1987 Legislature appropriated \$3,328,428 from the State General Fund for FY 1988 for the Secretary of State to conduct a state census to be used in legislative reapportionment. Unexpended funds at the end of FY 1988 will be reappropriated to FY 1989, as provided for in HB 2808. House Bill No. 2796 lapses \$200,000 from the FY 1988 appropriation, based on the expectation that the funds will not be needed to complete the census. Although it appears that these funds will not be required, the Secretary of State should be given the maximum amount of flexibility available to complete the census, the results of which he must transmit to the Legislature in November 1988. Work on the census is not yet finished, and the possibility still exists for unanticipated expenditures, particularly if recounts become necessary in localized areas. For this reason, I object to the lapsing of these funds.

Dated May 13, 1988.

MIKE HAYDEN
Governor

(Published in the *Kansas Register*, June 9, 1988.)

(Editor's Note: A section of the following bill has been line-item vetoed by Governor Hayden. A veto message by the Governor is on page 1093.)

SENATE BILL No. 550

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1988, and June 30, 1989, for the department of administration, state finance council, Kansas department of wildlife and parks, state corporation commission, state historical society and all other state agencies; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing.

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

Section 1. For the fiscal years ending June 30, 1988, and June 30, 1989, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

General administration	\$1,026,411
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$580 except upon approval of the state finance council: <i>Provided further</i> , That expenditures from this account for official hospitality shall not exceed \$1,000: <i>And provided further</i> , That, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from this account for three employees in the unclassified service under the Kansas civil service act.	
Accounting and reporting services	4,718,962
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not be made except upon approval of the state finance council.	
Budget analysis	1,103,457
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$45,589 except upon approval of the state finance council: <i>Provided further</i> , That expenditures may be made from this account for two employees in the unclassified service under the Kansas civil service act to perform policy analysis.	
Personnel services	3,101,724
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$22,091 except upon approval of the state finance council.	
Central management information systems and computing operations	3,478,209
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.	
Purchasing and property management	1,444,969
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$302 except upon approval of the state finance council.	
Architectural services and planning	1,733,346
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$22,592 except upon approval of the state finance council.	
Buildings and grounds	1,894,119
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$128,073 except upon approval of the state finance council.	

Pooled money investment board	221,515
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$5,575 except upon approval of the state finance council.	

Employee awards program	10,000
Executive aircraft operations	249,336
Federal drug abuse program	33,737
Completion of law enforcement memorial	5,000
Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Special maintenance, repairs and improvements—governor's residence; special maintenance, repairs and improvements—statehouse, printing plant, judicial center, and governor's residence; special maintenance, repairs, and improvements—statehouse; exterior repair, statehouse; interior repairs and renovations—statehouse; study of memorial building.	

Total \$19,020,785

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

Building and ground fund	\$138,895
General fees fund	No limit
Municipal accounting services recovery fund	74,782
<i>Provided</i> , That expenditures may be made from this fund to provide general ledger, payroll reporting and utilities billing data processing accounting services and other accounting services to municipalities: <i>Provided further</i> , That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: <i>And provided further</i> , That all fees received for such services shall be credited to this fund.	
Conversion of materials and equipment fund	No limit
Motor vehicle and highway equipment sales fee fund	No limit
Municipal audit training program registration fees fund	No limit
<i>Provided</i> , That expenditures may be made from this fund for operating expenditures for training programs conducted for municipal government personnel, including official hospitality: <i>Provided further</i> , That the director of accounts and reports is hereby authorized to fix, charge and collect registration fees for such programs: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: <i>And provided further</i> , That all fees received for such programs shall be credited to this fund.	
Property contingency fund	No limit
Flood control emergency — federal fund	No limit
Drug abuse fund—department of administration—federal	1,085,013
State buildings operating fund	7,554,033
Wichita office building fund	1,025,605
Data processing fund	96,635
<i>Provided</i> , That expenditures may be made from this fund to provide data processing services to other state agencies by the division of accounts and reports: <i>Provided further</i> , That the secretary of administration is hereby authorized to fix, charge and collect fees for data processing services to other state agencies: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: <i>And provided further</i> , That all fees received for such services shall be credited to this fund.	
Accounting services recovery fund	No limit
<i>Provided</i> , That expenditures may be made from this fund to provide accounting services to other state agencies: <i>Provided further</i> , That the secretary of administration is hereby authorized to fix, charge and collect fees for accounting services to other state agencies: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: <i>And provided further</i> , That all fees received for such services shall be credited to this fund.	
Architectural services recovery fund	195,000
Motor pool service fund	1,675,881
<i>Provided</i> , That expenditures from this fund for motor vehicle registrations shall be in addition to any expenditure limitation imposed on this fund.	
Computer services fund	No limit
Motor pool service depreciation reserve fund	1,660,588
State office building key deposit fund	No limit
Central mail services revolving fund	No limit

(continued)

Capitol area mail services fund	358,284
Kansas public employees retirement clearing fund	No limit
Washington liaison for state of Kansas clearing fund	No limit
District court costs and fees clearing fund	No limit
Intragovernmental printing service fund	5,641,062
Intragovernmental printing service depreciation reserve fund	No limit
State printing plant construction fund	No limit
State communications services fund	No limit
Central aircraft fund	No limit

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

Cancelled warrants payment fund	No limit
State agency unemployment claims audit fund	No limit
Computer services depreciation reserve fund	No limit
Executive mansion gifts fund	No limit
Law enforcement memorial fund	No limit
FICA revolving fund	No limit
Self-insurance reserve fund	No limit
Bid and contract deposit fund	No limit
State workmen's compensation self-insurance fund	No limit
Health and hospitalization insurance clearing fund	No limit
Federal withholding tax clearing fund	No limit
State contribution fund	No limit
TIAA-CREF clearing fund	No limit
State withholding tax clearing fund	No limit
Unemployment compensation tax clearing fund	No limit
Federal grant contracts clearing fund	No limit
Construction defects recovery fund	No limit
Property rental revolving fund	No limit
Voluntary tax sheltered annuity contribution clearing fund	No limit
Salary advance clearing fund	No limit
Federal employees contribution clearing fund	No limit
Preventive health care program 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 \$230,752: *Provided further*, That no expenditures shall be made from this fund for any period after November 30, 1988, pursuant to any contract for services under the wellness program or any other separate program established under the state health care benefits program if the system of payments determined and imposed by the Kansas state employees health care commission for participation in the state health care benefits program, which system of payments provides any discount or provides for any other difference in the amount payable by a participant for participation in the state health care benefits program that is based on the participant's personal condition, habits, activities or practices that the commission has determined constitute a health risk: *Provided, however*, That the foregoing shall not be construed to limit expenditures for wellness programs if the amount of any such discount or difference is paid to the insurer or health maintenance organization selected by the participant for health care benefits coverage.

Automobile liability insurance clearing fund	No limit
Employees faithful performance bond clearing fund	No limit
Deferred compensation clearing fund	No limit
Certificates of participation proceeds fund	No limit
Certificates of participation clearing fund	No limit
Santa Fe office building renovation fund	No limit
Suspense fund	No limit
Series E savings bonds clearing fund	No limit
Optional life insurance clearing fund	No limit
Employee organization dues clearing fund	No limit
Legislative handbook clearing fund	No limit
United Way contributions clearing fund	No limit
State OASDHI clearing fund	No limit
Setoff clearing fund	No limit
Parking fees clearing fund	No limit
State employee contribution clearing fund for OASDHI	No limit
Federal employees FICA contribution clearing fund	No limit
Federal employees (FICA) federal withholding tax clearing fund	No limit
Federal employees (FICA) state withholding tax clearing fund	No limit
Federal withholding tax clearing fund—public employees retirement	No limit
Full FICA federal employees contribution clearing fund	No limit
Intergovernmental cooperation agreement for development of statewide cost allocation plan clearing fund	No limit
State travel clearing fund	No limit
Nonperformance contract clearing fund	No limit
Medicare fund clearing account	No limit

(c) There is appropriated for the above agency from the state buildings depreciation fund for the fiscal year ending June 30, 1989, the following:

Special maintenance, repairs and improvements—state office building	\$660,000
---	-----------

Provided, That except as provided in subsection (d), expenditures may be made from this account only for the following projects: Special maintenance—Docking office building, Forbes, heating plant and Landon office building; exterior stone and window repair—Docking office building; replace convactor piping—Docking office building; transformer replacement—Docking office building.

(d) Any state buildings depreciation fund appropriation heretofore appropriated to the department of administration and having an unencumbered balance as of June 30, 1988, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1989, for the same use and purpose as originally appropriated unless specific provision is made for lapsing such appropriation.

(e) On July 1, 1988, the director of accounts and reports shall transfer \$152,250 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the state department of transportation.

(f) On July 1, 1988, the director of accounts and reports shall transfer \$23,000 from the computer services fund to the state general fund.

Sec. 3.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Operating expenditures	\$1,600
------------------------------	---------

(b) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1989; all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

State emergency fund	No limit
----------------------------	----------

Sec. 4.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Administration	\$350,990
----------------------	-----------

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$6,481 except upon approval of the state finance council.

State park operations	2,663,492
-----------------------------	-----------

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$16,705 except upon approval of the state finance council.

Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Hillsdale state park—construction of three boat ramps; state parks FY 1988 capital improvements; renovation of Lake Scott; state parks FY 1987 capital improvements; repair flood damage; and Pomona state park—construct sewage lift station.

Total	\$3,014,482
-------------	-------------

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

Forestry, fish and game commission fee fund	No limit
---	----------

Provided, That expenditures from this fund for salaries and wages and other operating expenditures shall not exceed \$12,671,288: *Provided, however*, That within the expenditure limitation for salaries and wages and other operating expenditures, expenditures from this fund for official hospitality shall not exceed \$2,500: *Provided further*, That expenditures from this fund for refunds are hereby authorized: *And provided further*,

That of the amount authorized to be expended from this fund for salaries and wages and other operating expenditures, not to exceed \$515,452 shall be expended from the boat permit account of this fund; *And provided further*, That expenditures may be made from this fund for the purchase of state aircraft insurance; *And provided further*, That, except upon approval of expenditures for any other purposes by the state finance council, expenditures from this fund are hereby authorized only for salaries and wages and other operating expenditures as hereinbefore authorized and for the following specified purposes, subject to the expenditure limitations prescribed therefor:

Develop and implement land resource needs analysis plan	\$62,458
Community lake development—FY 1989	75,664
Repair Shawnee state fishing lake shoreline and piers	34,770
State fishing lake facility development—FY 1989	101,067
Repair Washington state fishing lake spillway	77,698
Farlington fish hatchery renovation	241,743
Pratt hatchery renovation	255,375
Divide pond into three units—Meade fish hatchery	41,913
Expand Wichita urban fishing waters	27,006
Reservoir facility development	137,393
Dredge fish cove and build boat ramp—Cheney reservoir	47,821
Replace inlet tubes—Cheyenne bottoms	13,000
Replace Cedar creek bridge—Wilson reservoir	17,384
Maintenance to agency facilities—FY 1989	49,390
Replace pump at Neosho waterfowl management area	25,575

And provided further, That expenditures from this fund are hereby authorized to be made from the site 50, Black Vermillion watershed lake construction account; community lake development—FY 1988 account; repair Douglas state fishing lake dam and spillway account; state fishing lake facility development—FY 1988 account; repair Atchison state fishing lake dam account; Farlington fish hatchery renovation account; Pratt hatchery renovation account; statewide stream access development—FY 1988 account; expand Wichita urban fishing waters account; reservoir facility development account; construct boat ramp breakwaters at Webster reservoir account; renovate/development of small marshes at Jamestown wildlife area account; design for development of Pratt wildlife museum account; develop access trails and parking areas at Jamestown wildlife area account; maintenance to agency facilities—FY 1988 account; construct Milford conservation education center account; repair dam and spillway at Lake Meade account; dredge Cheyenne bottoms wildlife area inlet canal account; develop site 50—upper Black Vermillion watershed account; develop Kansas river access at Kansas City account; Rocky Ford repair—engineering and planning account; Pratt hatchery renovation—engineering and planning account; and repair Rocky Ford fishing area and retaining wall account; *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1988; *And provided further*, That expenditures from the boat permit account of this fund are authorized for the following projects subject to the expenditure limitations prescribed therefor: western reservoir boating safety improvements, \$5,660; and construction of boat docks, \$55,000.

Fish and game conservation fund	\$25,000
Construct Milford conservation education center gift fund	No limit
Nongame wildlife improvement fund	142,905
Mined-land donation fund	No limit
Federally licensed wildlife areas fund	No limit
Cheyenne Bottoms project gift fund	0
State park and resources authority general fees fund	No limit

Provided, That expenditures from this fund for state operations shall not exceed \$2,340,547; *Provided further*, That expenditures from this fund for refunds are hereby authorized.

Land and water conservation fund—local	No limit
Land and water conservation fund—state	No limit

Provided, That expenditures from this fund are hereby authorized to be made from the renovation of Lake Scott—FY 1985 account; construction of amphitheater at El Dorado state park account; *Provided, however*, That the expenditures from each account shall not exceed the amount of the unencumbered balance in such account on June 30, 1988.

El Dorado state park—gifts and donations fund	No limit
Development and promotions fund	No limit
Migratory waterfowl propagation and protection fund	No limit

Provided, That expenditures may be made from this fund to divide unit A of Marais des Cygnes wildlife area into two pools; *Provided, however*, That expenditures for such project shall not exceed \$26,162.

Economic development initiatives grant fund	1,092,512
<i>Provided</i> , That no expenditure shall be made from this fund for construction at Hillsdale state park until the master plan for development of the park has been reviewed by the joint committee on state building construction.	
Oil overcharge—park road fund	1,200,000
Department of wildlife and parks private gifts and donations fund	No limit

(c) Any unencumbered balance as of June 30, 1988, in each of the following accounts of the forestry, fish and game commission fee fund is hereby lapsed: Maintenance to agency facilities—FY 1988; flood damage repair at Neosho waterfowl management area; construct fish cleaning stations; repair spillway at Nemaha state fishing lake; Ottawa state fishing lake repair and renovation; Miami state fishing lake spillway improvements; Farlington fish hatchery renovation—engineering and planning.

(d) On July 1, 1988, the director of accounts and reports shall transfer \$50,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(e) On October 1, 1988, the director of accounts and reports shall transfer \$27,094 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(f) On January 1, 1989, the director of accounts and reports shall transfer \$365,418 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(g) On April 1, 1989, the director of accounts and reports shall transfer \$650,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(h) On July 1, 1988, the director of accounts and reports shall transfer \$1,200,000 from the energy grants management fund of the state corporation commission to the oil overcharge—park road fund of the department of wildlife and parks.

(i) On July 1, 1988, the director of accounts and reports shall transfer \$50,000 from the nongame wildlife improvement fund to the migratory waterfowl propagation and protection fund to be used for improvements to Cheyenne Bottoms wildlife area.

Sec. 5.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund	\$3,786,797
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$3,017,733.	
Motor carrier license fees fund	1,319,209
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$885,237.	
Conservation fee fund	3,433,118
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$2,617,663; <i>Provided further</i> , That any expenditure made from this fund for plugging abandoned wells and testing of wells shall be in addition to any expenditure limitation imposed on this fund.	
Gas pipeline inspection fee fund	20,000
Mined-land conservation and reclamation fee fund	198,578
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$151,101.	
National surface mining control and reclamation act—federal fund	180,936
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$136,392.	

(continued)

Abandoned mined-land reclamation act—federal fund.	No limit
<i>Provided, That expenditures from this fund for salaries and wages shall not exceed \$163,173.</i>	
Gas pipeline safety program—federal fund	109,890
<i>Provided, That expenditures from this fund for salaries and wages shall not exceed \$88,829.</i>	
Railroad safety program—federal fund.	18,000
Rural abandoned mined-land—federal fund.	No limit
Energy grants management fund	No limit
Institutional conservation program—federal fund.	51,273
Energy extension service act—federal fund.	56,046
Energy conservation plan—federal fund.	146,385
Motor carrier safety assistance—federal fund.	74,194
Underground injection control class II—federal fund.	316,700
Mined-land reclamation fund.	No limit

(b) Within the limitation imposed by this or other appropriations act of the 1988 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, 1989, for the state corporation commission, the following positions shall be in the unclassified service under the Kansas civil service act: In the administrative services division, general management section, three research assistants and director-regulatory information and public participation; in the energy programs section, secretary I, energy analyst II, energy conservation specialist II, energy data coordinator, energy program evaluator, energy programs supervisor, ICP manager; in the conservation division, chief engineer, geologist/hydrologist, petroleum engineer.

Sec. 6.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Administration	\$1,300,156
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$9,299 except upon approval of the state finance council.</i>	
Collections	1,179,033
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.</i>	
Historic preservation	122,506
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.</i>	
Historic properties	606,773
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$675 except upon approval of the state finance council.</i>	
Museum	1,434,357
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, of the amount budgeted for museum exhibit construction in the museum account is hereby reappropriated to the museum account for museum exhibit construction and historic site for fiscal year 1989: Provided further, That any unencumbered balance in excess of \$100 as of June 30, 1988, of the amount budgeted for purposes other than museum exhibit construction in the museum account is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance for purposes other than museum exhibit construction shall not exceed \$2,432 except upon approval of the state finance council.</i>	
Historic properties, preservation, restoration and development	349,650
Historic properties maintenance and repairs	25,000
Alterations to ventilation systems in society labs.	15,000
<i>Any unencumbered balance in excess of \$100 as of June 30, 1988, in the following accounts is hereby reappropriated for fiscal year 1989: Historic properties maintenance and repairs; historic properties, preservation, restoration and development.</i>	
Total	\$5,032,475

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June

30, 1989, 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:

General fees fund	\$66,126
Archeology fee fund	191,612
<i>Provided, That expenditures may be made from this fund for operating expenses for providing archeological services by contract: Provided further, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: And provided further, That all fees received from such services shall be credited to this fund.</i>	
All sports hall of fame fund	7,000
Historic properties fees fund	11,450
National historic preservation act fund—state	122,507
Historic preservation overhead fees fund	No limit
National historic preservation act fund—local	No limit
New state historical society museum private gifts, grants and bequests fund	No limit
Insurance collection replacement/reimbursement fund	No limit
Eisenhower centennial fund	No limit
All sports hall of fame trust fund	0

(c) On July 1, 1988, the director of accounts and reports upon request of the executive secretary of the state historical society shall transfer from the all sports hall of fame trust fund to the all sports hall of fame fund the accrued interest credited to the all sports hall of fame trust fund for operation costs of the all sports hall of fame. All amounts to be transferred shall be verified by the executive secretary of the state historical society.

Sec. 7. *Position limitations:* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1989, made in this act for the following agencies shall not exceed the following, except upon approval of the state finance council:

Agency	Number of Positions Equated To Full-Time
Department of Administration	930.0
Kansas Department of Wildlife and Parks	401.0
State Corporation Commission	253.0
State Historical Society	143.0

Sec. 8. No moneys appropriated from the state general fund or any special revenue fund for the fiscal years ending June 30, 1988, or June 30, 1989, by this act or any other appropriations act of the 1988 regular session of the legislature for any state agency, as defined by K.S.A. 75-3701 and amendments thereto, shall be expended for the acquisition of fee title to any real property, whether by purchase, lease-purchase, exchange, contract or by any other method, unless specifically authorized by act of the legislature to acquire title to such real property. No action of the state finance council shall be effective to approve or authorize the expenditure of any such moneys by any state agency, as defined by K.S.A. 75-3701 and amendments thereto, for the acquisition of title to any real property unless specifically authorized by act of the legislature to acquire title to such real property. The provisions of this section shall not apply to the acquisition of any title to real property by (a) the department of transportation for state highway purposes, (b) the state board of regents or any educational institution under the control and supervision of the state board of regents in accordance with a lease or other agreement entered into by the state board of regents or any such educational institution with the endowment association established for such educational institution, (c) the state board of regents or Wichita state university in accordance with a lease or other agreement entered into by the state board of regents or Wichita state university with the Wichita state university endowment association, the public building commission for the city of Wichita, pursuant to K.S.A. 12-1757 *et seq.* and amendments thereto, or the board of trustees of the university under K.S.A. 76-3a16 and amendments thereto, or with any combination of such parties, (d) the department of wildlife and parks, or (e) the department of health and environment for purposes of powers, duties and functions relating to mined-land conservation and reclamation in accordance with the provisions of 1988 House Bill No. 3009.

Sec. 9. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act for the fiscal year ending June 30, 1989.

Sec. 10. *Savings.* Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1988 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1989, for the same use and purpose as the same was heretofore appropriated.

Sec. 11. Any transfers of money during the fiscal year ending June 30, 1989, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 1989.

Sec. 12. *Federal grants.* Each federal grant or other federal receipt which is received for the fiscal year ending June 30, 1989, by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 1988 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1989, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 13. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body March 17, 1988.

SENATE adopted Conference Committee report May 1, 1988.
ROBERT V. TALKINGTON
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 1, 1988.

HOUSE adopted Conference Committee report May 1, 1988.
JAMES D. BRADEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1988.
MIKE HAYDEN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, BILL GRAVES, 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 3rd day of June, 1988.
BILL GRAVES
Secretary of State.

(SEAL)

State of Kansas

OFFICE OF THE GOVERNOR

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 550 with my signature approving the bill, except for the item enumerated below.

That portion of Section 2(b) that reads as follows is line-item vetoed:

"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 fund shall not exceed \$238,752:

Provided further, That no expenditures shall be made from this fund for any period after November 30, 1988, pursuant to any contract for services under the wellness program or any other separate program established under the state health care benefits program if the system of payments determined and imposed by the Kansas state employees health care commission for participation in the state health care benefits program, which system of payments provides any discount or provides for any other difference in the amount payable by a participant for participation in the state health care benefits program that is based on the participant's personal condition, habits, activities or practices that the commission has determined constitute a health risk:

Provided, however, That the foregoing shall not be construed to limit expenditures for wellness programs if the amount of any such discount or difference is paid to the insurer or health maintenance organization selected by the participant for health care benefits coverage."

I veto the appropriation for the Health Care Benefits Program Fund, and the attached proviso, because the appropriation has no effect. House Bill No. 2850 changed the Health Care Benefits Program Fund to the Cafeteria Benefits Fund. The appropriation for the fund is included in Section 16a of House Substitute for Senate Bill No. 775. I will encourage the Kansas State Employees Health Care Commission to carry out the intent of the proviso.
Dated May 13, 1988.

MIKE HAYDEN
Governor

(Published in the Kansas Register, June 9, 1988.)

(Editor's Note: A section of the following bill has been line-item vetoed by Governor Hayden. A veto message by the Governor is on page 1097.)

SENATE BILL No. 774

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1988, June 30, 1989, and June 30, 1990 for the department of corrections, state correctional-vocational training center, Kansas correctional institution at Lansing, state industrial reformatory, Kansas state penitentiary, state reception and diagnostic center, Ellsworth correctional work facility and Hutchinson correctional work facility; 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 4 of chapter 18 of the 1987 Session Laws of Kansas and repealing the existing section; also repealing sections 5 and 7 of 1988 Senate Bill No. 758.

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

Section 1. For the fiscal years ending June 30, 1988, June 30, 1989, and June 30, 1990, 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 CORRECTIONS

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

	Fiscal Year 1988	Fiscal Year 1989
Central management	\$68,860	\$2,623,766
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$31,154 except upon approval of the state finance council.		
County jail inmate work program		205,302
Community services	7,920	7,346,301
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$119,894 except upon approval of the state finance council.		
Honor camps	41,575	1,759,824
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$11,583 except upon approval of the state finance council.		
Federal drug abuse program		9,464
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.		
Community corrections	192,713	9,531,587
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$114,994 except upon approval of the state finance council: <i>Provided further</i> , That the amount of the per capita appropriation factor under subsection (g) of K.S.A. 75-52,101 and amendments thereto shall be \$5: <i>And provided further</i> , That no expenditures may be made by any county from any grant made to such county from this account for any quarter of fiscal year 1989, which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections: <i>And provided further</i> , That expenditures may be made from this account for new community corrections programs in counties which do not have community corrections programs and for community correctional services provided by existing community corrections programs for counties which do not have community corrections programs.		

Inmate emergency capacity expansion program 10,194,999

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: *Provided further*, That such inmate emergency capacity expansion program shall include the placement of inmates at Norton state hospital, Winfield state hospital and training center, Osawatomie state hospital, Stockton correctional facility, Topeka state hospital and Forbes industrial park, Topeka: *Provided, however*, That such expenditures shall include expenditures for materials and supplies for inmate work crews at Hillsdale state park not to exceed the unexpended balance of the reappropriated fiscal year 1988 appropriations for the inmate emergency capacity expansion program—materials and supplies for inmate work crews at Hillsdale state park sub-account: *Provided further*, That such projects shall not be subject to the provisions of K.S.A. 75-1250 to 75-1266, inclusive, and amendments thereto which require the acquisition of the services of a project architect by a negotiating committee: *And provided further*, That the above agency is hereby authorized to negotiate and enter into contracts for any such projects: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments thereto.

Lease-purchase payment to the Ellsworth public building commission for the Ellsworth correctional work facility at Ellsworth, Kansas	1,230,000	
Class action suit for correctional officers	2,000,000	
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989.		
Honor camps—inmate health care services and supplies	52,000	
Community services—inmate health care services and supplies	13,000	
Additional inmate counseling services and inmate parolee drug screening	73	
Contracted inmate substance abuse programs		648,000
Planning for new correctional facility	750,000	
<i>Provided</i> , That all expenditures from this account shall be for development of a detailed program statement or preliminary plans for a new correctional facility: <i>Provided, however</i> , That expenditures from this account for development of a detailed program statement for a new correctional facility shall not exceed \$250,000: <i>Provided further</i> , That no expenditures shall be made from this account for preliminary plans for a new correctional facility unless the detailed program statement for a new correctional facility has been presented to the joint committee on state building construction and the secretary of corrections has advised and consulted thereon with the joint committee on state building construction: <i>And provided further</i> , That no expenditures shall be made from this account for preliminary plans for a new correctional facility except upon approval of the state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto and acting on this matter after receiving the recommendations regarding the new correctional facility of the joint committee on state building construction: <i>And provided further</i> , That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989.		

Additional renovation and construction funds for fiscal year 1989 emergency inmate housing 1,139,470

Provided, That such renovation and construction funds shall be used for an inmate emergency capacity expansion program which shall include the placement of inmates at Norton state hospital, Winfield state hospital and training center, Osawatomie state hospital, Topeka state hospital and Forbes industrial park, Topeka: *Provided further*, That such projects shall not be subject to the provisions of K.S.A. 75-1250 to 75-1266, inclusive, and amendments thereto which require the acquisition of the services of a project architect by a negotiating committee: *Provided*,

however, That the above agency is hereby authorized to negotiate and enter into contracts for any such projects: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments thereto.

Major repairs, special maintenance and remodeling for correctional institutions 1,000,000

Provided, 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:

Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions; honor camps—game bird capital improvements.

Total \$4,356,068 \$33,458,713

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

Drug abuse fund—federal \$25,000
Intergovernmental personnel act reimbursement—federal fund 40,521
Correctional industries fund 7,201,354

Provided, That expenditures from this fund are hereby authorized for the following purpose, subject to the expenditure limitation prescribed therefor:

Construct swine finishing facility \$35,530
Correctional industries equipment replacement fund 72,843

Provided, That expenditures from this fund are hereby authorized for the following purpose, subject to the expenditure limitations prescribed therefor:

Capital outlay \$72,843
General fees fund 37,117

(c) On July 1, 1988, the director of accounts and reports shall transfer \$33,289 from the state highway fund of the department of transportation to the general fees fund of the department of corrections.

(d) On the effective date of this act, the expenditure limitation established by the state finance council on the correctional industries fund is hereby increased from \$6,236,765 to \$6,403,479.

(e) On the effective date of this act, the expenditure limitation established by section 5(b) of chapter 21 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$49,318 to \$57,273.

(f) On the effective date of this act, the position limitation established by section 4 of 1988 Senate Bill No. 758 is hereby decreased from 605.3 to 597.3.

Sec. 3.

STATE CORRECTIONAL-VOCATIONAL TRAINING CENTER

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures	\$164,018	\$4,276,470

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$43,816 except upon approval of the state finance council: *Provided further*, That expenditures for malpractice insurance shall not be greater than the approved equivalent position multiplied by \$5,000 for individuals employed as physician specialists, physician assistants and dentists.

Any unencumbered balance in excess of \$100 as of June 30, 1988, in the following account is hereby reappropriated for fiscal year 1989: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Inmate health care services and supplies 44,657
Total \$208,675 \$4,276,470

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

General fees fund \$10,140
Inmate canteen fund No limit
Inmate benefit fund No limit

Sec. 4.

KANSAS CORRECTIONAL INSTITUTION AT LANSING

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures		\$3,945,081

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$70,164 except upon approval of the state finance council: *Provided further*, That expenditures for malpractice insurance shall not be greater than the approved equivalent position multiplied by \$5,000 for individuals employed as physician specialists, physician assistants and dentists.

Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions; construct new inmate food service and support programs building.

Inmate health care services and supplies \$200,000
Total \$200,000 \$3,945,081

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

General fees fund \$5,000
Inmate canteen fund No limit
Inmate benefit fund No limit

Sec. 5. On the effective date of this act, section 4 of chapter 18 of the 1987 Session Laws of Kansas is hereby amended to read as follows: Sec. 4.

KANSAS CORRECTIONAL INSTITUTION AT LANSING

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to plan, construct and equip a ~~an 120-bed dormitory~~ inmate housing unit subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the correctional institutions building fund for the capital improvement project and for the fiscal years specified as follows:

	Fiscal Year 1988	Fiscal Year 1989
Plan, construct and equip 120-bed dormitory inmate housing unit		\$1,950,000
For the fiscal year ending June 30, 1988		
For the fiscal year ending June 30, 1989	1,187,488	1,847,428
For the fiscal year ending June 30, 1990		378,820

Provided, That expenditures may be made from this account to raze existing structures on the site for this project: *Provided, however*, That no expenditures shall be made from this account to raze existing structures for such project unless the secretary of corrections has advised and consulted with the joint committee on state building construction on the proposed structures to be razed: *Provided further*, That no expenditures shall be made from this account for final planning for such project unless the secretary of corrections has advised and consulted with the joint committee on state building construction on the preliminary plans for such project.

(c) On July 1, 1987, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the correctional institutions building fund.

(continued)

(c) On June 30, 1988, the director of accounts and reports shall transfer \$1,000,000 from the correctional institutions building fund to the state general fund.

(d) No moneys appropriated for the above agency by this section shall be expended for the acquisition, including pursuant to any lease-purchase agreement or any other lease agreement with the option to purchase, of any chillers or chilling units to be used to provide air conditioning of cells or other areas used to confine inmates in any building or facility acquired, renovated, constructed, or expanded as part of a capital improvement project authorized by this section.

Sec. 6.

STATE INDUSTRIAL REFORMATORY

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Operating expenditures. Values: \$343,729, \$16,093,688.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$191,080 except upon approval of the state finance council: Provided further, That expenditures for malpractice insurance shall not be greater than the approved equivalent position multiplied by \$5,000 for individuals employed as physician specialists, physician assistants and dentists.

Inmate health care services and supplies 161,058

Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Capital improvement — major repairs, special maintenance and remodeling for correctional institutions.

Acquire and install garbage disposal in refuse area. 21,693
Total. \$504,787 \$16,115,381

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fund Name, Amount. Rows: General fees fund (\$182,866), Title I—elementary and secondary education fund (\$1,500), Inmate canteen fund (No limit), Inmate benefit fund (No limit).

(c) On the effective date of this act, the expenditure limitation established by section 8(b) of chapter 21 of the 1987 Session Laws of Kansas on the general fees fund is hereby increased from \$166,761 to \$169,761.

(d) On the effective date of this act, the expenditure limitation established by section 8(b) of chapter 21 of the 1987 Session Laws of Kansas on the Title I—elementary and secondary education fund is hereby increased from \$85,000 to \$85,697.

(e) 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:

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Upgrade power supply. Values: \$360,490, 390,873.

Sec. 7.

KANSAS STATE PENITENTIARY

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Operating expenditures. Values: \$232,537, \$26,130,210.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$3,180 except upon approval of the state finance council: Provided further, That expenditures for malpractice insurance shall not be greater than the approved equivalent position multiplied by \$5,000 for individuals employed as physician specialists, physician assistants and dentists.

Table with 2 columns: Description, Amount. Rows: Inmate health care services and supplies (818,000), Any unencumbered balance in excess of \$100 as of June 30, 1988, in each of the following accounts is hereby reappropriated for fiscal year 1989: Reconfiguration of electrical system; water system improvements; capital improvement — major repairs, special maintenance and remodeling for correctional institutions; construct addition to inside infirmary. Total: \$1,050,537 \$26,130,210.

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fund Name, Amount. Rows: General fees fund (\$96,000), Inmate canteen fund (No limit), Inmate benefit fund (No limit).

(c) On the effective date of this act, the position limitation established by section 6 of 1988 Senate Bill No. 758 is hereby increased from 635.0 to 666.0.

(d) There is appropriated for the above agency from the correctional institutions building fund for the capital improvement project and for the fiscal years specified as follows:

Table with 2 columns: Description, Amount. Rows: Plan and construct the electrical service for the maximum security complex. For the fiscal year ending June 30, 1989 (\$200,000), For the fiscal year ending June 30, 1990 (1,985,550).

Sec. 8.

STATE RECEPTION AND DIAGNOSTIC CENTER

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Operating expenditures. Values: \$4,845,500.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$152,229 except upon approval of the state finance council: Provided further, That expenditures for malpractice insurance shall not be greater than the approved equivalent position multiplied by \$5,000 for physician specialists, physician assistants and dentists.

Any unencumbered balance in excess of \$100 as of June 30, 1988, in the following account is hereby reappropriated for fiscal year 1989: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Table with 2 columns: Description, Amount. Rows: Inmate health care services and supplies (\$6,000), Total (\$6,000 \$4,849,500).

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fund Name, Amount. Rows: General fees fund (\$6,120), Inmate canteen fund (No limit), Inmate benefit fund (No limit).

Sec. 9.

ELLSWORTH CORRECTIONAL WORK FACILITY

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Operating expenditures. Values: \$1,955,582.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

General fees fund	\$0
Inmate canteen fund	No limit
Inmate benefit fund	No limit

(c) No moneys appropriated for the fiscal years ending June 30, 1988, or June 30, 1989, by this or other appropriation act of the 1988 regular session of the legislature shall be expended for the acquisition, including pursuant to any lease-purchase agreement or any other lease agreement with the option to purchase, of any chillers or chilling units to be used to provide air conditioning of cells or other areas used to confine inmates in any building or facility acquired, renovated, constructed, or expanded as part of the above agency.

Sec. 10.

HUTCHINSON CORRECTIONAL WORK FACILITY

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures		\$2,120,000

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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 1988	Fiscal Year 1989
General fees fund		\$0
Inmate canteen fund		No limit
Inmates benefit fund		No limit

Sec. 11. *Position limitations.* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1989, made in this act for the following agencies shall not exceed the following, except upon approval of the state finance council:

Agency	Number of Positions Equated To Full-Time
Department of Corrections	733.3
State Correctional-Vocational Training Center	104.5
Kansas Correctional Institution at Lansing	97.0
State Industrial Reformatory	398.5
Kansas State Penitentiary	694.0
State Reception and Diagnostic Center	148.6
Ellsworth Correctional Work Facility	49.5
Hutchinson Correctional Work Facility	175.0

Sec. 12. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 13. *Savings.* Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1988 regular session of the legislature, is hereby appropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 14. *Federal grants.* Each federal grant or other federal receipt which is received for the fiscal year ending June 30, 1989, by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 1988 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1989, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 15. Any transfers of money during the fiscal year ending June 30, 1989, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post

audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 1989.

Sec. 16. Any correctional institutions building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 1988 regular session of the legislature and having an unencumbered balance as of June 30, 1988, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1989, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 17. On the effective date of this act, section 4 of chapter 18 of the 1987 Session Laws of Kansas is hereby repealed.

Sec. 18. On July 1, 1988, sections 5 and 7 of 1988 Senate Bill No. 758 are hereby repealed.

Sec. 19. *Effective date.* 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 29, 1988.

SENATE adopted Conference Committee report May 1, 1988.
 ROBERT V. TALKINGTON
President of the Senate.
 LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 30, 1988.

HOUSE adopted Conference Committee report May 1, 1988.
 JAMES D. BRADEN
Speaker of the House.
 GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1988.

MIKE HAYDEN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, BILL GRAVES, 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 3rd day of June, 1988.

BILL GRAVES
Secretary of State.

(SEAL)

State of Kansas

OFFICE OF THE GOVERNOR

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 774 with my signature approving the bill, except for the item enumerated below.

Section 2(a) that reads as follows has been line-item vetoed:

	FY 1988	FY 1989
Major repairs, special maintenance and remodeling for correctional institutions		1,000,000

Provided, 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

(continued)

to be expended by the institution or facility for projects approved by the secretary of corrections.

This line-item authorizes \$1.0 million for the Department of Corrections for major repairs, special maintenance and remodeling for correctional institutions. For the past several years, the Department of Corrections has received amounts ranging from \$300,000 to \$400,000 annually to finance repairs to various projects as prioritized by the Secretary of Corrections.

My recommendations for FY 1989 did not include funds for this purpose. Rather, I recommended funds to renovate existing facilities and build new facilities that would not require any short-term needs for maintenance expenditures. Given the amount of funds appropriated for capital improvements for the corrections system, \$25.4 million for FY 1988 and \$7.5 million for FY 1989, there should be sufficient funds available to address the short-term maintenance needs of the correctional institutions. In addition, each institutional operating budget contains resources that could be utilized to meet many of the maintenance emergencies that the institutions will encounter during FY 1989.

Dated May 13, 1988.

MIKE HAYDEN
Governor

(Published in the Kansas Register, June 9, 1988.)

(Editor's Note: Sections of the following bill have been line-item vetoed by Governor Hayden. A veto message by the Governor is on page 1108.)

House Substitute for SENATE BILL No. 775

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1988, June 30, 1989, June 30, 1990, and June 30, 1991; 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 5 of 1988 Senate Bill No. 550, section 2 of 1988 House Bill No. 2720, section 8 of 1988 House Bill No. 2808, section 47 of chapter 37 of the 1987 Session Laws of Kansas and section 6 of chapter 15 of the 1986 Session Laws of Kansas and repealing the existing sections.

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

Section 1. For the fiscal years ending June 30, 1988, June 30, 1989, June 30, 1990, and June 30, 1991, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements, and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

KANSAS RACING COMMISSION

(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:

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Row: Racing investigative expense fund. Values: No limit, No limit.

(b) On July 1, 1988, the expenditure limitation established by section 5(a) of 1988 House Bill No. 2721 on the state racing fund is hereby increased from \$831,273 to \$876,846.

Sec. 3.

STATE BOARD OF TAX APPEALS

(a) Expenditures may be made for the fiscal year ending June 30, 1988, from the duplicating fees fund of the above agency for the purpose of paying costs related to acquiring a new telephone system.

Sec. 4.

DEPARTMENT OF REVENUE

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Rows: Salaries and wages, Retirement pay, Other operating expenditures, Total. Values: \$125,000, \$158,194, 53,906, 215,119, \$178,906, \$373,313.

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Rows: Ignition interlock expense fund, Automated collections system fund. Values: No limit, No limit, No limit, No limit.

(c) On and after July 1, 1988, the director of accounts and reports shall transfer from the state general fund to the automated collections system fund such percentage of collections as the secretary of revenue shall certify are: (1) Attributable to collections obtained through the automated collections system and (2) necessary to pay the financing of such system: Provided, That as an alternative to the financing of the automated collections system authorized by 1988 House Bill No. 3103 by paying the vendor of the system a percentage of amounts collected, such system may be financed as a project that is hereby approved pursuant to subsection (b) of K.S.A. 1987 Supp. 74-8905 and amendments thereto for financing by the Kansas development finance authority or may be financed pursuant to K.S.A. 75-3799 and amendments thereto. The secretary of revenue may pledge a percentage of the taxes, interest and penalties collected through the use of the automated collections system as security for any such financing.

(d) On the effective date of this act, the expenditure limitation established by section 10(d) of 1988 House Bill No. 2796 on the division of vehicles operating fund is hereby increased from \$27,430,227 to \$27,477,622.

(e) On the effective date of this act, the expenditure limitation established by section 10(e) of 1988 House Bill No. 2796 on the state operations account of the division of vehicles operating fund is hereby increased from \$23,937,564 to \$23,984,959.

(f) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 House Bill No. 2721 on the division of vehicles operating fund is hereby increased from \$24,643,750 to \$24,940,992.

(g) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 House Bill No. 2721 on the state operations account of the division of vehicles operating fund is hereby increased from \$21,910,394 to \$22,207,636.

(h) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 House Bill No. 2721 on expenditures for salaries and wages from the state operations account of the division of vehicles operating fund is hereby increased from \$12,268,561 to \$12,348,677.

(i) On July 1, 1988, and quarterly thereafter, the director of accounts and reports shall transfer \$74,311 from the state highway fund to the division of vehicles operating fund for the purpose of financing the cost of operation and general expenses of the division of vehicles and related operations of the department of revenue.

(j) On July 1, 1988, the position limitation established by section 7 of 1988 House Bill No. 2721 for the department of revenue is hereby increased from 1,327.5 to 1,333.5.

Sec. 5.

STATE HISTORICAL SOCIETY

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

Table with 2 columns: Fiscal Year 1988, Fiscal Year 1989. Rows: Center for historical research—planning, Administration, Total. Values: \$420,000, 47,495, \$467,495.

(b) On July 1, 1988, the position limitation for the state historical society established by section 7 of 1988 Senate Bill No. 550 is hereby increased from 143.0 to 145.0.

Sec. 6.

OFFICE OF SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 1988, the expenditure limitation established by section 19(a) of 1988 House Bill No. 2685 on the securities act fee fund is hereby increased from \$879,242 to \$1,013,681.

(b) On July 1, 1988, the position limitation established by section 22 of 1988 House Bill No. 2685 for the office of the securities commissioner of Kansas is hereby increased from 19.0 to 22.0.

Sec. 7.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 1988, the expenditure limitation established by section 9(a) of 1988 House Bill No. 2685 on the credit union fee fund is hereby increased from \$424,124 to \$467,616.

(b) On July 1, 1988, the position limitation established by section 22 of 1988 House Bill No. 2685 for the state department of credit unions is hereby increased from 10.0 to 11.0.

Sec. 8.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 26(e) of chapter 37 of the 1987 Session Laws of Kansas on the energy grants management fund is hereby increased from \$5,478,518 to \$5,520,318.

Sec. 9. On July 1, 1988, section 5 of 1988 Senate Bill No. 550, is hereby amended to read as follows: Sec. 5.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....	\$2,786,707	\$3,761,440
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$2,017,733 \$2,991,390.		
Motor carrier license fees fund.....	1,310,200	1,353,070
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$885,237 \$920,104.		
Conservation fee fund.....	3,433,118	3,455,658
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$2,617,663 \$2,637,250: <i>Provided further</i> , That any expenditure made from this fund for plugging abandoned wells and testing of wells shall be in addition to any expenditure limitation imposed on this fund.		
Gas pipeline inspection fee fund.....	20,000	
Mined-land conservation and reclamation fee fund.....	108,578	
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$151,101.		
National surface mining control and reclamation act—federal fund.....		180,936
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$126,300.		
Abandoned mined-land reclamation act—federal fund.....		No Limit
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$163,173.		
Gas pipeline safety program—federal fund.....		109,890
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$88,829.		
Railroad safety program—federal fund.....		18,000
Rural abandoned mined-land—federal fund.....		No Limit
Energy grants management fund.....		No Limit
Institutional conservation program—federal fund.....		51,273
Energy extension service act—federal fund.....		63,500
Energy conservation plan—federal fund.....		159,500
Motor carrier safety assistance—federal fund.....		74,194
Underground injection control class II—federal fund.....		316,700
Mined-land reclamation fund.....		No Limit
Energy conservation bank fund.....		70,000

(b) Within the limitation imposed by this or other appropriations act of the 1988 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, 1989, for the state corporation commission, the following positions shall be in the unclassified service under the Kansas civil service act:

In the administrative services division, general management section, three research assistants and director - regulatory information and public participation; in the energy programs section, secretary I, energy analyst II, energy conservation specialist II, energy data coordinator, energy program evaluator, energy programs supervisor, ICP manager; in the conservation division, chief engineer, geologist/hydrologist, petroleum engineer.

(c) On July 1, 1988, the position limitation established by section 7 of 1988 Senate Bill No. 550 for the state corporation commission is hereby decreased from 253.0 to 239.0.

Sec. 10.

DEPARTMENT OF HEALTH AND ENVIRONMENT

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures.....	\$480	\$342,825
Immunizations-DPT vaccines.....	190,000	
<i>Provided</i> , That any unencumbered balance in excess of \$100, as of June 30, 1988, is hereby reappropriated for fiscal year 1989.		
Task force on epilepsy.....		6,360
Hazardous waste cleanup.....		300,000
Total.....	\$190,480	\$649,185

(b) On July 1, 1988, the position limitation established by section 6 of 1988 Senate Bill No. 572 for the department of health and environment is hereby increased from 646.7 to 668.7.

(c) 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 1988	Fiscal Year 1989
Mined-land conservation and reclamation fee fund..		\$221,968
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$156,157.		
National surface mining control and reclamation act—federal fund.....		185,894
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$141,350.		
Abandoned mined-land reclamation act—federal fund.....		No limit
<i>Provided</i> , That expenditures from this fund for salaries and wages shall not exceed \$194,568.		
Rural abandoned mined-land—federal fund.....		No limit
Mined-land reclamation fund.....		No limit
Genetic services grant fund.....		9,402
EPA pollution grant matching fund.....		100,000
<i>Provided</i> , That expenditures from this fund shall be made only if local revenues derived from user charges and other revenues of a rural water district are available or will be available to match such expenditures on the basis of \$4 of local revenue for \$1 from this fund: <i>Provided further</i> , That all expenditures from this fund and the local revenues used to match such expenditures shall be to provide the 10% matching funds required for the federal environmental protection agency grant for an alternate drinking water supply.		
Environmental response fund.....		No limit

(d) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 Senate Bill No. 572 on the early identification and intervention—federal fund is hereby increased from \$1,325 to \$27,325.

(e) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 Senate Bill No. 572 on the immunization grant funds—federal fund is hereby increased from \$34,639 to \$50,000.

(f) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 Senate Bill No. 572 on the state operations account of the venereal disease control project fund—federal is hereby increased from \$112,344 to \$130,408.

(g) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 Senate Bill No. 572 on Title I—P.L. 99-457 is hereby increased from \$492,107 to \$635,000.

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

(continued)

tion established by section 4(b) of chapter 22 of the 1987 Session Laws of Kansas on the early identification and intervention—federal fund is hereby increased from \$114,840 to \$158,840.

(i) On the effective date of this act, the expenditure limitation established by section 4(b) of chapter 22 of the 1987 Session Laws of Kansas on the genetic services grant fund is hereby increased from \$52,671 to \$68,585.

(j) On the effective date of this act, the expenditure limitation established by section 4(b) of chapter 22 of the 1987 Session Laws of Kansas on the immunization grant funds—federal fund is hereby increased from \$34,999 to \$50,000.

(k) On the effective date of this act, the expenditure limitation established by section 4(b) of chapter 22 of the 1987 Session Laws of Kansas on the state operations account of the venereal disease control project fund—federal fund is hereby increased from \$107,283 to \$112,168.

(l) On the effective date of this act, the expenditure limitation established by section 4(b) of chapter 22 of the 1987 Session Laws of Kansas on the state operations account of the federal migrant health program fund is hereby increased from \$4,000 to \$6,314.

(m) On July 1, 1988, the director of accounts and reports shall transfer \$18,334 from the mined-land conservation and reclamation fee fund to the state general fund.

(n) The director of accounts and reports shall not make the transfer of \$300,000 directed to be made by section 4(d) of 1988 Senate Bill No. 572 from the state general fund to the hazardous waste cleanup fund.

(o) On July 1, 1988, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the EPA pollution grant matching fund of the department of health and environment.

Sec. 11. On July 1, 1988, section 8 of 1988 House Bill No. 2808 is hereby amended to read as follows: Sec. 8.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

General administration (including official hospitality) \$1,525,646

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Existing industry development 783,399

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$20,849 except upon approval of the state finance council.

Trade development 472,998

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$76,992 except upon approval of the state finance council.

Industrial development 953,300

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$88,464 except upon approval of the state finance council.

Travel and tourism development 797,849

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$4,280 except upon approval of the state finance council.

Community development 494,964 521,007

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$833 except upon approval of the state finance council.

Grants for certified development companies 325,000

Grants for small business development centers 175,000

Coal commission studies 12,500

Provided, That all expenditures from this account shall be

matched on a one-to-one basis by expenditures from the coal commission contribution fund.

Total \$5,530,756 \$5,566,699

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1989, 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:

Publication and other sales fund	No limit
Linger longer program fund	\$20,000
NTA motorcoach picnic campaign fund	15,000
Low income housing tax credit fee fund	47,927
Conversion of materials and equipment fund	0
Community development block grant—federal fund	No limit
Community development block grant administrative match—federal fund	401,179
State economic development initiatives fund	6,372,327

Provided, That except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, expenditures from this fund are hereby authorized only for the following purposes, subject to the expenditure limitations prescribed therefor:

Kansas economic development endowment account \$6,372,327

Provided, That expenditures from this account for the Kansas industrial training program shall not exceed \$1,200,000. Provided further, That expenditures from this account for state operations, other than expenditures for the Kansas industrial training program, shall not exceed \$371,327. And provided further, That expenditures from this account for main street program assistance grants shall not exceed \$51,000. And provided further, That expenditures from this account for the infrastructure loan program shall not exceed \$4,500,000. And provided further, That expenditures from this account for grants to certified development companies shall not exceed \$100,000. And provided further, That expenditures from this account for grants to small business development centers shall not exceed \$100,000. And provided further, That expenditures from this account for the education award program shall not exceed \$50,000.

State operations	371,327
Kansas industrial training program and Kansas industrial retraining program	1,200,000
Main street program assistance grants	51,000
Infrastructure loan program	4,500,000
Grants to certified development companies	100,000
Grants to small business development centers	100,000
Education award program	50,000

Job training partnership act fund—federal	No limit
National main street center fund	5,000
Coal commission contribution fund	12,500
Greyhound tourism fund	No limit
Kansas partnership fund	No limit

Provided, That all expenditures from this fund shall be in accordance with the provisions of 1988 Senate Bill No. 574.

Sec. 12.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) The approval of the state finance council of expenditures from the economic development research and development fund of the above agency for any purposes other than those specified by section 19(b) of 1988 House Bill No. 2808, pursuant to such section 19(b), 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. 13.

DEPARTMENT OF HUMAN RESOURCES

(a) On July 1, 1988, the expenditure limitation established by section 7(b) of 1988 House Bill No. 2808 on the workmen's

compensation fee fund is hereby increased from \$2,039,534 to \$2,136,870.

(b) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2808 for the department of human resources is hereby increased from 874.0 to 884.0.

Sec. 14.

DEPARTMENT OF WILDLIFE AND PARKS

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

	Fiscal Year 1988	Fiscal Year 1989
State park operations	\$44,615	\$27,905

(b) On the effective date of this act, the position limitation established by section 22(c) of 1988 Senate Bill No. 571 for the department of wildlife and parks is hereby increased from 394.0 to 395.0.

(c) On July 1, 1988, the position limitation established by section 7 of 1988 Senate Bill No. 550 for the department of wildlife and parks is hereby increased from 401.0 to 402.0.

(d) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 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 \$12,671,288 to \$12,686,288.

(e) On July 1, 1988, the expenditure limitation established by section 4(b) of 1988 Senate Bill No. 550 on the nongame wildlife improvement fund of the department of wildlife and parks is hereby increased from \$142,905 to \$192,905.

(f) The director of accounts and reports shall not make the transfer of \$50,000 directed to be made by section 4(i) of 1988 Senate Bill No. 550 from the nongame wildlife improvement fund to the migratory waterfowl propagation and protection fund.

Sec. 15.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$6,650,870 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 31(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the inmate emergency capacity expansion program account, the sum of \$72,520 is hereby lapsed.

(b) On the effective date of this act, the minimum expenditure established by section 31(a) of chapter 37 of the 1987 Session Laws of Kansas for materials and supplies for inmate work crews at Hillsdale state park from the inmate emergency capacity expansion program account of the state general fund is hereby decreased from \$300,000 to \$227,480.

Sec. 16.

DEPARTMENT OF ADMINISTRATION

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

	Fiscal Year 1988	Fiscal Year 1989
Information technology fund		No limit
Information technology reserve fund		No limit
Cafeteria benefits fund		No limit

Provided, That expenditures from this fund for salaries and wages and other operating expenditures for administering the health care benefits program and the cafeteria benefit plan shall not exceed \$339,862.

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

	Fiscal Year 1988	Fiscal Year 1989
Capitol plaza area improvements		\$935,000

Provided, That expenditures may be made from this account for (1) a project for expansion of state parking lots in the area of 11th street between Harrison street and Topeka avenue, including acquisition of real property therefor, and (2) acquisition of real property within one block of the statehouse grounds

and a project for parking improvements on such real property: *Provided further*, That no expenditures shall be made from this account to acquire more than one contiguous parcel of real property under the project for acquisition of real property within one block of the statehouse grounds and a project for parking improvements on such real property, as described in part (2) of the first proviso.

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

	Fiscal Year 1988	Fiscal Year 1989
Planning for renovation of Memorial building		\$240,000
Renovation of cage elevator in statehouse		79,480

Provided, That this renovation project shall provide for operation of the cage elevator by an elevator operator: *Provided further*, That no expenditures shall be made from this account unless the elevator operator position is retained by the department of administration: *And provided further*, 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 and acting on this matter after receiving the recommendations of the joint committee on state building construction on this renovation project.

Total		\$319,480
-------------	--	-----------

(d) On July 1, 1988, the expenditure limitation established by section 2(b) of 1988 Senate Bill No. 550 on the state buildings operating fund is hereby increased from \$7,554,033 to \$8,489,033.

(e) On the effective date of this act, the expenditure limitation established by section 3(b) of chapter 27 of the 1987 Session Laws of Kansas on the drug abuse fund—department of administration—federal is hereby decreased from \$1,100,500 to \$743,663.

(f) On July 1, 1988, the expenditure limitation established by section 2(b) of 1988 Senate Bill No. 550 on the drug abuse fund—department of administration—federal is hereby increased from \$1,085,013 to \$1,441,850.

(g) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 25 of the 1987 Session Laws of Kansas on the motor pool service depreciation reserve fund is hereby increased from \$2,012,978 to \$2,519,144.

(h) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 25 of the 1987 Session Laws of Kansas on the intragovernmental printing service fund is hereby increased from \$5,106,663 to \$5,199,257.

Sec. 17. On the effective date of this act, section 47 of chapter 37 of the 1987 Session Laws of Kansas is hereby amended as follows: Sec. 47.

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 1987	Fiscal Year 1988
Remodeling of House gallery for handicapped accessibility—statehouse		\$6,000
Staffing and operations—Kansas development finance authority		198,255

Provided, That no expenditures may be made from this account unless the secretary of administration and the Kansas development finance authority have entered into a contract, on terms acceptable to the secretary of administration, requiring all expenditures from this account to be repaid to the secretary of administration and deposited in the state treasury to the credit of the state general fund prior to July 1, 1988. *Provided*, That any expenditures from this account shall be repaid by the Kansas development finance authority to the state general fund in four equal annual installments beginning prior to July 1, 1989.

Total		\$214,955
		\$204,255

(continued)

Sec. 18.

KANSAS DENTAL BOARD

(a) On July 1, 1988, the expenditure limitation established by section 10(a) of 1988 House Bill No. 2685 on the dental board fee fund is hereby increased from \$115,642 to \$145,642.

Sec. 19.

ATTORNEY GENERAL

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

	Fiscal Year 1988	Fiscal Year 1989
Salaries and wages.....		\$113,129
Other operating expenditures.....		90,483
Total.....		\$203,612

(b) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2808 for the attorney general is hereby increased from 56.0 to 61.0.

Sec. 20.

BOARD OF NURSING

(a) On July 1, 1988, the expenditure limitation established by section 14(a) of 1988 House Bill No. 2685 on the board of nursing fee fund is hereby increased from \$509,644 to \$610,444.

(b) On July 1, 1988, the position limitation established by section 22 of 1988 House Bill No. 2685 for the board of nursing is hereby increased from 12.0 to 14.0.

Sec. 21.

LARNED STATE HOSPITAL

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures.....		\$331,848

(b) On July 1, 1988, the expenditure limitation established by section 6(b) of 1988 Senate Bill No. 545 on the Larned state hospital fee fund is hereby decreased from \$1,742,560 to \$1,548,249.

(c) On July 1, 1988, the expenditure limitation established by section 6(b) of 1988 Senate Bill No. 545, on the title XIX fund is hereby decreased from \$1,234,281 to \$1,089,461.

(d) On July 1, 1988, the amount of \$1,234,281 authorized by section 6(d) of 1988 Senate Bill No. 545, to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Larned state hospital is hereby decreased to \$1,089,461.

(e) On July 1, 1988, the position limitation established by section 13 of 1988 Senate Bill No. 545 for Larned state hospital is hereby increased from 908.8 to 909.8.

Sec. 22.

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 1988	Fiscal Year 1989
Operating expenditures.....	\$150,000	\$202,696

(b) On the effective date of this act, the expenditure limitation established by section 16(b) of 1988 Senate Bill No. 571 on the Osawatomi state hospital fee fund is hereby decreased from \$1,830,427 to \$1,680,427.

(c) On July 1, 1988, the position limitation established by section 13 of 1988 Senate Bill No. 545 for Osawatomi state hospital is hereby increased from 634.6 to 639.6.

(d) On July 1, 1988, the expenditure limitation established by section 7(b) of 1988 Senate Bill No. 545 on the Osawatomi state hospital fee fund is hereby decreased from \$2,127,995 to \$1,977,995.

Sec. 23.

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 1988	Fiscal Year 1989
Operating expenditures.....		\$2,050,965

(b) On July 1, 1988, the expenditure limitation established by section 11(b) of 1988 Senate Bill No. 545 on Topeka state hospital fee fund is hereby decreased from \$3,649,751 to \$3,037,391.

(c) On July 1, 1988, the expenditure limitation established by section 11(b) of 1988 Senate Bill No. 545 on the title XIX fund is hereby decreased from \$3,032,452 to \$1,754,812.

(d) On July 1, 1988, the amount of \$3,032,452 authorized by section 11(d) of 1988 Senate Bill No. 545, to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Topeka state hospital is hereby decreased to \$1,754,812.

(e) On July 1, 1988, the position limitation established by section 13 of 1988 Senate Bill No. 545 for Topeka state hospital is hereby increased from 683.0 to 688.0.

(f) On the effective date of this act, of the \$883,973 appropriated for the above agency by section 19(a) of 1988 Senate Bill No. 571 from the state general fund in the operating expenditures account, the sum of \$43,000 is hereby lapsed.

Sec. 24.

RAINBOW MENTAL HEALTH FACILITY

(a) On July 1, 1988, of the \$2,363,913 appropriated for the above agency by section 9(a) of 1988 Senate Bill No. 545 from the state general fund in the operating expenditures account, the sum of \$10,013 is hereby lapsed.

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

	Fiscal Year 1988	Fiscal Year 1989
Addition and remodeling of special school.....	\$272,500	\$550,100

Sec. 25.

KANSAS NEUROLOGICAL INSTITUTE

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenses.....		\$20,000

(b) On July 1, 1988, of the \$9,964,405 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 5(a) of 1988 Senate Bill No. 545 from the state general fund in the operating expenditures account, the sum of \$33,535 is hereby lapsed.

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

	Fiscal Year 1988	Fiscal Year 1989
Preliminary planning for work activities/recreation facility.....		\$127,500

(d) On July 1, 1988, the expenditure limitation established by section 5(b) of 1988 Senate Bill No. 545 on the foster grandparents program—federal fund is hereby increased from \$164,642 to \$168,830.

Sec. 26.

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 1988	Fiscal Year 1989
Medical assistance.....	\$6,000,000	
Medical assistance for long-term care.....		\$374,190
Youth services.....	950,000	1,358,240
Special purpose community mental retardation assistance grants.....		579,334

Provided, That expenditures may be made from this account for payments to intermediate care facilities for the mentally retarded.

Norton contingency program..... 579,334

Provided, That expenditures may be made from this account for operating expenditures at Norton state hospital and for grants to provide services to mentally retarded persons in community settings: Provided further, That no expenditures shall be made from this account for operating expenditures at Norton state hospital 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.

Legal assistance	200,000	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989. Provided further, 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>		
Vocational rehabilitation	20,122	
Administration	258,394	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided, however, That expenditures from such reappropriated balance shall not exceed \$437,537 except upon approval of the state finance council.</i>		
Adult services	65,965	
Physicians professional liability insurance	23,262	43,622
Topeka area office furnishings	544,000	
Total	\$7,783,227	\$3,213,236

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

	Fiscal Year 1988	Fiscal Year 1989
Asbestos management plans		\$150,000

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

	Fiscal Year 1988	Fiscal Year 1989
Intermediate care facilities revolving fund	No limit	No limit

Provided, That expenditures may be made from this fund for payments to intermediate care facilities for mentally retarded persons which have 15 beds or less as advances of amounts payable under the title XIX program and other programs administered by the department of social and rehabilitation services to alleviate cash-flow problems experienced by such facilities during the first six months of licensure: Provided, however, That all expenditures from this fund shall be reimbursed by moneys credited to this fund through the social services clearing fund from the funds to which such payments are chargeable.

HUD emergency shelter grants—federal fund. No limit

(d) On the effective date of this act, the director of accounts and reports shall transfer \$500,000 from the state general fund to the intermediate care facilities revolving fund of the department of social and rehabilitation services.

(e) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 Senate Bill No. 572 on the drug abuse fund—department of social and rehabilitation services—federal fund is hereby increased from \$1,529,305 to \$1,967,471.

(f) On July 1, 1988, the position limitation established by section 6 of 1988 Senate Bill No. 572 is hereby increased from 3,139.9 to 3,140.4.

(g) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 Senate Bill No. 572 on the state operations account of the social services clearing fund is hereby increased from \$142,802,197 to \$148,297,096.

(h) On the effective date of this act, the expenditure limitation established by section 7(b) of 1988 Senate Bill No. 571 on the state operations account of the social services clearing fund is hereby increased from \$139,426,831 to \$140,106,323.

(i) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 Senate Bill No. 572 on the HUD emergency shelter grants—federal fund is hereby increased from \$283,000 to No limit.

(j) On the effective date of this act, the expenditure limitation

established by section 7(q) of 1988 Senate Bill No. 571 on the drug abuse fund—department of social and rehabilitation services—federal is hereby decreased from \$1,537,000 to \$1,234,834.

Sec. 27.

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 1988	Fiscal Year 1989
Operating expenditures	\$500,000	

(b) On July 1, 1988, of the \$11,086,603 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 12(a) of 1988 Senate Bill No. 545 from the state general fund in the operating expenditures account, the sum of \$24,895 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 15(b) of 1988 Senate Bill No. 571 on the title XIX fund is hereby decreased from \$8,837,238 to \$8,337,238.

(d) On the effective date of this act, the amount of \$8,729,504 authorized by section 40(f) of chapter 37 of the 1987 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Winfield state hospital and training center, is hereby decreased to \$8,229,504.

Sec. 28.

PARSONS STATE HOSPITAL AND TRAINING CENTER

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures	\$70,000	

(b) On July 1, 1988, of the \$6,953,518 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 8(a) of 1988 Senate Bill No. 545 from the state general fund in the operating expenditures account, the sum of \$11,764 is hereby lapsed.

Sec. 29.

KANSAS HIGHWAY PATROL

(a) On July 1, 1988, the position limitation established by section 4 of 1988 Senate Bill No. 543 for motor carrier inspection personnel of the Kansas highway patrol is hereby increased from 174.0 to 175.0.

Sec. 30.

ADJUTANT GENERAL

(a) On July 1, 1988, the expenditure limitation established by section 2(b) of 1988 Senate Bill No. 542 on the military fees fund is hereby increased from \$3,793,504 to \$3,823,604.

Sec. 31.

KANSAS WHEAT COMMISSION

(a) On July 1, 1988, the expenditure limitation established by section 6(a) of 1988 House Bill No. 2733 on the Kansas wheat commission fund is hereby increased from \$1,139,307 to \$1,725,457.

Sec. 32.

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 1988	Fiscal Year 1989
Salaries and wages		\$1,335

(b) On July 1, 1988, the expenditure limitation established by section 2(b) of 1988 House Bill No. 2733 on the pesticide use fee fund is hereby increased from \$274,878 to \$279,378.

(c) On July 1, 1988, the position limitation established by section 9 of 1988 House Bill No. 2733 for the state board of agriculture is hereby increased from 310.0 to 311.0.

(d) There is appropriated for the above agency from the following special revenue fund for the fiscal year specified, all

(continued)

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 1988	Fiscal Year 1989
FACTS gifts and contributions fund		No limit

Sec. 33.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) On July 1, 1988, the expenditure limitation established by section 3(b) of 1988 House Bill No. 2733 on the animal disease control fund is hereby increased from \$411,051 to \$510,466.

(b) On July 1, 1988, the position limitation established by section 9 of 1988 House Bill No. 2733 for the Kansas animal health department is hereby increased from 36.0 to 42.0.

Sec. 34.

DEPARTMENT OF CIVIL AIR PATROL

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

	Fiscal Year 1988	Fiscal Year 1989
Civil air patrol—state operations		\$19,620

(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 1988	Fiscal Year 1989
Grants and contributions fund		No limit

(c) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the department of civil air patrol that are financed by appropriations made by this section for the fiscal year ending June 30, 1989, shall not exceed 0.5.

Sec. 35.

EMERGENCY MEDICAL SERVICES BOARD

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

	Fiscal Year 1988	Fiscal Year 1989
Emergency medical services—state operations	\$632,129	
Aid to local units—EMS administrative grants	120,000	
Aid to local units—EMS communications system operating and maintenance expenditures		34,000
Total	\$786,129	

(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 1988	Fiscal Year 1989
EMS—federal fund		No limit
Emergency medical service attendant testing fund		No limit

(c) On July 1, 1988, the director of accounts and reports shall transfer any unencumbered balance in the account to which emergency medical service attendant testing fees are credited in the restricted fees fund of the university of Kansas medical center to the emergency medical service attendant testing fund of the emergency medical services board.

(d) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the emergency medical services board that are financed by appropriations made by this section for the fiscal year ending June 30, 1989, shall not exceed 15.0.

Sec. 36.

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 1988	Fiscal Year 1989
Other operating expenditures for utilities		\$13,771
Oil research library		30,000

Provided, That no expenditures shall be made from

this account until \$50,000 has been received from private oil industry sources and is credited to the oil research library gifts and grants fund.

Total	\$43,771
-------------	----------

(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 1988	Fiscal Year 1989
Oil research library gifts and grants fund		No limit

(c) On July 1, 1988, the position limitation established by section 12(b) of 1988 House Bill No. 2794 on the unclassified service for the above agency is hereby increased from 321.6 to 322.6.

Sec. 37.

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 1988	Fiscal Year 1989
Salaries and wages		\$29,782
Other operating expenditures (including official hospitality)		9,090
Operating expenditures for utilities		54,100
Total		\$92,972

(b) On July 1, 1988, the position limitation established by section 12(a) of 1988 House Bill No. 2794 on the classified service for the above agency is hereby increased from 1,898.9 to 1,900.4.

(c) The above agency is hereby authorized to initiate and complete capital improvement projects for construction of plant science greenhouses and an additional chiller for chemistry, biochemistry and plant science building complex, subject to the restrictions and limitations imposed by this section.

(d) There is appropriated for the above agency from the Kansas educational building fund for capital improvement projects and for the fiscal years specified as follows:

Construction of plant science greenhouses	
For the fiscal year ending June 30, 1990	\$500,000
For the fiscal year ending June 30, 1991	500,000
Additional chiller for chemistry, biochemistry and plant science building complex	
For the fiscal year ending June 30, 1990	500,000

(e) Kansas state university is hereby authorized to initiate and complete a capital improvement project for renovation of Holton hall and to make expenditures for such project from the student services support fees account of the restricted fees fund for bonds, as defined by subsection (e) of K.S.A. 1987 Supp. 74-8902 and amendments thereto, issued by the Kansas development finance authority, except that expenditures for such purpose from the student services support fees account of the restricted fund for fiscal year 1989 shall not exceed \$400,000. The capital improvement project for renovation of Holton hall is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1987 Supp. 74-8905 and amendments thereto and the issuance of bonds for such project by the Kansas development finance authority in accordance with that statute.

Sec. 38.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) On July 1, 1988, of the \$808,312 appropriated by section 4(a) of 1988 House Bill No. 2794 from the state general fund in the operating expenditures for utilities account, the sum of \$53,670 is hereby lapsed.

Sec. 39.

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 1988	Fiscal Year 1989
Operating expenditures for utilities		\$14,587

(b) Expenditures may be made from the roof replacement—Butcher school account of the Kansas education building fund for roof replacement for the Stormont maintenance facility.

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

	Fiscal Year 1988	Fiscal Year 1989
Physical education building rooftop unit replacement project.....	\$10,000	
Brighton lecture hall reroof project.....	50,000	
Total.....	\$60,000	

(d) On the effective date of this act, of the \$157,500 appropriated for the above agency by section 5(c) of chapter 21 of the 1984 Session Laws of Kansas from the Kansas educational building fund in the elevator replacement and addition—William Allen White library account, the sum of \$60,000 is hereby lapsed.

Sec. 40.

PITTSBURG STATE UNIVERSITY

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures for utilities.....		\$43,828

Sec. 41.

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 1988	Fiscal Year 1989
Natural and scientific areas program.....		\$80,940

(b) On July 1, 1988, the \$25,000 appropriated by section 7(a) of 1988 House Bill No. 2794 for the natural heritage inventory is hereby lapsed.

(c) On July 1, 1988, the position limitation established by section 12(b) of 1988 House Bill No. 2794 on the unclassified service for the above agency is hereby increased from 2,331.0 to 2,334.0.

(d) On July 1, 1988, of the \$5,846,432 appropriated for the above agency by section 7(a) of 1988 House Bill No. 2794 from the state general fund in the operating expenditures for utilities, the sum of \$57,119 is hereby lapsed.

Sec. 42.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures for utilities.....	\$70,068	\$121,111
Stipends, fringe benefits, contractual support and medical malpractice insurance premium expenditures for state-supported residents.....		338,400
Total.....	\$70,068	\$459,511

(b) On July 1, 1988, of the \$32,757,580 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 8(a) of 1988 House Bill No. 2794 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$168,558 is hereby lapsed.

(c) On July 1, 1988, the position limitation established for the university of Kansas medical center by section 12(c) of 1988 House Bill No. 2794 is hereby decreased from 4,637.8 to 4,632.1.

(d) In addition to the purposes for which expenditures may be made from the medical scholarship repayment fund established by subsection (f) of K.S.A. 76-376 and amendments thereto of the above agency for the fiscal year ending June 30, 1989, moneys may be expended for supplemental operating support for clinical departments, except that such expenditures shall not exceed \$400,000.

(e) On July 1, 1988, the expenditure limitation established by section 8(b) of 1988 House Bill No. 2794 on the medical scholarship repayment fund is hereby increased from \$1,799,940 to \$2,199,940.

Sec. 43.

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 1988	Fiscal Year 1989
Operating expenditures for utilities.....		\$70,166

Sec. 44.

DEPARTMENT OF EDUCATION

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

	Fiscal Year 1988	Fiscal Year 1989
Salaries and wages.....		\$1,714
Special education services aid.....		1,697,960
Additional general state aid pursuant to subsection (d)(3) of section 3 of 1988 Senate Bill No. 525.....		884,645
Additional general state aid.....		442,323
Municipal university fund.....		229,204
Municipal university out-district state aid.....		28,824
Fort Leavenworth school district.....		66,000

Provided, That expenditures from this account shall not exceed \$1,001,814 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.

Community college credit hour state aid.....	1,923,334	
Community college out-district state aid entitlement.....	404,940	
Total.....	\$5,678,944	

(b) On July 1, 1988, of the \$7,489,001 appropriated for the above agency by section 6(a) of 1988 House Bill No. 2720 from the state general fund in the area vocational-technical school program—state, the sum of \$100,000 is hereby lapsed.

(c) On July 1, 1988, of the \$12,626,250 appropriated for the above agency by section 6(a) of 1988 House Bill No. 2720 from the state general fund in the post-secondary aid for vocational education account, the sum of \$300,000 is hereby lapsed.

Sec. 45.

INSURANCE DEPARTMENT

~~(a) On July 1, 1988, of the \$4,056,619 appropriated for the above agency from the state general fund by section 9(a) of 1988 House Bill No. 2868 in the insurance company regulation account, the sum of \$12,125 is hereby lapsed.~~

~~(b) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2868 for the insurance department is hereby increased from 149.2 to 153.2.~~

Sec. 46.

KANSAS PAROLE BOARD

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

	Fiscal Year 1988	Fiscal Year 1989
Parole from adult correctional institutions.....	\$2,162	\$171,832

(b) On July 1, 1988, the position limitation for the Kansas parole board established by section 6 of 1988 Senate Bill No. 542 is hereby increased from 8.0 to 11.0.

Sec. 47.

DEPARTMENT ON AGING

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

	Fiscal Year 1988	Fiscal Year 1989
Administration.....		\$20,701

Sec. 48.

KANSAS DEVELOPMENT FINANCE AUTHORITY

(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

(continued)

such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

	Fiscal Year 1988	Fiscal Year 1989
Kansas basic enterprises loan guarantee fund		No limit

(b) On July 1, 1988, the director of accounts and reports shall transfer \$500,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the Kansas basic enterprises loan guarantee fund of the Kansas development finance authority.

Sec. 49.

STATE CONSERVATION COMMISSION

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

	Fiscal Year 1988	Fiscal Year 1989
Operating expenditures	\$4,882	\$5,131

Sec. 50.

JUDICIAL BRANCH

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

	Fiscal Year 1988	Fiscal Year 1989
Administration of justice—district courts		\$48,861

(b) On July 1, 1988, the position limitation established by section 8 of 1988 House Bill No. 2675 for judges of the district courts of the judicial branch is hereby increased from 216.0 to 217.0.

(c) On July 1, 1988, the position limitation established by section 8 of 1988 House Bill No. 2675 for nonjudicial personnel of the judicial branch is hereby increased from 1,412.5 to 1,413.5.

Sec. 51.

JUDICIAL BRANCH

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

	Fiscal Year 1988	Fiscal Year 1989
Administration of justice—district courts		\$61,973

Provided, That expenditures shall be made from this account for an additional amount of compensation for each district magistrate judge in an amount for each district magistrate judge equal to 3% of the annual salary of such district magistrate judge that is payable to such district magistrate judge for fiscal year 1988, adjusted to the nearest dollar: *Provided further*, That expenditures from this account for such additional amount of compensation for each district magistrate judge shall be made in substantially equal amounts in the same manner and at the same times that compensation is payable to such district magistrate judge, in accordance with K.S.A. 75-3120k and amendments thereto, each payroll period chargeable to fiscal year 1989.

Sec. 52. On July 1, 1988, section 6 of chapter 15 of the 1986 Session Laws of Kansas is hereby amended to read as follows:
Sec. 6.

FORT HAYS STATE UNIVERSITY

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to renovate Sheridan coliseum subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the Kansas educational building fund for the capital improvement projects and for the fiscal years specified as follows:

Renovate Sheridan coliseum—phase I	
For the fiscal year ending June 30, 1987	\$100,000
For the fiscal year ending June 30, 1988	150,000

Provided, That expenditures from the renovate Sheridan coliseum—phase I account during fiscal years 1987 and 1988 shall be matched by expenditure of a total of \$500,000 from the Sheridan coliseum gift fund during such fiscal years.

Renovate Sheridan coliseum—phase II	
For the fiscal year ending June 30, 1989	\$1,500,000
For the fiscal year ending June 30, 1990	2,162,000

Provided, That expenditures from the renovate Sheridan coliseum—phase II account may be made only upon certifica-

tion by the director of accounts and reports that \$1,250,000 \$625,000 of private gift funds are available for expenditure for this project in the Sheridan coliseum gift fund: *Provided further*, That expenditures from the renovate Sheridan coliseum—phase II account shall include expenditures for foundation work and completion of the major structural work for the performing arts center: *And provided further*, That such expenditures shall be made pursuant to contracts which are hereby authorized to be entered into by the above agency for phase II of the project to renovate Sheridan coliseum: *And provided further*, That the above agency is hereby authorized and directed to solicit private gift funds of not less than \$1,825,000 to assist in funding phase III of the project to renovate Sheridan coliseum which shall complete the project.

Sec. 53.

YOUTH CENTER AT TOPEKA

(a) The above agency is hereby authorized to initiate and complete a capital improvement project for a central heating and air conditioning system for the administration building, auditorium/gym and dining facility/kitchen, 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:

Central heating and air conditioning system for the administration building, auditorium/gym and dining facility/kitchen	
For the fiscal year ending June 30, 1989	\$57,100
For the fiscal year ending June 30, 1990	591,100

Sec. 54.

SECRETARY OF STATE

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

	Fiscal Year 1988	Fiscal Year 1989
Salaries and wages	\$2,667	\$27,102
Other operating expenditures	41,258	96,240
Total	\$43,925	\$123,342

(b) On the effective date of this act, of the \$3,328,428 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 23(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the Kansas state census expenditures account, the sum of \$100,000 is hereby lapsed.

(c) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2808 for the secretary of state is hereby increased from 61.0 to 62.0.

Sec. 55.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 1988, the expenditure limitation established by section 2(b) of 1988 House Bill No. 2721 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$2,813,836 to \$2,882,973 and the salaries and wages subaccount of the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$1,723,674 to \$1,756,461.

(b) On July 1, 1988, the position limitation established by section 7 of 1988 House Bill No. 2721 for the Kansas public employees retirement system is hereby increased from 63.0 to 64.0.

Sec. 56.

CRIME VICTIMS REPARATIONS BOARD

(a) On the effective date of this act, the expenditure limitation established by the state finance council on the victims of crime assistance act—federal fund is hereby increased from \$131,000 to No limit.

(b) On July 1, 1988, the expenditure limitation established by section 5(a) of 1988 House Bill No. 2675 on the victims of crime assistance act—federal fund is hereby increased from \$140,000 to No limit.

Sec. 57.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the unencumbered balance in the Amtrak feasibility study account of the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce 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 1988	Fiscal Year 1989
Existing industry development	\$30,660	

(c) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2808 for the department of commerce is hereby increased from 100.5 to 101.5.

Sec. 58.

STATE BOARD OF REGENTS

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

	Fiscal Year 1988	Fiscal Year 1989
Salaries and wages		\$10,347
Republic of China exchange students program		5,000
Total		\$15,347

Sec. 59.

STATE TREASURER

(a) On the effective date of this act, the director of accounts and reports shall transfer \$15,000,000 from the state general fund to the local ad valorem tax reduction fund.

Sec. 60. (a) The governor is hereby authorized and directed to implement revisions of the classification and compensation for positions in job classes in the classified service under the Kansas civil service act which are recommended for revision by the secretary of administration, effective on the first day of the first payroll period which is chargeable to the fiscal year ending on June 30, 1989, and which ends after May 31, 1989.

(b) There is hereby appropriated from the state general fund for the state finance council, for the fiscal year ending on June 30, 1989, the sum of \$667,000 to be used for the purpose of paying the proportionate share of the cost to the state general fund, including associated employer contributions, of the revision of the classification of and compensation for positions in the job classes recommended for revision pursuant to subsection (a), for which compensation is chargeable to payroll periods ending after May 31, 1989. To pay the proportionate share of the cost to the state general fund of each state agency of the executive branch of state government for such revisions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized and directed to transfer moneys from the appropriation made by this subsection to proper accounts created by state general fund appropriations for the fiscal year ending on June 30, 1989.

(c) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to increase expenditure limitations on special revenue funds and accounts established for the fiscal year ending on June 30, 1989, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the revision of the classification of and compensation for positions in the job classes recommended for revision pursuant to subsection (a), for which compensation is chargeable to payroll periods ending after May 31, 1989.

(d) Each state agency of the executive branch of state government, which employs officers and employees who are in positions subject to the revision of the classification of and compensation for positions in job classes recommended for revision pursuant to subsection (a), shall prepare and submit a budget estimate for such revisions, and all amendments and revisions of such estimates, to the director of the budget. At the same time as each state agency submits such estimate, and all amendments and revisions thereof, each such state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.

Sec. 61.

LEGISLATURE

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

	Fiscal Year 1988	Fiscal Year 1989
Operations (including official hospitality)		\$400,000

Sec. 62. On July 1, 1988, section 2 of 1988 House Bill No. 2720 is hereby amended to read as follows: Sec. 2.

STATE LIBRARY

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

Operating expenditures	\$1,026,825	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989. Provided, however, That expenditures from such reappropriated balance shall not exceed \$1,037 except upon approval of the state finance council.</i>		
Grants to libraries and library systems	\$304,545	\$1,508,158
Total	\$1,331,370	\$2,016,963

(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:

State library fund	No limit
--------------------	----------

Provided, That, in addition to other expenditures authorized by law, expenditures may be made from this fund to provide telecommunications services through the Kansas agency network to provide interlibrary resource sharing information services to local public, academic, school and special libraries and expenditures may be made from this fund to operate a central library materials purchasing activity to centrally order and collect payments for specialized library materials for local public libraries in Kansas. Provided further, That the state librarian is hereby authorized to fix, charge and collect fees for such telecommunications services and fees for such library materials. And provided further, That such fees for telecommunications services or for such library materials shall be fixed in order to recover all or part of the respective operating expenses incurred therefor. And provided further, That all moneys received for such telecommunications services or such specialized library materials shall be deposited in the state treasury and credited to this fund. And provided further, That all moneys received from the sale of materials and equipment that are no longer needed by the state library shall be deposited in the state treasury and credited to this fund.

Federal library services and construction act—title I—fund	No limit
Federal library services and construction act—title II—fund	No limit
Federal library services and construction act—title III—fund	No limit
The Stormont medical library fund	\$550
Economic development initiatives grants-in-aid fund	387,925

(c) The total amount of expenditures by the above agency from the operating expenditures account of the state general fund for official hospitality shall not exceed \$1,000.

(d) On July 1, 1988, the director of accounts and reports shall transfer \$06,806 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grants-in-aid fund of the state library.

(e) On October 1, 1988, the director of accounts and reports shall transfer \$06,806 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grants-in-aid fund of the state library.

(f) On January 1, 1989, the director of accounts and reports shall transfer \$06,806 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grants-in-aid fund of the state library.

(g) On April 1, 1989, the director of accounts and reports shall transfer \$06,807 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grants-in-aid fund of the state library.

(continued)

Sec. 63.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$1,745,268 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 3(a) of chapter 33 of the 1987 Session Laws of Kansas from the state general fund in the office of revisor of statutes—operations account, the sum of \$41,258 is hereby lapsed.

(b) On July 1, 1988, of the \$1,912,142 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 3(a) of 1988 House Bill No. 2676 from the state general fund in the office of revisor of statutes—operations account, the sum of \$64,712 is hereby lapsed.

Sec. 64. 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 appropriations act of the 1987 regular session of the legislature or in any other appropriations act of the 1988 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 65. Appeals to exceed expenditure limitations. Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amount specified in this act.

Sec. 66. Any state institutions building fund appropriation heretofore appropriated to any institution named in this act and having an unencumbered balance as of June 30, 1988, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1989, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 67. 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 appropriations act of the 1988 regular session of the legislature, is hereby reappropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 68. Any transfers of money during the fiscal year ending June 30, 1989, from any special revenue fund of any state agency named in this act or in any other appropriations act of the 1988 regular session of the legislature to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 1989.

Sec. 69. On the effective date of this act, section 47 of chapter 37 of 1987 Session Laws of Kansas is hereby repealed.

Sec. 70. On July 1, 1988, section 5 of 1988 Senate Bill No. 550, section 2 of 1988 House Bill No. 2720, section 8 of 1988 House Bill No. 2808 and section 6 of chapter 15 of the 1986 Session Laws of Kansas are hereby repealed.

Sec. 71. 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, 1988.

SENATE adopted Conference Committee report May 2, 1988.
ROBERT V. TALKINGTON
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 29, 1988.

HOUSE adopted Conference Committee report May 2, 1988.
JAMES D. BRADEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 13, 1988.

MIKE HAYDEN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, BILL GRAVES, 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 3rd day of June, 1988.

BILL GRAVES
Secretary of State.

(SEAL)

State of Kansas
OFFICE OF THE GOVERNOR

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 775 with my signature approving the bill, except for the items enumerated below.

Section 24(b) that reads as follows has been line-item vetoed:

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

Table with 2 columns: Description, FY 1988, FY 1989. Row: Addition and remodeling of special school ... \$272,500 \$556,100"

Committee reports indicate that the Legislature intended to fund the Rainbow school project from the State Institutions Building Fund in FY 1989 and 1990, but SB 775 funds the project from the State General Fund in FY 1988 and 1989. Presumably, if the project were approved, the Legislature would provide that the SIBF pay back the State General Fund for any project expenditures incurred.

Because of the major maintenance demands on the state construction funds, I do not approve the construction of the Rainbow school project at this time. I intend to review carefully the need for the Rainbow School Project for possible inclusion in my FY 1990 budget recommendations to the Legislature.

Sections 25(c) that reads as follows is line-item vetoed:

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

Table with 2 columns: Description, FY 1988, FY 1989. Row: Preliminary planning for work activities/recreation facility ... \$127,500"

Section 26(b) that reads as follows is line-item vetoed:

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

Table with 2 columns: Description, FY 1988, FY 1989. Row: Asbestos management plans ... \$150,000"

Section 53(b) that reads as follows is line-item vetoed:

"(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:

Table with 2 columns: Description, FY 1988, FY 1989. Row: Central heating and air conditioning system for the administration building, auditorium/gym and dining facility/kitchen. For the fiscal year ending June 30, 1989 ... \$57,100. For the fiscal year ending June 30, 1990 ... 591,100"

After careful review of the financial status of the State Institutions Building Fund, considering projected revenues and estimated demands on the fund, I find it necessary to ensure adequate balances in the fund, not just for the forthcoming fiscal year but for several years thereafter.

The new recreation facility at the Kansas Neurological Institute and the heating and air conditioning improvements at the Youth Center at Topeka would involve a significant commitment of funds for future years. Maximum flexibility is needed to meet the capital improvement needs of state institutions, possibly including correctional facilities which have shared this same source of revenue in the past.

The appropriation made to the Department of Social and Rehabilitation Services for asbestos plans was considered during preparation of my budget amendment. Sufficient funds appeared to be available in existing maintenance accounts to finance this project. As a consequence, I believe this appropriation is unnecessary.

That portion of Section 26(a) that reads as follows has been line-item vetoed:

	<u>FY 1988</u>	<u>FY 1989</u>
Topeka area office furnishing	544,000	"

These expenditures may be financed through certificates of participation issued to acquire furnishings for the new Topeka area office to spread the State General Fund expenditures over a five year repayment period. This will increase the State General Fund balances.

The following portion of Section 26(a) that reads as follows has been line-item vetoed:

	<u>FY 1988</u>	<u>FY 1989</u>
"Legal Assistance	200,000	"

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1988, is hereby reappropriated for fiscal year 1989: Provided further, 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.

This item was not part of my recommendations and was not requested by the Department of Social and Rehabilitation Services. It is unlikely the funds will be used in FY 1988.

Section 45(a) that reads as follows has been line-item vetoed:

"(a) On July 1, 1988, of the \$4,050,619 appropriated for the above agency from the state general fund by section 9(a) of 1988 House Bill No. 2808 in the insurance company regulation account, the sum of \$12,125 is hereby lapsed."

The passage of HB 3055 authorizes the Insurance Commissioner to contract for insurance agent testing. Initially, it was thought that passage of this bill would allow an immediate reduction in the Insurance Commissioner's staffing level. However, as a result of additional information, the Insurance Commissioner finds that he will be unable to realize a cost savings until FY 1990.

This section was created on the original assumption of

immediate savings. With those savings not being realized until FY 1990, I am vetoing this section in order to give the Commissioner time to initiate the programs authorized by HB 3055.

Section 45(b) that reads as follows has been line-item vetoed:

"(b) On July 1, 1988, the position limitation established by section 23 of 1988 House Bill No. 2808 for the insurance department is hereby increased from 149.2 to 153.2."

Senate Bill No. 623 was intended to expand the opportunities of health care practitioners to self insure for purposes of medical malpractice. On the basis of these expanded opportunities and the additional oversight responsibilities such changes would require of the Insurance Department, the Legislature increased the position limitation for the Health Care Stabilization Fund Program within the Insurance Department. Subsequent to the addition of these positions, Senate Bill No. 623 was passed without the language which required the additional oversight responsibilities.

Section 49 is vetoed in its entirety. The Legislature appropriated \$4,282 for travel expenditures by the State Conservation Commission in FY 1988, which represents a 20.7 percent increase over the amount approved for that purpose. I object to an increase in the travel budget because I believe that agency managers have a responsibility to manage agency activities within available resources. The Legislature also appropriated \$5,131 in FY 1989 to purchase a microcomputer and to pay for additional rent costs associated with a new clerical position authorized by HB 2733. In my review of the agency's budget request for FY 1989, I was not convinced of the need to expand its staff. While it is not possible to isolate for veto those costs contained in HB 2733 for adding the new position, I object to the further increase in operating costs attributed to that position in SB 775.

Section 54(b) that reads as follows has been line-item vetoed:

(b) On the effective date of this act, of the \$3,328,428 appropriated for the above agency for the fiscal year ending June 30, 1988, by section 23(a) of chapter 37 of the 1987 Session Laws of Kansas from the state general fund in the Kansas state census expenditures account the sum of \$100,000 is hereby lapsed.

The 1987 Legislature appropriated \$3,328,428 from the State General Fund for FY 1988 for the Secretary of State to conduct a state census to be used in legislative reapportionment. Unexpended funds at the end of FY 1988 will be reappropriated to FY 1989, as provided for in HB 2808. Senate Bill No. 775 lapses \$100,000 from the FY 1988 appropriation, based on the expectation that the funds will not be needed to complete the census. Although it appears that these funds will not be required, the Secretary of State should be given the maximum amount of flexibility available to complete the census, the results of which he must transmit to the Legislature in November 1988. Work on the census is not yet finished, and the possibility still exists for unanticipated expenditures, particularly if recounts become necessary in local-

(continued)

ized areas. For this reason, I object to the lapsing of these funds.

Section 57(b) that reads as follows, is line-item vetoed:

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

	FY 1988	FY 1989
Existing industry development.....	\$30,669	”

The 1987 Legislature provided \$250,000 to enable the State of Kansas to compete in the request for site proposals of a Superconducting Super Collider. Such a site in Kansas would have provided a significant economic boom to the state. However, Kansas’ effort was unsuccessful and \$30,669 of the original appropriation remains unspent. The Legislature made provision for lapsing these funds in HB 2808. Subsequent to the passage of HB 2808, the Legislature appropriated a like amount to the Existing Industry Division of the Department of Commerce. These additional funds were not recommended in my initial budget submission and were not subsequently requested by the Department. As these funds represent the excess left from the appropriation for the Supercollider Project, I feel these funds should be lapsed.

Section 57(c) that reads as follows has been line-item vetoed:

“(c) On July 1, 1988, the position limitation established by section 23 of House Bill No. 2808 for the department of commerce is hereby increased from 100.5 to 101.5.”

Local communities can experience more control over the expertise they receive in the program by providing for direct grants to the small communities so they could hire the technical expertise needed.

I veto this item as an unnecessary increase in the size of state government.

Section 59 is vetoed in its entirety. This provision would take \$15 million out of the State General fund and place it in the Local Ad Valorem Tax Reduction Fund.

My veto of this provision marks the second time in a month that I have vetoed this revenue transfer. On April 10, 1988, I vetoed Section 21 of House Bill 2808. In taking that action, I stressed the need for our state to maintain fiscal integrity and not jeopardize the state’s ability to meet other vital needs. No new information has come to light subsequent to that action that would call for reconsideration of that action.

In fact, additional spending approved by the Legislature during the remaining days of the legislative session further underscores the need to take this action.

Furthermore, the language of this section holds no guarantee that the revenue would in fact be used to reduce local property taxes. Instead, it merely transfers revenue from our State General Fund to the Local Ad Valorem Fund with no proviso that the revenue be used to cut property taxes.

As demonstrated by my recommendation to establish a special state fund dedicated to soften the impacts of reappraisal and classification, clearly I believe Kansas must prepare for the implementation of these two constitutional amendments. Therefore, it is imperative that we ensure the state’s financial ability to work toward that goal, as well as other vital state obligations.

Section 60 is vetoed in its entirety. In January, I recommended three funding measures for classified employees: a four percent cost-of-living increase, step movement in the pay matrix, and a longevity bonus. The Legislature declined to support my plan for longevity bonuses for classified employees. In January I also directed the Secretary of Administration to continue the classification and job rate study and to recommend reclassifications of those job classes most out of line with market conditions. I also asked that these recommendations be made in packages that allow for phasing, as well as attention to other funding priorities for classified personnel.

This section commits at least \$8.0 million to the funding of reclassifications in FY 1990 and largely preempts reconsideration of priorities for classified personnel by the Governor and the Legislature during the next legislative session—even though it would not be implemented until after that session.

Section 62 is vetoed in its entirety. In addition, the following portion of Section 70 that reads as follows is line-item vetoed:

“, section 2 of 1988 House Bill No. 2720”

SB 775 increases State General Fund appropriations for grants to public libraries by \$193,613 over the amount contained in HB 2720—which already includes a \$200,000 increase over the amount approved for FY 1988 and recommended by me for FY 1989. The combined amount of \$393,613 represents a 33 percent increase in State General Fund expenditures for aid to public libraries, which I believe is unacceptably high, given the need to preserve adequate State General Fund balances. For this reason, I object to the State General Fund increase for aid to public libraries authorized by SB 775.

Dated May 13, 1988.

MIKE HAYDEN
Governor

KANSAS REGISTER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594

Second Class
postage paid
at
Topeka, Kansas

**Use this form (or a copy of it) to enter a
SUBSCRIPTION**

_____ One-year subscriptions @ \$55 ea.

Total Enclosed _____
(Make checks payable to Kansas Register)

SEND TO: _____
(Please, no
more than
4 address
lines.) _____

Zip code must be included

This space for Register office
use only, please

Code _____	Rec. No. _____
Expires _____	Entered By _____

Mail order, with payment, to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594

**Use this form (or a copy of it) for
CHANGE OF ADDRESS**

Remove your mailing label (above) and affix it here:

Indicate change or correction of name or address
here:

Mail to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594