

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

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## State of Kansas

Department of Health  
and Environment

## State Emergency Response Commission

## Notice of Meeting

The State Emergency Response Commission will meet at 9 a.m. Tuesday, May 29, in the Board of Agriculture conference room, Mills Building, 109 S.W. 9th, Topeka.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009270

## State of Kansas

Advisory Committee on  
Hispanic Affairs

## Notice of Meeting

The Kansas Advisory Committee on Hispanic Affairs will meet from 10 a.m. to 1 p.m. Saturday, June 9, at St. Anthony's Catholic Church, 419 W. 1st, Liberal. For further information, contact Celso Ramirez at (913) 296-3465.

Celso L. Ramirez  
Executive Director

Doc. No. 009294

## State of Kansas

## Board of Emergency Medical Services

## Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, June 8, in Room 11 of the State Defense Building, 2800 S. Topeka Blvd., Topeka. Agenda items include reports of standing committees, possible adoption of proposed administrative regulations, and consideration of requests for waivers of administrative regulations.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka 66603, (913) 296-7296.

Bob McDanel  
Administrator

Doc. No. 009268

## State of Kansas

Social and Rehabilitation Services  
Division of Services for the Blind  
Advisory Committee

## Notice of Meeting

The Division of Services for the Blind Advisory Committee will meet at 10 a.m. Friday, June 15, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz  
Director, Division of  
Services for the Blind

Doc. No. 009269

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(913) 296-2236



**Register Office:**  
235-N, State Capitol  
(913) 296-3489

**State of Kansas**  
**Kansas Advocacy and Protective Services, Inc.**

**Notice of Meeting**

The Kansas Advocacy and Protective Services will conduct its governing board meeting at 7 p.m. Tuesday, May 29, at the Topeka West Holiday, 605 Fairlawn Road, Topeka. For more information call (913) 776-1541.

Joan Strickler  
 Executive Director

Doc. No. 009272

**State of Kansas**  
**Board of Agriculture**  
**Notice of Hearing**  
**on Proposed**  
**Administrative Regulations**

A public hearing will be conducted at 9:30 a.m. Tuesday, June 26, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed temporary and permanent rules and regulations of the Kansas State Board of Agriculture. In addition, certain regulations will be revoked. The proposed rules and regulations will become effective 45 days after their publication in the *Kansas Register* as soon as possible as temporary regulations and as permanent regulations.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. In addition, the period of at least 30 days notice constitutes a public comment period for the purpose of receiving public comments on the proposed rules and regulations.

Written comments and requests for copies of the regulations and the complete economic impact statement should be sent to Kenneth M. Wilke, Chief Counsel, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before the time of the hearing. If personal testimony is desired to be given at the hearing, prior notice to the board office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulations is as follows:

4-7-802. This regulation is amended to include a \$.01 per 100 pound fee imposed upon grade A raw milk for pasteurization delivered to a milk processor in Kansas that is processed into grade A milk or grade A milk products. This regulation is proposed for adoption as both a temporary and permanent regulation.

4-7-800. Will be revoked.

4-7-801. Will be revoked.

4-7-803. Will be revoked.

4-7-903. Will make a technical language change for clarification. This regulation will be adopted as a permanent regulation.

Regarding the proposed amendments to K.A.R. 4-7-

802, there will be minimal, if any, fiscal or economic impact on this agency, other governmental agencies, individuals, private businesses, or the general public except for the milk processing plants affected by these fees. The new fee contained in the regulation replaces an older fee that is no longer authorized to be collected; the change is intended to be revenue neutral.

Regarding the revocation of K.A.R. 4-7-800, 4-7-801 and 4-7-803, there will be minimal, if any, fiscal or economic impact on the board or other governmental agencies, individuals, private businesses or the general public because 1990 SB 421 replaced the revoked fees with a new set of statutory fees intended to be revenue neutral.

Regarding the amendment of K.A.R. 4-7-903, there will be no fiscal or economic impact upon the board or any other governmental agency, individuals, private businesses or the general public.

Copies of these regulations and the complete fiscal impact statements may be obtained by writing to Kenneth M. Wilke at the address above.

Sam Brownback  
 Secretary of Agriculture

Doc. No. 009289

**State of Kansas**  
**Attorney General**

**Opinion No. 90-57**

**Public Health—Emergency Medical Services—Ambulance Service Taxing District; Creation; Governing Body; Tax Levy. Franklin Fisher, Chairman, Marshall County Emergency Medical Services Committee, Waterville, May 11, 1990.**

Pursuant to K.S.A. 1989 Supp. 65-6118, an unofficial ambulance taxing district becomes official when the board of county commissioners passes a resolution creating the district and defining its boundaries. Furthermore, as the governing body of the district, the board may levy a tax not to exceed three mills on each taxing district to cover the costs incurred in providing ambulance service in that district, provided the resolution or ordinance authorizing the tax in that district is enacted pursuant to K.S.A. 1989 Supp. 65-6113. Cited herein: K.S.A. 1989 Supp. 65-6113; 65-6118. GE

**Opinion No. 90-58**

**Automobiles and Other Vehicles—Licensure of Vehicle Sales and Manufacture—Definitions; Brokers. Mark A. Burghart, General Counsel, Department of Revenue, Topeka, May 11, 1990.**

Credit unions that provide vehicle pricing and referral services to their members in return for potential business opportunities and good will alone are not brokers as that term is defined by K.S.A. 1989 Supp. 8-2401 (ff) prior to the 1990 amendment that becomes effective January 1, 1991. Cited herein: K.S.A. 1989 Supp. 8-2401; 1990 Senate Bill No. 486. JLM

Robert T. Stephan  
 Attorney General

Doc. No. 009280

## State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice of Commencement  
of Negotiations  
for Architectural Services**

Notice is hereby given of the commencement of negotiations for "on-call" architectural services for the University of Kansas. Interested individuals or firms must be capable of assisting the university on miscellaneous small architectural projects for two or three years.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before June 8. An SF 255 form should be submitted with letters of interest.

Edward A. Martin, AIA  
Director, Division of  
Architectural Services

Doc. No. 009281

## State of Kansas

**Department of Human Resources**

**Notice of Job Service Substate Resource  
Distribution for Program Year 1990**

The state of Kansas, Department of Human Resources, Job Service, has received the final allotment of resources for operation of program year 1990. The allotment figures given to Kansas by the Secretary of Labor total \$6,776,762. In compliance with federal regulations, Job Service is announcing the substate resource distribution plan. Resources will be distributed to the five service delivery areas for field utilization by a resource allocation formula that includes demographic and productivity factors.

The formula utilizes five basic criteria:

- (1) Total population by service delivery area (1980 Census);
- (2) New applications and renewals by SDA;
- (3) Placements 150 days and over by SDA;
- (4) Placements under 150 days by SDA; and
- (5) Obtained employment by SDA.

Items 2, 3, and 4 are obtained from ESARS (Employment Security Automated Reporting System) Table A-22, and Item 5 is taken from the ESARS (Employment Security Automated Reporting System) 22-B report. The formula is computed each year after January and the data is drawn only from the months of February, May, August and November of the preceding calendar year. For example, the formula computed for use in 1990 is based on the calendar 1989 statistics.

The formula is divided into two parts. The first part is weighted as two-thirds of the total formula and is composed of the first two criteria; total population represents two-thirds of this part and new applications and renewals is weighted as one-third.

The second part of the formula is weighted as one-third of the total formula and is composed of the third, fourth

and fifth criteria; placements 150 days and over is 70 percent of this part of the formula, while placements under 150 days and obtained employment are each weighted 15 percent.

After computation is completed on each of the two parts, the results are combined utilizing the two-third and one-third weight of each of the two parts.

Program year 1990 distributions are as follows:

**PY 1990 Substate Allocations**

Total State Allocation		\$ 6,776,762
Total State Administration		\$ 677,676
Total SDA Allocation		\$ 6,099,086
SDA I	25.20	\$ 1,536,969
SDA II	20.47	\$ 1,248,482
SDA III	21.03	\$ 1,282,637
SDA IV	20.75	\$ 1,265,560
SDA V	12.55	\$ 765,438

Plans for the utilization of these resources have been developed in conjunction with the five service delivery areas' private industry councils. These plans and the resource allocation formula criteria are now available for public review and comment.

Review or comment may be accomplished by contacting the following Department of Human Resources representatives:

SDAs I, II and III

Cora Johnson  
Department of Human  
Resources  
128 N. Santa Fe, Suite 2A  
Salina, KS 67401  
(913) 827-0543

SDAs IV and V

Fred Johnson  
Wichita Employment and  
Training Office  
402 E. 2nd  
P.O. Box 877  
Wichita, KS 67201-0877  
(316) 266-8615

If uncertain of your service delivery area designation, contact your nearest Job Service office.

Written comments and/or complaints should be sent to the secretary's representative responsible for the respective service delivery area within 30 days.

Complaints on resource distribution will be reviewed by the secretary's representative responsible for the respective service delivery area within five working days of receipt. If the complaint cannot be resolved within the five-day period, it will be forwarded to the Secretary of Human Resources, who will resolve the complaint within 10 working days of receipt. The secretary's decision will be final and not subject to appeal.

Ray D. Siehndel  
Secretary of Human Resources

Doc. No. 009283



## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Variance Request  
from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on January 15, 1990, Air Products and Chemicals, Inc., 6601 S. Ridge Road, Wichita, submitted a request for a variance from specific hazardous waste regulations in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-8, 40 CFR 265.192 and 40 CFR 265.193, which require that all new tanks be constructed to meet minimum integrity and secondary containment requirements.

Air Products and Chemicals generates ignitable hazardous waste, which is stored prior to being shipped off-site. Air Products and Chemicals proposes to store this waste in an existing storage tank, IS-3410, in its production facility to temporarily store PACM waste for shipment until production process changes are made that will eliminate the need for the tank. The company has submitted a report by an independent professional engineer dated July 1989, which confirms the tank's integrity. The tank and surrounding area are inspected daily for evidence of leaks. The tank is located inside a concrete diked containment area that provides partial secondary containment.

These process changes will be completed by May 31, 1991. The need for a variance would not be necessary after this date.

KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance. Copies of the variance request will be available for public review until June 22 from 8 a.m. to 4:30 p.m. weekdays at the KDHE, Building 740, Forbes Field, Topeka, and at the KDHE district office, 1919 Amidon, Suite 130, Wichita.

Comments concerning this variance request may be directed to Glynis Perry, Hazardous Waste Section, KDHE, Topeka 66620. Comments must be submitted in writing prior to June 22. Requests for additional information may be made by contacting KDHE at (913) 296-6898.

Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision will be made by the secretary and a notice of the final decision will be published in the *Kansas Register*. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment will be specified by the secretary. A date upon which the variance

will no longer be valid will be prescribed in the final decision.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009290

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning  
Proposed Permit Action

The Secretary of the Kansas Department of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Graphic Technology, Inc. to install and operate printing presses at 14824 and 14826 W. 117th, Olathe.

Graphic Technology has reported 19 printing presses used to print pressure-sensitive labels. Several of these presses that were built after 1980 are subject to regulations specific to this kind of printing. These regulations include keeping a record of inks and their solvent contents that are used with these presses.

The pollutant of concern is solvent vapors from the inks and vapors from solvent used in cleaning the presses. Emissions of solvent vapors from this plant are estimated to be 65 to 70 tons per year, an amount that does not exceed the amount above which pollution control equipment is required.

Written materials, including the application and information relating to the application submitted by Graphic Technology, the draft permit, permit summary, and analysis of KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through June 25 by contacting Michael Boothe, Johnson County Environmental Department, 205 Flaming Road, Olathe. The materials also can be reviewed at the KDHE office, Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Gene Sallee, Bureau of Air and Waste Management, Forbes Field, Topeka 66620.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request for hearing must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before June 25.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009284

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Kansas  
Water Pollution Control Permit

In accordance with state regulations 28-16-57 through 28-16-63, 28-16-83 through 28-16-98, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for discharges to publicly owned treatment works for the applicant described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations and limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit to discharge subject to certain limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Peerless Products, Inc. 2403 S. Main Fort Scott, KS 66701 Bourbon County, Kansas	Fort Scott MWWTP	Process Wastewater

Kansas Permit Number: P-MC11-0002

Description of Facility: This facility extrudes aluminum and performs various metal finishing operations on the aluminum such as cleaning and etching. These parts are then fabricated and in some cases painted prior to shipment.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to June 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-PT-90-6) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, 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 also may be obtained at the Division of Environment.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009286

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Kansas  
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Panhandle Eastern Pipeline Company P.O. Box 1642 Houston, TX 77251-1642 Kiowa County, Kansas	Rattlesnake Creek via unnamed tributary	Hydrostatic test discharge

Kansas Permit No. I-AR38-P002      Federal Permit No. KS-0086827  
Description of Facility: Used natural gas pipeline will be hydrostatically tested. This will be a one-time discharge. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Reno Construction Company East Stanley Quarry Attn: Terry Weitman P.O. Box 23910 Overland Park, KS 66223 Johnson County, Kansas	Blue River via unnamed tributary	Mine pit dewatering via settling ponds

Kansas Permit No. I-M026-P004      Federal Permit No. KS-0083976  
Description of Facility: This facility is engaged in blasting, crushing, screening, and washing rock plus the production of asphalt. Stormwater from the quarry area is pumped or drained to settling ponds from which excess water is discharged to the Blue River via an unnamed tributary. Water used for rock washing and air pollution control is recycled via settling ponds from which there is no discharge. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Nelson Quarries, Inc. Rose Quarry Attn: Ken Nelson P.O. Box 124 LaHarpe, KS 66751 Woodson County, Kansas	Neosho River via West Buffalo Creek via unnamed tributary	Mine pit dewatering on rare occasions. Facility is to retain a 10- year, 24-hour rain event without discharge.

Kansas Permit No. I-NE70-P001      Federal Permit No. KS-0082481  
Description of Facility: This facility is engaged in a limestone crushing operation with limited washing. Water is pumped from the pit for washing and then discharged back to the pit. All wastewater is recycled. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas De-

partment of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to June 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-29/31) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment 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 also may be obtained at the Division of Environment.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009287

State of Kansas

Department of Health  
and Environment

Notice Concerning Kansas  
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
DeKalb Swine Breeders, Inc. Box 429 Plains, KS 67869	S 1/2 Section 12, Township 33S, Range 31W, Seward County, Kansas	Cimmaron River Basin

Federal Permit No: KS-0043567 Kansas Permit No: A-CISW-H001  
The existing facility has the capacity for approximately 30,000 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.  
Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Boot Hill Feeders, Inc. North Star Route Dodge City, KS 67801	SW 1/4 Section 23, Township 24S, Range 25W, Hodgeman County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0115347 Kansas Permit No: A-UAHG-C003  
The feedlot has capacity for approximately 9,900 cattle with expansion planned for an additional 1,100 cattle and a contributing drainage area of approximately 70 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 25.75 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Griffith Cattle Company, Inc. Route 1, Box 90 Scott City, KS 67871	NW 1/4 Section 24, Township 17S, Range 32W, Scott County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0086860 Kansas Permit No: A-UASC-C018  
The feedlot has capacity for approximately 10,000 cattle and a contributing drainage area of approximately 75.5 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 25.25 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Southwest, Inc. 619 2nd Ave. P.O. Box 59 Dodge City, KS 67801	SW 1/4 Section 28 and NW 1/4 Section 33, Township 26S, Range 24W, Ford County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0115266 Kansas Permit No: A-UAFO-C004  
The feedlot has capacity for approximately 9,000 cattle and a contributing drainage area of approximately 80 acres. This is an existing facility. Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 29.5 acre-feet.

Compliance Schedule: None, existing control adequate.

Written comments on the proposed NPDES permits may be submitted to Angela Buie, Kansas Department of Health and Environment, Bureau of Environmental Quality, Forbes Field, Building 740, Topeka 66620. All comments received prior to June 23 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-36/39) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment, Building 740, Forbes Field, Topeka, 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 also may be obtained at the address above.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009285

## State of Kansas

Department of Administration  
Employee Award Board

## Notice of Meeting

The Employee Award Board will meet at 1 p.m. Thursday, May 24, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett  
Chairperson

Doc. No. 009271

## 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 S.W. 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 4, 1990

26606

Kansas State University—Pest control service

27128

Statewide—Family planning pharmaceuticals and supplies

28250

Statewide—Automated attendant/call processing systems

83895

Department of Transportation—Dump trucks, various locations

83896

The Wichita State University—Sound spectrum analyzer

83897

Youth Center at Atchison—Lounge seating

83898

Department of Transportation—Spreaders, various locations

83899

Kansas College of Technology—Electronic test equipment

83900

Department of Transportation—Frequency selective level meter, various locations

83907

Department of Transportation—Pothole patchers, various locations

83909

Department of Transportation—Rollers, Salina and Topeka

83910

Department of Transportation—Motor graders, various locations

83912

Department of Transportation—Aeronautical charts

83914

University of Kansas—Camera-ready composition

84016

Norton Correctional Facility—Ophthalmic exam equipment

Tuesday, June 5, 1990

27499

University of Kansas Medical Center—Miscellaneous groceries

28253

Kansas State Industrial Reformatory—Trash compactor and refuse collection services

83922

The Wichita State University—Plain paper photocopier

83923

Kansas Neurological Institute—Lumber, plywood, sheetrock and accessories

83924

Department of Transportation—Portable computers and accessories, various locations

83925

Kansas State University—Kitchen equipment

83926

Department of Transportation—Arrow boards and message boards, various locations

83927

Department of Transportation—Spreader, Norton

83928

Adjutant General's Department—Furnish all labor and materials for structural repairs at various armories, various locations

83935

Department of Transportation—Corrugated metal arch, pipe and bands, Chanute

83936

Department of Transportation—Wood posts

83937

Kansas Soldiers' Home—Furnish and install bi-part doors

Wednesday, June 6, 1990

A-6274

State Board of Agriculture—Install new water service and complete sprinkler system in the Board of Agriculture laboratory

A-6416

Wichita State University—Steam condensate receiver tank replacement—central energy plant

27845

Emporia State University—Cleaning chemicals, supplies and equipment

28251

University of Kansas Medical Center—Cardiac catheter supplies (interventional)

28252

University of Kansas Medical Center—Cardiac catheter supplies (diagnostic)

83122A

Department of Transportation—Microfilm reader printer, Salina

83948  
Kansas State University—Lab centrifuge

83949  
University of Kansas Medical Center—Microplate reader

83950  
Kansas State University—Plain paper photocopier

83960  
Department of Transportation—Testing equipment

83961  
Department of Transportation—Bituminous mixture, various locations

83962  
Kansas State Penitentiary—Metal doors, frame and hardware

83963  
Department of Transportation—Wood sign posts, Norton

83964  
Department of Transportation—Aggregate, Kansas City and Leavenworth

83965  
Department of Transportation—Aggregate, Wichita

83966  
Department of Transportation—High pressure washers, various locations

84039  
University of Kansas Medical Center—Laboratory equipment

**Thursday, June 7, 1990**  
A-6280  
Department of Transportation—Prefabricated metal material and research storage building  
25765 (Rebid)  
University of Kansas Medical Center—Building materials

27217  
Kansas State University—Dry ice

27544 (Supp)  
University of Kansas Medical Center, statewide—Electro-medical supplies (Class 16)

27915  
Winfield State Hospital and Training Center—Nursing staff relief services

28143A  
Statewide—Laptop computers

83980  
Department of Transportation—Mowers, Norton and Topeka

83981  
Kansas State University—Furnish and install studio lighting system

83982  
Department of Transportation—Radio tower, Horton

83983  
Kansas College of Technology and Kansas State University—Electronic test equipment

83996  
Department of Transportation—Drafting furniture

84001  
Department of Transportation—Computerized sign making machine

84002  
Emporia State University—Metabolism analyzer

**Friday, June 8, 1990**  
A-6414  
Department of Administration—Utility extension and revision, D.I.S.C. computer room, Landon State Office Building

27964  
Board of Regents, educational institutions—Micro channel architecture microcomputers

84010  
University of Kansas Medical Center—Microscope

84011  
Department of Transportation—Automated power file

84015  
Kansas Neurological Institute—Brain stem evoke response system

84017  
Department of Corrections, Osawatomie Correctional Facility—Kitchen equipment

84018  
Department of Transportation—Trailers, various locations

84019  
Department of Transportation—Weigh-in motion system

84027  
Kansas State University—China

84032  
Department of Transportation—Aluminum extrusheet spot welded sign panels

84033  
Department of Transportation—Snow plows, various locations

84034  
Department of Transportation—Standby generator

84035  
Kansas State School for the Visually Handicapped—Closed circuit television, braille printer

84037  
Department of Transportation—Asphalt storage tank, Salina

**Monday, June 11, 1990**  
28254  
Department of Corrections—Inmate support

**Tuesday, June 12, 1990**  
83908  
Department of Education—Design and implement complex LAN application

**Tuesday, June 19, 1990**  
84036  
University of Kansas—Telecommunication cable removal

Nicholas B. Roach  
Director of Purchases

Doc. No. 009288

State of Kansas

**Office of Judicial Administration  
Court of Appeals Docket**

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals  
Courtroom 11-1, 11th Floor, Sedgwick County Courthouse  
Wichita, Kansas

Before Elliott, P.J.; Rees and Davis, JJ.

Wednesday, May 30, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,604	In the Matter of the Marriage of Donna Lanette Nichols and Chavous Elmarice Nichols, Jr.	Donna Nichols, <i>pro se</i> Keith E. Martin	Sedgwick
64,535	Pauline L. Jacobson, Sandra Kay Stineman, and Gary Eugene Jacobson, Appellees, v. Indravadan Charturbhai Patel, Anjana Indravadan Patel, Divyakant Chaturbhai Patel, and Shakuntala Divyakant Patel, Appellants.	Eric S. Strickler  James L. Hargrove Royce E. Wallace	Butler
63,676	Mid-America Hydrocarbon, Inc., Appellee, v. W. Nicholas Embery, Appellant.	Thomas A. Dower  Ron Svaty	Rice
10:00 a.m.			
63,899	George Liliburn Bair, Appellee, v. Winfield State Hospital and Training Center and State Self-Insurance Fund, Appellants.	Jim Zongker  Dona L. Whiteman	Cowley
64,097	Federal Land Bank of Wichita, Appellee, v. Lyle B. Barnes, Appellee, and Roy E. McAlister, <i>et ux</i> , Appellants.	Frank Beyerl  Daryl Ahlquist David Brace Patricia Rose	Elk
Before Elliott, P.J.; Davis, J.; and William M. Cook, District Judge, assigned.			
1:15 p.m.			
64,589	Suzanne Byrd, Appellant, v. David Maurice Hardy, <i>et al.</i> , Appellees.	Stanley E. Antrim  Eugene L. Smith Tom R. Smith	Seward
64,447	In the matter of the application of Small Business Administration for exemption from ad valorem taxation in Meade County.	Joe Shepack Daniel S. Garrity Stephen K. Lester Steven R. Wiechman	Shawnee

64,513	Fourth Bank of Garden City, N.A., Appellee, v. Larry D. Alex, Appellant.	Randall D. Grisell  Keen K. Brantley	Finney
2:30 p.m.			
64,493	Martin L. Boyles, Appellee, v. Employment Security Board of Review and BRC Bearing Co., Inc., Appellant.	Robert A. Levy  R. Lee McGowan James R. McEntire	Finney
63,950	Ronald G. Rollins, Appellant, v. Pamela Rollins, Appellee.	Peter John Orsi  Kathleen Reeves	Sedgwick

## Summary Calendar—No Oral Argument

64,346	State of Kansas, Appellee, v. Billy L. Smith, Appellant.	David Brace Attorney General  Roger L. Falk	Elk
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Before Davis, P.J.; Rees, J.; and William M. Cook,  
District Judge, assigned.

Thursday, May 31, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
64,436	In the Matter of the Estate of Ira Satterthwaite, deceased.	William E. Muret J. Dennis Herlocker	Cowley
64,345	In the Matter of the Marriage of V. Lois Kimball and Billy Dale Kimball.	Charles I. Prather Gregory C. Nye	Harvey

## Summary Calendar—No Oral Argument

63,931 63,932	State of Kansas, Appellee, v. Curtis L. Cox, Appellant.	Debra S. Byrd Attorney General  Stuart W. Gribble	Sedgwick
64,059	State of Kansas, Appellee, v. Kelly J. Hoffman, Appellant.	Debra S. Byrd Attorney General  Kiehl Rathbun	Sedgwick
64,518	In the Interests of A.F. and T.J.M., minors.	Keith E. Schroeder John Swearer Thomas D. Arnhold Kerry Granger	Reno

Before Elliott, P.J.; Rees, J.; and William M. Cook,  
District Judge, assigned.

10:00 a.m.

64,176	State of Kansas, Appellee, v. Larry Moore, Appellant.	Debra S. Byrd Attorney General  Karen E. Mayberry	Sedgwick
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(continued)



64,111	James M. Edens, Appellant, v. State of Kansas, Appellee.	Lucille Marino Attorney General Debra S. Byrd	Sedgwick
64,128	State of Kansas, Appellee, v. William R. Waudby, Appellant.	Debra S. Byrd Attorney General Karen E. Mayberry	Sedgwick

**Summary Calendar—No Oral Argument**

64,112	State of Kansas, Appellee, v. James L. Garrett, Appellant.	Debra S. Byrd Attorney General Rick Kittel	Sedgwick
64,155	State of Kansas, Appellee, v. Kent E. Snyder, Appellant.	Debra S. Byrd Attorney General Steven Zinn	Sedgwick

**Kansas Court of Appeals  
Division 3 Courtroom, Wyandotte County Courthouse  
Kansas City, Kansas**

**Before Rulon, P.J.; Briscoe and Larson, JJ.**

**Wednesday, May 30, 1990  
10:00 a.m.**

Case No.	Case Name	Attorneys	County
64,644	O'Neill Oldsmobile, Inc., dba O'Neill Honda, Appellant, v. Hollis and Miller Group, Architects and Engineers, Inc., Appellees.	Tammy N. Etem James H. Ensz Leonard R. Frischer	Johnson
64,489	Mark Twain Kansas City Bank and Continental Construction Engineers, Inc., Appellees, v. Kroh Brothers Development Co.; and Joseph J. Furman and Lawrence H. Furman, P.C., Appellants.	Barbara A. Harmon Kenneth C. Jones Steven B. Moore Ronald P. Wood	Johnson
64,115	State of Kansas, Appellee, v. Lee Lunsford, Appellant.	Gunnar A. Sundby Attorney General Rick Kittel	Atchison

**Summary Calendar—No Oral Argument**

64,071	State of Kansas, Appellee, v. Charles Nelson Parks, Jr., Appellant.	Terra Morehead Attorney General J. Patrick Lawless, Jr.	Wyandotte
64,682	State of Kansas, Appellee, v. Michael D. King, Appellant.	Melinda S. Whitman Attorney General Jessica R. Kunen	Johnson

## Before Rulon, P.J.; Briscoe and Gernon, JJ.

1:00 p.m.

63,942	Bach Exploration, Operations & Refining, Inc., Appellant,	Robert Forer	Labette
	v.		
	Nacogdoches Oil & Gas, Inc., Appellee.	Robert Eastman Richard Dearth	
63,262 64,017	Max Rieke & Bros., Inc., Appellant,	John J. Bengé Gregg D. Martin	Johnson
	v.		
	City of Shawnee, Appellee.	Marvin E. Rainey	
64,091	State of Kansas, Appellee,	Scott Toth Attorney General	Johnson
	v.		
	Ralph W. Johnson, Appellant.	Ruben Jorge Krisztal	

## Summary Calendar—No Oral Argument

64,170	City of Overland Park, Appellee,	Stephen D. Maxwell	Johnson
	v.		
	Kurt J. Ruge, Appellant.	David R. Gilman	
64,520	Ronald E. Horvatic, Appellant,	Chris Miller	Wyandotte
	v.		
	Stelco, Inc., The Atlantic Companies, and Kansas Workers' Compensation Fund, Appellees.	Mary Owensby-Thompson J. Paul Maurin III	

## Before Rulon, P.J.; Larson and Gernon, JJ.

2:30 p.m.

64,046	State of Kansas, Appellee,	Rebecca D. Brock Attorney General	Johnson
	v.		
	Johnny Jimmerson, Appellant.	Steven Zinn	
63,875	State of Kansas, Appellee,	Michael Price Attorney General	Wyandotte
	v.		
	Robert L. Montgomery, Appellant.	J. Patrick Lawless, Jr.	
64,491	In the Matter of the Estate of Jess L. Gray, deceased.	William M. Modrcin Alvin D. Shapiro Mathew Haverty	Johnson

## Summary Calendar—No Oral Argument

64,114	State of Kansas, Appellee,	Wendell J. Barker Attorney General	Franklin
	v.		
	Terrance D. Harrison, Appellant.	Thomas Jacquinet	
64,409	James Garnett Fike, Appellant,	J. Patrick Lawless, Jr. Attorney General	Wyandotte
	v.		
	State of Kansas, Appellee.	Nick A. Tomasic	

(continued)

Before Larson, P.J.; Briscoe and Gernon, JJ.

Thursday, May 31, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,253	Joan S. Cook, Appellant, v. Denise M. Gray, Appellee.	Laurence M. Jarvis Steven D. Alexander	Wyandotte
64,197	Dolesther Jackson, Appellant, v. K-S Center Co., Dillard's Department Store, Inc., Wyandotte County Sheriff's Department, and Dennis Schwemin, Appellees.	Rosie M. Quinn Jeffrey L. Lauersdorf George Groneman Jeanne Gorman Rau	Wyandotte
64,661	In the Matter of the Marriage of Nancy Barton and Stephen T. Barton.	Mark A. Corder R. Jeff Fendorf	Wyandotte

10:30 a.m.

63,848 64,390	John Spillman, dba Spillman Wrecking Co., Appellee, v. Missouri-Kansas-Texas Railroad Co. and Mike Trotnic, Appellant.	Daryl D. Ahlquist Dennis Depew David K. Markham	Labette
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Summary Calendar—No Oral Argument

64,648	In the Matter of the Marriage of Linda S. Bardot and Kenneth H. Bardot.	Terence A. Lobar J. David Farris	Atchison
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Kansas Court of Appeals  
Court of Appeals Courtroom, Kansas Judicial Center  
Topeka, Kansas

Before Abbott, C. J.; Brazil, J.; and Frederick N. Stewart,  
District Judge, assigned.

Wednesday, May 30, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
64,166	State of Kansas, Appellee, v. Richard J. Aldape, Appellant.	Melanie S. Jack Attorney General Steven Zinn	Shawnee
64,279	State of Kansas, Appellee, v. Waunita Runyan, Appellant.	Gerald E. Wells Attorney General J. Patrick Lawless, Jr.	Douglas
64,143	State of Kansas, Appellee, v. Sonja Lea Land, Appellant.	Michael C. Hayes Attorney General Lucille Marino	Jefferson

10:00 a.m.

64,509	Charles D. Davis, Appellant, v. Century Homes and Aetna Life Casualty Co., Appellees.	Chris Miller John D. Jurcyk	Douglas
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64,496	Rev. Willard Hutsell and Patsy Hutsell, Appellants, v. James Figgins and Penni Figgins, Appellees.	Doug Thompson  Keith D. Hoffman	Dickinson
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Before Abbott, C.J.; Lewis, J.; and David Prager,  
Chief Justice Retired, assigned.

1:30 p.m.

64,695	D.E. Albright, Appellant, v. Senne Construction Co. and Royal Insurance Co., Appellees.	Gordon H. Preller  John D. Jurcyk	Shawnee
64,543	Fleenor Dirt Constr., Inc., Appellee, v. Trans Resource Development Corp., <i>et al.</i> , Appellants.	Robert L. Earnest  Richard C. Evans	Ness

2:00 p.m.

63,947	Clayton Finlay, <i>et al.</i> , Appellants, v. Board of County Commissioners of Osage City, <i>et al.</i> , Appellees.	Richard F. Hayse  Cheryl Stewart Daniel L. Watkins Dorothy Shoup, <i>pro se</i>	Osage
64,582	Douglas Longbine, dba Hutch Weight Training Center, and Kansas Workers' Compensation Fund, Appellees, v. Michael J. Nachtman, Appellant.	Rene Young Natalie C. Haag  Roger D. Struble	Saline
64,232	Donald L. Thompson, Appellant, v. Paul D. Oakleaf, <i>et al.</i> , Appellees.	Robert L. Peter  Robert J. Fleming	Montgomery
64,127 SC	State of Kansas, Appellee, v. Gilbert Walbridge, Sr., Appellant.	Robert A. Walsh Attorney General  J. Patrick Lawless, Jr.	Cloud

Summary Calendar—No Oral Argument

64,264	In the Interest of J.L.D., a minor.	Rodney Symmonds Jeffrey J. Larson Kym E. Myers	Lyon
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Before Brazil, P.J.; David Prager, Chief Justice Retired, assigned;  
and Frederick N. Stewart, District Judge, assigned.

Thursday, May 31, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
64,313 64,314	State of Kansas, Appellee, v. Jay D. Kious, Appellant, and Mitchell C. Lynn, Appellant.	William Ossmann Attorney General  John C. Humpage	Shawnee

(continued)

63,922	State of Kansas, Appellee,	Steve M. Rowe Attorney General	Shawnee
	v.		
	Lisa J. Purtell, Appellant.	Kevin M. Fowler Wendell Betts	
63,999	Harold L. McGranahan, Appellee,	Kevin Diehl Eugene Ralston	Shawnee
	v.		
	Donald W. McGouch and Umthun Trucking Co., Appellants.	Ronald J. Laskowski	

10:00 a.m.

64,180	In the Matter of the Marriage of Sheila Keeshan and Robert E. Keeshan, Appellant.	Joel Meinecke Robert E. Keeshan	Shawnee
64,146	Marian Bidwell, Appellee,	Alan V. Johnson Tom Stratton	Riley
	v.		
	Ray Candy, Dewey Robertson, and George Sutton,	Robert D. Ochs	
	v.		
	World Wrestling Federation and Titan Sports, Inc., Appellant.		

Before Brazil, P.J.; Lewis, J.; and Frederick N. Stewart,  
District Judge, assigned.

1:30 p.m.

64,538	State of Kansas, Appellant,	Vernon L. Steerman Attorney General	Osborne
	v.		
	James Donovan LeFort, Appellee.	Edward D. Hageman	
64,055	State of Kansas, Appellant,	Gabrielle M. Thompson Attorney General	Riley
	v.		
	Damon Post, Appellee.	Steven L. Opat Bradley Post	
64,098	In the Interests of C.F. and T.F., minors.	Rod Ludwig Tracy J. Thull Mark J. Noah	Mitchell

## Summary Calendar—No Oral Argument

64,148	State of Kansas, Appellee,	Sue Carpenter Attorney General	Shawnee
	v.		
	Ronald A. Hailes, Appellant.	Shannon Crane	
64,262	State of Kansas, Appellee,	Gene M. Olander Attorney General	Shawnee
	v.		
	Danny R. Rogers, Appellant.	Charles D. Dedmon	

Lewis C. Carter  
Clerk of the Appellate Courts

**State of Kansas**  
**Department of Administration**  
**State Employees Health Care Commission**

**Notice of Meeting**

The Kansas State Employees Health Care Commission will meet at 9 a.m. Friday, May 25, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Shelby Smith  
 Chairman

Doc. No. 009295

**State of Kansas**  
**Kansas Insurance Department**

**Notice of Hearing**  
**on Proposed**  
**Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, June 26, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed regulations of the Kansas Insurance Department.

Copies of the full text of the regulations and the economic impact statements may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th, Topeka 66612. The following is a summary of the economic impact statements and the regulations:

K.A.R. 40-4-35 is a proposed permanent regulation that has been amended to adopt the December 1989 edition of the National Association of Insurance Commissioners (NAIC) Model Medicare Supplement Insurance Minimum Standards; Notice Requirements and Consumer Protection Provisions. Revisions to the NAIC model were required by 1989 congressional action, which repealed the Medicare Catastrophic Health Insurance Act of 1988 and supplements the NAIC model transition regulation now in effect in Kansas.

Insurers marketing medicare supplement insurance in this state will incur some administrative costs as a result of the need to redesign and redistribute products that meet the revised coverage requirements described in this regulation. However, such additional costs are actually attributable to the repeal of the 1988 federal legislation.

This regulation may also have a similar adverse impact on consumers but, again, this impact is caused by repeal of the 1988 federal law. For example, the regulation requires restoration of the benefits eliminated from medicare supplement policies by the 1988 federal law because such law included the benefits in the federal medicare program. Restoration of such benefits will have a fiscal impact on medicare supplement insurance buyers, but the change in the regulation would not have been proposed in the absence of repeal of the 1988 legislation. Conversely, the consumer protection measures will have a favorable cost impact on consumers by discouraging the purchase and sale of excessive insurance and imposing more rigid standards on the marketing of medicare supplement insurance.

Because of the nature of these changes, the relationship

between the regulation and congressional action, and the variation that will be present with individual insurers and policyholders, a more precise fiscal impact cannot be calculated.

The proposed changes to K.A.R. 40-7-20a are in recognition of the fact the 1990 Kansas Legislature did not enact specific legislation that would have limited the amount of continuing education credit insurance agents could receive from company sponsored or correspondence courses.

This change will have an indeterminable favorable fiscal impact on agents that benefit from this change. It will have no impact on insurers or the Insurance Department.

All interested parties may submit written comments prior to the hearing to the Commissioner of Insurance. The period of time between the date of publication of this notice and the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Fletcher Bell  
 Commissioner of Insurance

Doc. No. 009282

(Published in the Kansas Register, May 24, 1990.)

**Notice of Redemption**  
**Shawnee County, Kansas**  
**(Industrial Revenue Bonds Series 1981-A)**  
**(Maisei & Associates of Michigan)**  
**(K Mart Corp. Sub Lessee-Guarantor)**

**CUSIP #820560AA8**

Notice is hereby given that \$40,000 principal amount of bonds, as listed below, are called for redemption June 15, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date:

69, 112, 146, 198, 237, 272, 356, 427

On June 15, 1990, all bonds designated for redemption will become due and payable upon presentation thereof at the address given below. On and after June 15, 1990, interest on the principal amount called for redemption shall cease to accrue.

The bonds may be presented for payment, along with an IRS form W-9 verifying owner's taxpayer identification number, in person or by mail at the following address: Merchant's National Bank of Topeka, 800 Jackson, P.O. Box 178, Topeka, KS 66601.

Merchant's National Bank  
 of Topeka

Doc. No. 009267

(Published in the *Kansas Register*, May 24, 1990.)

**Notice of Redemption**  
**Johnson County Park and Recreation District**  
**Park and Recreation Revenue Bonds**  
**Series 1980**  
**Dated July 1, 1980**

Notice is hereby given to the owners of certain Park and Recreation Revenue Bonds, Series 1980, dated July 1, 1980, of the Johnson County Park and Recreation District, of Johnson County, Kansas, that the district hereby calls for redemption on July 1, 1990, the following bonds of said series:

Bond Numbers	Principal Amount	Maturity	Interest Rate
28-31	\$20,000	1991	8.25%
32-36	25,000	1992	8.25%
37-41	25,000	1993	8.25%
42-46	25,000	1994	8.25%
47-52	30,000	1995	8.25%

On such date, each of the aforesaid bonds shall become due and payable at a redemption price equal to 103 percent of the principal amount thereof, plus accrued interest thereon to July 1, 1990, and from and after such redemption date interest shall cease to accrue and be payable on said bonds. The bonds so called for redemption should be presented for payment and redemption at the office of the Kansas State Treasurer, 900 S.W. Jackson, Suite 201, Topeka, KS 66612, on or after July 1, 1990.

Dated May 1, 1990.

Johnson County Park and Recreation District  
 By Gary D. Hale  
 Senior Vice President and Trust Officer  
 First National Bank of Olathe  
 Olathe, Kansas  
 as Escrow Trustee

Doc. No. 009264

(Published in the *Kansas Register*, May 24, 1990.)

**Notice of Redemption**  
**Labette County, Kansas**  
**Single Family Mortgage Revenue Bonds**  
**1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated as of January 1, 1980, \$985,000 principal amount of the bonds are called for redemption July 1, 1989, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, May 24, 1990, in *The Bond Buyer* and the *Kansas Register*.

The serial numbers of the bearer bonds to be redeemed are as follows:

Note: Coupons due July 1, 1990, should be presented in the normal manner. Coupons due January 1, 1991, and all subsequent coupons must be attached to bonds called for redemption.

Due January 1, 1991: 556, 579, 622  
 CUSIP 505395-AL

Due January 1, 1992: 662, 668, 727, 730  
 CUSIP 505395-AM

Due January 1, 1993: 787, 802, 832, 846  
 CUSIP 505395-AN

Due January 1, 1994: 860, 880, 901, 909  
 CUSIP 505395-AP

Due January 1, 1995: 1014, 1021, 1064, 1072, 1110  
 CUSIP 505395-AQ

Due January 1, 1996: 1146, 1159, 1211, 1228, 1242  
 CUSIP 505395-AR

Due January 1, 1997: 1284, 1287, 1288, 1377, 1378, 1379  
 CUSIP 505395-AS

Due January 1, 1998: 1457, 1488, 1523, 1528, 1548, 1581  
 CUSIP 505395-AT

Due January 1, 1999: 1639, 1663, 1690, 1707, 1748, 1798, 1812  
 CUSIP 505395-AU

Due January 1, 2000: 1872, 1875, 1882, 1892, 2017, 2020, 2030  
 CUSIP 505395-AV

**Due January 1, 2011 (CUSIP 505395-AW)**

2100	2771	3516	4388	5370	5822
2171	2802	3569	4412	5405	5826
2188	2929	3691	4484	5412	5864
2217	2999	3717	4557	5433	5876
2309	3127	3740	4567	5513	5929
2330	3132	3810	4625	5554	5944
2395	3159	3829	4673	5559	5994
2396	3218	3865	4718	5584	5999
2414	3219	3875	4867	5588	6154
2425	3269	3914	4912	5680	6189
2445	3281	4042	4942	5723	6216
2507	3324	4132	5255	5800	
2517	3384	4181	5330	5803	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

Due January 1, 2011:  
 CUSIP 505395-AW

Registered Bond Number	Amount Called
R171	\$ 5,000
R197	5,000
R237	5,000
R250	5,000
R251	65,000
R252	265,000

Payment of the redemption price of the bearer bonds and registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for redemption.

Notice is hereby given that on and after July 1, 1990, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City  
 Kansas City, Kansas, Trustee

Doc. No. 009292



(Published in the Kansas Register, May 24, 1990.)

**Summary Notice of Bond Sale  
City of Manhattan, Kansas  
\$325,000**

**General Obligation Fire Truck Minibonds  
Series 185**

**(general obligation bonds payable from  
unlimited ad valorem taxes)**

**Sealed Bids**

Subject to the official notice of bond sale and preliminary official statement dated May 9, 1990, sealed bids will be received by the Director of Finance of the city of Manhattan, Kansas, on behalf of the governing body at the City Hall, 11th and Poyntz, Manhattan, from 8 a.m. C.D.T. May 23, 1990, until 5 p.m. C.D.T. June 13, 1990, for the purchase of \$325,000 principal amount of General Obligation Fire Truck Minibonds, Series 185.

**Bond Details**

The bonds will consist of fully registered capital appreciation bonds in the denomination of \$500 or any integral multiple thereof. The bonds will be dated June 15, 1990, and will become due, together with interest thereon at the rates set forth below compounded semiannually from June 15, 1990, on June 15 in the years as follows:

Year	Principal Amount	Interest Rate
1991	\$ 73,000	6.50%
1992	69,000	6.60%
1993	65,000	6.70%
1994	61,000	6.75%
1995	57,000	6.80%

**Paying Agent and Bond Registrar**

Treasurer of the city of Manhattan, Kansas.

**Payment**

Except with respect to certain licensed broker-dealers or regulated financial institutions that may submit a good faith cashier's or certified check in the amount of 2 percent of the principal amount of the bid, 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 principal amount of the bid. Certain restrictions on the amount of each submitted bid are contained in the official notice of bond sale.

**Delivery**

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidders on or before July 10, 1990.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$150,638,194. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$32,759,000.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, 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 bidders as and when the bonds are delivered.

**Additional Information**

Additional information regarding the bonds may be obtained from Curt Wood, Director of Finance, P. O. Box 748, Manhattan, KS 66502, (913) 537-0056; or from the financial advisor, Kirchner Group, a division of George K. Baum and Company, Suite 810, One Main Place, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated May 9, 1990.

City of Manhattan, Kansas  
Curt Wood, Director of Finance

Doc. No. 009265

(Published in the Kansas Register, May 24, 1990.)

**Notice of Bond Sale  
\$300,000  
Clay County, Kansas  
General Obligation Bonds  
Series A, 1990  
(Public Building Improvements)**

**Sealed Bids**

Sealed bids for the purchase of \$300,000 principal amount of General Obligation Bonds, Series A, 1990 (Public Building Improvements), of the county hereinafter described, will be received by the undersigned, county clerk of Clay County, Kansas, on behalf of the Board of County Commissioners of the county at the Clay County Courthouse, 712 5th St., Clay Center, until 10 a.m. C.D.T. on Monday, June 4, 1990.

All bids will be publicly opened and read at said time and place and will be acted upon by the county 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 1, 1990, and will become due serially on June 1 in the years as follows:

Year	Principal Amount
1991	\$30,000
1992	\$30,000
1993	\$30,000
1994	\$30,000
1995	\$30,000
1996	\$30,000
1997	\$30,000
1998	\$30,000
1999	\$30,000
2000	\$30,000

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 June 1 and December 1 in each year, beginning on December 1, 1990.

(continued)

### 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 county 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 county, bonds maturing on June 1, 1998, and thereafter will be subject to redemption and payment prior to maturity on December 1, 1996, 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 county 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 county shall elect to call any bond for redemption and payment prior to the maturity thereof, the county 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 *MuniWeek*, f/k/a *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 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 county 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 county on the basis of such bid. Each bid shall also specify the average annual net interest rate to the county 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 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 county, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the county. 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 county 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 permanently finance internal improvements to the county. The bonds will be general obligations of the county payable as to both principal and interest from ad valorem taxes that may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the county.

### Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the county that must be met subsequent to the issuance of the bonds by the county and, as a result, the county will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The county'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 county'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 county does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

#### 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 county, 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 county 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 and from intangible personal property taxes levied by Kansas counties, cities and townships. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

#### Delivery and Payment

The county 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 June 19, 1990, 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 county. 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 county and bond registrar not later than 5 p.m. C.D.T. on June 12, 1990. In the absence of such information, the county 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 5 p.m. C.D.T. on June 12, 1990, a certificate acceptable to the county'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 \$6,000, payable to the order of the county to secure the county 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 county 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 county. If a bid is accepted but the county 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 county as and for liquidated damages.

#### CUSIP Numbers

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

#### Bid Forms

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

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed

(continued)

to the undersigned county clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the Clay County Courthouse and must be received by the undersigned prior to 10 a.m. C.D.T. on Monday, June 4, 1990.

#### Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1989 is \$40,086,475. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$300,000, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$55,000, of which, \$55,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated May 24, 1990.

Clay County, Kansas  
Shirley Mackender, County Clerk  
Clay County Courthouse  
P.O. Box 98  
712 5th St.  
Clay Center, KS 67432  
(913) 632-5237

Doc. No. 009273

### 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 21, 1990, and then publicly opened:

#### District One—Northeast

**Atchison**—59-3 M-1520-02—U.S. 59, 2.0 miles northeast of the Jefferson-Atchison county line, 0.3 mile, grading. (State Funds)

**Johnson**—435-46 K-4312-01—Northbound I-435, from Midland Drive, north 2.7 miles, rout and seal cracks. (State Funds)

**Marshall**—9-58 K-3941-01—K-9, Coon Creek bridge 21, 2.3 miles east of Washington-Marshall county line, bridge overlay. (State Funds)

**Pottawatomie**—24-75 K-0671-01—U.S. 24, Big Blue River bridges 1 and 2 east of Manhattan, 0.4 mile, bridge replacement. (Federal Funds)

**Wyandotte**—635-105 K-3986-01—I-635, bridges 44 and 45 over the Kansas River at K-32, Union Pacific Railroad 0.3 mile south of I-70 and ramp bridges 152 and 157, bridge repair. (State Funds)

**District One**—106 M-1594-01—Various locations in District One, shoulders (calcium chloride). (State Funds)

#### District Two—Northcentral

**Geary**—70-31 K-2611-02—I-70, 7.0 miles east of the Dickinson-Geary county line east to the east city limits of Grandview, 4.3 miles, pavement reconstruction. (Federal Funds)

**Geary**—31 C-2732-01—County road, from the junction of U.S. 77 and FAS 1816 at the south edge of Junction City, then west, 0.5 mile, grading and surfacing. (Federal Funds)

**Republic/Ellsworth/Cloud**—106 M-1592-01—U.S. 81, 0.2 mile south of U.S. 36 south 4.2 miles in Republic County; K-156, south city limits to north city limits of Holyrood in Ellsworth County and U.S. 81, north city limits of Concordia north 1.5 miles in Cloud County, 6.0 miles, slurry seal. (State Funds)

**Saline**—85 U-1298-01—9th and Cloud in Salina, traffic signal. (Federal Funds)

**Saline**—70-85 M-1580-01—I-70, Safety Rest Area 2-1514 (eastbound, 1.5 miles southwest of K-221), remodel safety rest area building. (State Funds)

**Washington**—148-101 K-0932-01—K-148, Horseshoe Creek bridge 22, 7.7 miles north of U.S. 36, 0.6 mile, bridge replacement. (Federal Funds)

#### District Three—Northwest

**Osborne**—281-71 K-3171-01—U.S. 281, south city limits of Osborne north to Massachusetts Street, 0.2 mile, grading and surfacing. (Federal Funds)

**Osborne**—71 C-2723-01—County road, 6.5 miles east and 1.5 miles south of Osborne, then south, 0.2 mile, grading and bridge. (Federal Funds)

**Rawlins**—77 C-2553-01—County road, 3.5 miles west and 1.5 miles south of Herndon, then south, 0.2 mile, grading and bridge. (Federal Funds)

**Rooks**—82 C-2730-01—County road, 2.3 miles south and 5.0 miles west of Plainville, then west, grading and bridge. (Federal Funds)

**Russell**—70-84 M-1582-01—I-70 Safety Rest Area, 2.2 miles east of U.S. 281, remodel safety rest area building. (State Funds)

**Sheridan**—90 C-2210-01—County road, 4.0 miles west and 11.0 miles south of Hoxie, then south, 0.2 mile, bridge replacement. (Federal funds)

**Sherman**—70-91 M-1596-01—I-70, 16.0 miles east of the Kansas-Colorado state line, east 8.0 miles, pavement patching. (State Funds)

**Sherman**—70-91 M-1598-01—I-70, 24.0 miles east of the Kansas-Colorado state line, east 3.0 miles, pavement patching. (State Funds)

**District Three**—106 M-1595-01—Various locations in District Three, cold milling. (State Funds)

#### District Four—Southeast

**Allen**—169-1 K-3829-01—U.S. 169, Elm Creek bridge 30, 0.9 mile south of the junction of U.S. 54, then south, bridge painting. (State Funds)

**Anderson/Linn**—2K-4018-01—K-7, Big Sugar Creek bridge 14, 7.2 miles north of the north junction of K-52 in Linn County; and K-31, Kenoma Creek bridge 16, 6.9 miles southeast of the Coffey-Anderson county line in Anderson County, bridge painting. (State Funds)

**Bourbon**—54-6 K-3820-01—U.S. 54, Marmaton River bridge 5, 0.5 miles north of the east junction of U.S. 69, bridge painting. (State Funds)

**Cherokee**—11 K-4019-01—K-3, Big Walnut River bridge

53, 7.0 miles north of K-57 in Crawford County; U.S. 96, Shawnee Creek bridge 60, 0.4 miles east of the east junction of U.S. 69 in Cherokee County; K-126, Limestone Creek bridge 35, 1.2 miles west of K-7 in Crawford County; and U.S. 160, Cherry Creek bridge 27, 5.8 miles north of the south junction of U.S. 169 in Montgomery County, bridge painting. (State funds)

**Cherokee**—103-11 K-3827-01—K-103, drainage culvert 3.1 miles east of K-7 in Weir, culvert. (State Funds)

**Cherokee**—160-11 K-3303-01—U.S. 160, 0.6 mile west of the Labette-Cherokee county line east to the junction of U.S. 69/K-57, 20.9 miles, overlay. (State Funds)

**Elk**—25 C-0842-01—County road, 1.2 miles east and 4.2 miles north of Longton, then north 0.4 mile, bridge replacement. (Federal Funds)

**Franklin**—35-30 M-1584-01—I-35, bridges 19 and 20 over the Atchison, Topeka and Santa Fe Railway at Ottawa, slope repair. (State Funds)

**Greenwood**—54-37 M-1597-01—U.S. 54, from the Butler-Greenwood county line east to the east junction of K-99 (excluding Eureka), 18.0 miles, shoulder repair. (State Funds)

**Miami**—68-61 K-0589-01—K-68, Coldwater Creek drainage bridge 45, 4.1 miles east of U.S. 69, 0.5 mile, bridge replacement. (Federal Funds)

**Montgomery**—75-63 M-1585-01—U.S. 75, bridge 34, at the junction of U.S. 166 and U.S. 75, slope repair. (State Funds)

**Montgomery**—160-63 M-1586-01—U.S. 160, from the east city limits of Independence east to the south junction of U.S. 169, 5.9 miles, shoulder repair. (State Funds)

**Montgomery**—160-63 M-1591-01—U.S. 160, bridge 30, 0.3 mile east of the north junction of U.S. 169, slope repair. (State Funds)

**Neosho**—39-67 K-3964-01—K-39, bridge 15 over the Atchison, Topeka and Santa Fe Railway in Chanute, bridge painting. (State Funds)

**Neosho**—39-67 M-1587-01—K-39, from the east city limits of Chanute east 2.9 miles, pavement patching. (State Funds)

**District Four**—106 M-1593-01—U.S. 169, 2.7 miles north of Cherryvale in Montgomery County north through Labette County to the Labette-Neosho county line, 5.4 miles, pavement patching. (State Funds)

#### District Five—Southcentral

**Barton**—5 C-0905-01—County road, from Hoisington, then north, 7.5 miles, surfacing. (Federal Funds)

**Butler**—96-8 K-3290-01—K-96, 0.5 mile east of the east junction of U.S. 54, east to 0.6 mile east of FAS-1010, 3.7 miles recycling. (State Funds)

**Butler**—196-8 K-3629-01—K-196, State Street east to Jones Street in El Dorado, 0.5 mile, grading and surfacing. (State Funds)

**Cowley**—18 C-2752-01—County road, 1.3 miles east of Arkansas City, then east, 2.5 miles, grading and surfacing. (Federal Funds)

**Edwards**—50-24 K-4032-01—U.S. 50, from FAS 1489, east to the Edwards-Stafford county line, 10.3 miles, recycling. (State Funds)

**Rush**—4-83 M-1589-01—K-4, from the junction of U.S. 183 at LaCrosse then west 14.4 miles, seal. (State Funds)

**Stafford**—50-93 K-4033-01—U.S. 50, from the Edwards-Stafford county line east to the junction of U.S. 281, 15.0 miles, recycling. (State Funds)

**Sumner**—44-96 K-3819-01—K-44, Chikaskia River bridge 94, 0.2 mile west of K-49, bridge deck overlay. (State Funds)

**District Five**—106 M-1590-01—Various locations on U.S. 77 in Cowley County and U.S. 166 in Sumner County, mudjacking. (State Funds)

#### District Six—Southwest

**Clark**—54-13 M-1588-01—U.S. 54, from the Meade-Clark county line, northeast to the Clark-Ford county line, 10.1 miles, cold milling. (State Funds)

**Finney**—50-28 K-4096-01—U.S. 50, from the Kearny-Finney county line, east to the concrete pavement, 5.7 miles, overlay. (State Funds)

**Ford**—29 C-2685-01—County road, 5.0 miles south of Dodge City at the Gray County line then east, 11.0 miles, surfacing. (Federal Funds)

**Ness**—283-68 X-1365-02—U.S. 283, Union Pacific Railway crossing of U.S. 283 near Ransom, grading and surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone 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. 009291

State of Kansas

Office of Secretary of State

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that each of the following bills 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.

Bill Graves
Secretary of State

(Published in the Kansas Register, May 24, 1990.)

SENATE BILL No. 443

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992 and June 30, 1993, for certain capital improvement projects for the state board of agriculture, state fair board, department of wildlife and parks, Kansas state school for the visually handicapped, Kansas state school for the deaf, state historical society, Fort Hays state university, Kansas state university, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university and state board of regents; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing; amending sections 2 and 3 of chapter 19 of the 1989 Session Laws of Kansas and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992 and June 30, 1993, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized to initiate and complete capital improvement projects as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

Sec. 2.

STATE BOARD OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, for the capital improvement project specified as follows:

Replace laboratory vacuum pump and air compressor \$60,746

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Lighting fixture replacement \$42,609
Ceiling replacement 20,394
Install water closet 2,987

Any unencumbered balance in excess of \$100 as of June 30, 1990, in the following accounts is hereby reappropriated for fiscal year 1991: Replace laboratory vacuum pump and air compressor; laboratory sprinkler system. Total \$65,990

Sec. 3.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1991, 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 fair capital improvements fund No limit
Grandstand renovation project fund No limit
Grandstand cost of issuance fund No limit
Grandstand principal and interest fund No limit
Grandstand renovation reserve fund No limit
Grandstand rebate fund No limit
Grandstand renovation surplus fund No limit
Grandstand contingency 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, 1991, for the capital improvement projects specified as follows:

Land acquisition coordination \$130,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1990, is hereby reappropriated for fiscal year 1991.

Hillsdale state park 500,000

Any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following accounts is hereby reappropriated for fiscal year 1991: Dam and beach repair - Crawford state park; enclosed shelter - Glen Elder state park; replace sewer main - Cheney state park; enclosed shelters - Pomona and El Dorado state parks; Pratt museum renovation; state parks FY 1988 capital improvements; campground development; engineering study and design - Cheyenne Bottoms waterfowl area; renovation project - Cheyenne Bottoms waterfowl area.

Total \$630,000

(b) In addition to the purposes for which expenditures may be made by the above agency from the wildlife fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the wildlife fee fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Purchase of aquatic backhoe for renovation of Cheyenne Bottoms waterfowl area \$47,205
Community lake development 90,000
Land acquisition coordination 300,000
Pit vault toilet - Cheney wildlife area 27,025
Rehabilitation and repair 175,000
Shoreline protection 16,667
State fishing lake development 25,000
Ford county lake renovation 180,000
Farlington fish hatchery 160,940

Provided, That all expenditures from each such capital improvement project account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 1991.

(c) In addition to the purposes for which expenditures may be made by the above agency from the wildlife fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the wildlife fee fund during fiscal year 1991: Site 50, Black Vermillion watershed lake construction; community lake development - FY 1989; community lake development - FY 1990; repair Douglas state fishing lake dam and spillway; state fishing lake facility development - FY 1989; repair Atchison state fishing lake dam; Farlington fish hatchery renovation; Pratt hatchery renovation; statewide stream access development - FY 1988; expand Wichita urban fishing waters; reservoir facility development; maintenance to agency facilities - FY 1989; dredge Cheyenne Bottoms wildlife area inlet canal; develop site 50 - upper Black Vermillion watershed; develop Kansas river access at Kansas City; repair Washington state fishing lake spillway; divide ponds into three units - Meade fish hatchery; dredge fish cove and build boat ramp - Cheney reservoir; develop and implement land resource needs analysis plan; Ford county lake renovation; repair outlet - Brown county state fishing lake; repair dam - Leavenworth state fishing lake; Tuttle Creek park enhancement; Unit A diversion - Marias des Cygnes waterfowl area; Pratt hatchery renovation; repair outlet - McPherson county state fishing lake; land acquisition coordination; construct rock fishing pier - Cheney reservoir; engineering study and design - Cheyenne Bottoms waterfowl area; Pratt museum renovation; inlet tubes - Cheyenne Bottoms: Provided, however, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: Provided further, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 1991.

(d) In addition to the purposes for which expenditures may be made by the above agency from the parks fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parks fee fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair \$50,000
Shoreline protection 50,000



*Provided*, That all expenditures from each such capital improvement project account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 1991.

(e) In addition to the purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the nongame wildlife improvement fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Land acquisition coordination ..... \$55,000

*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 1991.

(f) In addition to the purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the migratory waterfowl propagation and protection fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Wetlands acquisition ..... \$50,000

*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 1991.

(g) In addition to the purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the migratory waterfowl propagation and protection fund during fiscal year 1991: Divide unit A of Marias des Cygnes wildlife area into two pools; land acquisition coordination: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 1991.

(h) In addition to the purposes for which expenditures may be made by the above agency from the boating fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the boating fee fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Boat safety facilities ..... \$13,594

*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 1991.

(i) In addition to the purposes for which expenditures may be made by the above agency from the boating fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the boating fee fund during fiscal year 1991: Installation of beach and boat ramp safety buoys; construction of boat ramps: *Provided, however*, That expenditures from each such account shall not exceed the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 1991.

(j) In addition to the purposes for which expenditures may be made by the above agency from the land and water conservation fund — state for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the land and water conservation fund — state during fiscal year 1991: Renovation of Lake Scott — FY 1985; construction of amphitheater at El Dorado state park: *Provided, however*, That expenditures from each such account shall not exceed the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund — state for fiscal year 1991.

(k) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1991, 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:

Water plan special revenue fund ..... \$1,915,730

*Provided*, That expenditures may be made from this fund for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Renovate Cheyenne Bottoms ..... \$1,500,000  
Hillsdale state park development ..... 415,730

Economic development initiatives grant fund ..... No limit

*Provided*, That, in addition to other authorized expenditures, expenditures may be made from this fund for the following purposes, subject to the expenditure limitation prescribed therefor:

Economic development special projects ..... \$187,500

Oil overcharge — park road fund ..... No limit

(l) On October 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$1,915,730 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the department of wildlife and parks.

(m) On March 15, 1991, and on the 15th day of each month thereafter during the fiscal year ending June 30, 1991, the director of accounts and reports shall transfer \$46,875 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.

Sec. 5.

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$50,000  
Tuckpoint and waterproof Vogel and Brighton buildings ..... 25,000  
Replace roof — Johnson building ..... 37,600  
Total ..... \$112,600

(b) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Repair or replace roof — Johnson building and Irwin building.

Sec. 6.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$50,000

(b) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Energy conservation audit.

Sec. 7.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$25,000  
Sewer lift station electrical rewiring ..... 16,550  
Site improvements — Pawnee rock ..... 20,000  
Total ..... \$61,550

Sec. 8. On the effective date of this act, section 2 of chapter 19 of the 1989 Session Laws of Kansas is hereby amended to read as follows: Sec. 2.

STATE HISTORICAL SOCIETY

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to construct and equip a center for historical research, subject to the restrictions and limitations imposed by this section.

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

Construct and equip center for historical research ..... \$4,488,000  
For the fiscal year ending June 30, 1990 1991 ..... 3,040,000  
For the fiscal year ending June 30, 1991 1992 .....

Sec. 9.

FORT HAYS STATE UNIVERSITY

(a) In addition to the purposes for which expenditures may be

(continued)



made by the above agency from the parking fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Parking lot maintenance and improvements ..... \$75,000

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the parking fees fund for fiscal year 1991.

(b) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Renovation of facilities for handicapped accessibility.

Sec. 10.

KANSAS STATE UNIVERSITY

(a) In addition to the purposes for which expenditures may be made by the above agency from the housing system operations fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the housing system operations fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Dormitory improvements ..... \$3,500,000

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the housing system operations fund for fiscal year 1991.

(b) In addition to the purposes for which expenditures may be made by the above agency from the parking fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Parking lot maintenance and improvements ..... \$1,000,000

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the parking fees fund for fiscal year 1991.

(c) On the effective date of this act, any unencumbered balance in each of the following accounts of the Kansas educational building fund is hereby lapsed: Chemistry-biochemistry building — final planning; improve chilled water distribution system; construct plant sciences greenhouses — planning.

(d) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1991, 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:

Plan, construct and equip plant science building — phase II — federal fund ..... \$1,858,000

(e) There is hereby appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Handicapped accessibility improvements ..... \$340,000

(f) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Plant science phase IIA — final planning ..... \$500,000

Sec. 11.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Cremer hall — plan, remodel and equip ..... \$1,679,150

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

Plumb hall — plan, remodel and equip
For the fiscal year ending June 30, 1991 ..... \$450,000
For the fiscal year ending June 30, 1992 ..... 2,885,252
For the fiscal year ending June 30, 1993 ..... 3,368,048

(c) In addition to the purposes for which expenditures may be made by the above agency from the parking fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Parking lot maintenance and improvements ..... \$41,500

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the parking fees fund for fiscal year 1991.

(d) Emporia state university is hereby authorized to make expenditures from the parking fees fund for capital improvements and for debt service for a capital improvement project to construct, repair, resurface, expand and pave campus roads and parking lots in an amount of not more than the total of \$400,000 plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds. Such capital improvement project is hereby approved for Emporia state university for the purposes of subsection (b) of K.S.A. 1989 Supp. 74-8905 and amendments thereto.

(e) On the effective date of this act, any unencumbered balance in each of the following accounts of the Kansas educational building fund is hereby lapsed: Renovation of facilities for handicapped accessibility; construct animal facility in Breukelman hall.

Sec. 12.

PITTSBURG STATE UNIVERSITY

(a) In addition to the purposes for which expenditures may be made by the above agency from the hospital and student health fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the hospital and student health fees fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Student health center roof replacement ..... \$30,000

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the hospital and student health fees fund for fiscal year 1991.

(b) In addition to the purposes for which expenditures may be made by the above agency from the housing system operations fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the housing system operations fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Tanner hall complex roof replacement ..... \$96,500

Provided, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the housing system operations fund for fiscal year 1991.

(c) In addition to the purposes for which expenditures may be made by the above agency from the student center account of the restricted fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the student center account of the restricted fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Emergency study — student center ..... \$10,000
General improvements — student center ..... 90,000

Provided, That all expenditures from such capital improvement project accounts shall be in addition to any expenditure limitation imposed on the restricted fees fund for fiscal year 1991.

(d) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Remodel technology education building to house architectural woodwork institute.

Sec. 13.

UNIVERSITY OF KANSAS

(a) In addition to the purposes for which expenditures may be made by the above agency from the parking facilities surplus fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking facilities surplus fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Lied center service roads and parking lot ..... \$650,000
Parking lot maintenance ..... 100,000

Provided, That all expenditures from such capital improvement project accounts shall be in addition to any expenditure limitation imposed on the parking facilities surplus fund for fiscal year 1991.

(b) In addition to the purposes for which expenditures may be made by the above agency from the housing system repairs, equipment and improvement fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the

housing system repairs, equipment and improvement fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Dormitory improvements.....	\$1,730,000
Lied center service roads and parking lot.....	650,000

*Provided*, That all expenditures from such capital improvement project accounts shall be in addition to any expenditure limitation imposed on the housing system repairs, equipment and improvement fund for fiscal year 1991.

(c) In addition to the purposes for which expenditures may be made by the above agency from the departmental commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above account of the restricted fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the departmental commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above account of the restricted fees fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Lied center service roads and parking lot.....	\$200,000
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*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the restricted fees fund for fiscal year 1991.

(d) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Construct Haworth hall addition — renovation of the old section of Haworth hall.

(e) In addition to the purposes for which expenditures may be made by the above agency from the press publications account of the restricted fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the press publications account of the restricted fees fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

University press offices.....	\$770,000
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*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the restricted fees fund for fiscal year 1991.

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

Utility systems analysis and upgrade	
For the fiscal year ending June 30, 1991.....	\$486,373
For the fiscal year ending June 30, 1992.....	411,627
For the fiscal year ending June 30, 1993.....	803,000

(g) During the fiscal year ending June 30, 1991, the university of Kansas is hereby authorized to relocate or raze university buildings numbers 112 and 113.

(h) In addition to the purposes for which expenditures may be made by the above agency from the law enforcement training center fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the law enforcement training center fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Planning, renovations, construction or equipment for capital improvements.....	\$350,000
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*Provided*, That all expenditures from this capital improvement project account shall be to sustain and improve the existing program at the law enforcement training center: *Provided further*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the law enforcement training center fund for fiscal year 1991.

Sec. 14.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1991, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

University of Kansas hospital fund.....	No limit
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*Provided*, That expenditures from this fund are subject to the restrictions of K.S.A. 76-827 and amendments thereto: *Provided further*, That no moneys shall be credited to this fund except by appropriation act of the legislature transferring moneys from the hospital revenue fund to this fund: *And provided further*, That, except as otherwise authorized by appropriation act, expenditures from this fund are hereby authorized to be made only for the fol-

lowing equipment purchases and capital improvement projects and are subject to the expenditure limitations prescribed therefor:

Renovate cardio-thoracic ICU.....	\$850,000
Ventilating and air conditioning repairs to Bell memorial hospital — Phase II.....	400,000

*And provided further*, That expenditures from this fund are hereby authorized to be made from the following accounts: Neonatal intensive care unit modification account; heating, ventilating and air conditioning repairs to Bell memorial hospital account; renovate in-patient pediatric unit account; and renovate hospital — phase I — planning account: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990.

Federal aid for buildings fund.....	No limit
Bond construction funds fund.....	No limit
Clinical facility bond and interest sinking fund.....	No limit
Clinical facility bond reserve fund.....	No limit
Clinical facility extraordinary repair fund.....	No limit
Clinical facility discretionary fund.....	No limit
Parking facility revenue fund.....	No limit
Parking facility bond and interest sinking fund.....	No limit
Parking facility refunding interest and sinking fund.....	No limit
Parking facility refunding repair and construction fund.....	No limit
Hospital refunding principal and interest and sinking fund.....	No limit
Hospital refunding bond reserve fund.....	No limit
Parking facility KDFEA project fund.....	No limit

(b) In addition to the purposes for which expenditures may be made by the above agency from the parking fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Parking lot capital improvements.....	\$75,000
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*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the parking fees fund for fiscal year 1991.

(c) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Purchase and install hazardous waste incinerator.

(d) On July 1, 1990, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas of not to exceed \$1,250,000 from the hospital revenue fund to the university of Kansas hospital fund.

(e) During the fiscal year ending June 30, 1991, the university of Kansas medical center is hereby authorized to raze university buildings numbers 40 and 44.

Sec. 15. On the effective date of this act, section 3 of chapter 19 of the 1989 Session Laws of Kansas is hereby amended to read as follows: Sec. 3.

WICHITA STATE UNIVERSITY

(a) The above agency is hereby authorized to initiate and complete capital improvement projects to plan, construct and equip a science classroom building and to conduct a study of campus utilities, subject to the restrictions and limitations imposed by this section.

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

Plan, construct and equip science classroom building	
For the fiscal year ending June 30, 1990.....	\$2,000,000
For the fiscal year ending June 30, 1991.....	4,000,000

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

Plan, construct and equip science classroom building		
For the fiscal year ending June 30, 1990.....	\$1,000,000	\$500,000
For the fiscal year ending June 30, 1991.....	4,100,000	5,853,299
For the fiscal year ending June 30, 1992.....		4,250,000
For the fiscal year ending June 30, 1993.....		2,358,571

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

Campus utilities study		
For the fiscal year ending June 30, 1990.....		\$100,000

(continued)

## Sec. 16.

## STATE BOARD OF REGENTS

(a) 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:

Rehabilitation and repair projects for institutions of higher education	
For the fiscal year ending June 30, 1991 .....	\$8,000,000
For the fiscal year ending June 30, 1992 .....	9,000,000
For the fiscal year ending June 30, 1993 .....	10,000,000

Provided, That no expenditures shall be made from the above accounts until the proposed projects have been reviewed by the joint committee on state building construction.

Sec. 17. *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. 18. *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 1990 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as the same was heretofore appropriated.

Sec. 19. Any Kansas educational building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1990 regular session of the legislature, and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 20. On the effective date of this act, sections 2 and 3 of chapter 19 of the 1989 Session Laws of Kansas are hereby repealed.

Sec. 21. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, May 24, 1990.)

## HOUSE BILL No. 3002

AN ACT concerning the behavioral sciences regulatory board; relating to maximum fees for examinations, applications, renewals and reinstatements administered by the board; authorizing rules and regulations establishing certain educational criteria; subjecting the board to the Kansas sunset law; amending K.S.A. 74-5311 and K.S.A. 1989 Supp. 65-5808, 65-6314, 74-5310, 74-5349, 74-5363 and 74-7501 and repealing the existing sections; also repealing K.S.A. 1989 Supp. 74-5363a.

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

Section 1. K.S.A. 1989 Supp. 65-5808 is hereby amended to read as follows: 65-5808. (a) The board shall fix by rules and regulations the following fees:

- (1) For application for registration, not more than \$75 \$100;
- (2) for examination, not more than \$100 \$150;
- (3) for renewal of a registration, not more than \$75 \$100;
- (4) for reinstatement of a registration, not more than \$75 \$100;
- (5) for replacement of a registration, not more than \$20;
- (6) for application for endorsement in a specialty, not more than \$100; and
- (7) for biennial renewal for endorsement in a specialty, not more than \$100.

(b) Fees paid to the board are not refundable.

Sec. 2. K.S.A. 1989 Supp. 65-6314 is hereby amended to read as follows: 65-6314. The following license and examination fees shall be established by the board by rules and regulations in accordance with the following limitations:

- (a) Renewal fee for a license as a social work associate shall be not more than \$75 \$100.
- (b) Application or renewal fee for a license as a baccalaureate social worker shall be not more than \$75 \$100.
- (c) Application or renewal fee for a license as master social worker shall be not more than \$75 \$100.
- (d) Application or renewal fee for a license in a social work specialty shall be not more than \$75 \$100.
- (e) Examination fee for a license as a baccalaureate social worker,

for a license as a master social worker or for a license in a social work specialty shall be not more than \$75 \$150. If an applicant fails an examination, such applicant may be admitted to subsequent examinations upon payment of an additional fee prescribed by the board of not more than \$75 \$150.

(f) Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than \$20.

(g) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50.

Sec. 3. K.S.A. 1989 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays a fee prescribed by the board, not in excess of \$100 \$150, which shall not be refunded, who either satisfies the board as to such person's training and experience after a thorough review of such person's credentials or who passes a satisfactory examination in psychology. Any person paying the fee must also submit evidence verified by oath and satisfactory to the board that such person: (1) Is at least 21 years of age; (2) is of good moral character; (3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and (4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under item (3) of subsection (a). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of item (3) subsection (a) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 4. K.S.A. 74-5311 is hereby amended to read as follows: 74-5311. Examinations for applicants under this act shall be held by the board from time to time but not less than once each year. The board shall adopt rules and regulations governing the subject, scope, and form of the examinations or shall contract with a national testing service to provide an examination approved by the board. The board shall prescribe an initial examination fee not to exceed \$200 \$250. If an applicant fails the first examination, such applicant may be admitted to any subsequent examination upon payment of an additional fee prescribed by the board not to exceed \$200 \$250. The examination fees prescribed by the board under this section shall be fixed by rules and regulations of the board.

Sec. 5. K.S.A. 1989 Supp. 74-5349 is hereby amended to read as follows: 74-5349. (a) In accordance with the provisions of this section, the board may establish specialties within the practice of psychology and provide for the endorsement of ~~certified licensed~~ psychologists in such specialties. The board shall adopt rules and regulations applicable to the endorsement of specialties which:

(1) Establish categories of specialties within the practice of psychology which are consistent with specialties recognized by the profession of psychology;

(2) establish education, training and qualifications necessary for endorsement for each category of specialty established by the board at a level adequate to assure the competent performance by ~~certified licensed~~ psychologists of the specialty such person is authorized to perform; and

(3) define each category of specialty established under this section and establish limitations and restrictions on each category, as appropriate. The definition of each category of specialty established under this paragraph (a)(3) shall be consistent with the education, training and qualifications required to obtain an endorsement in that

category of specialty and shall be consistent with the protection of the public health and safety.

(b) The board may fix by rule and regulation an application fee for endorsement in a specialty and shall fix a biennial renewal fee for endorsement in a specialty. The application fee and biennial renewal fee shall not exceed \$100 \$150. Any such fee shall be in addition to other fees collected by the board under the ~~certification~~ *licensure* of psychologists act of the state of Kansas.

(c) A ~~certified licensed~~ psychologist holding an endorsement from the board in a specialty within the practice of psychology may represent to the public that such person is endorsed in such specialty. It shall be unlawful for any person not endorsed in a specialty within the practice of psychology to intentionally represent to the public that such person is endorsed in such specialty.

(d) This section shall be part of and supplemental to the ~~certification~~ *licensure* of psychologists act of the state of Kansas.

Sec. 6. K.S.A. 1989 Supp. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be registered under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall register as a registered masters level psychologist any applicant for registration who pays the fee prescribed by the board under K.S.A. 1987 1989 Supp. 74-5365 and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant's training and who complies with the provisions of this subsection (b). An applicant for registration also shall submit evidence verified under oath and satisfactory to the board that such applicant: (1) Is at least 21 years of age; (2) has received at least a master's degree in clinical psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas or has received a master's degree in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology; (3) has completed 750 clock hours of academically supervised practicum or 1,500 clock hours of postgraduate supervised work experience; and (4) is in the employ of a Kansas licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, a duly chartered educational institution, a medical care facility licensed under K.S.A. 65-425 *et seq.* and amendments thereto or a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto and whose practice is a part of the duties of such applicant's paid position and is performed solely on behalf of the employer.

(c) Until October 1, 1988, the board shall waive the educational or degree and supervision requirements, or all such requirements, under subsection (b) so long as the person applying for registration as a registered masters level psychologist has a graduate degree and either (1) has been employed for at least three years as a psychologist by a licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, or a duly chartered educational institution, or a medical care facility licensed under K.S.A. 65-425 *et seq.* and amendments thereto or a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto; or (2) as of July 1, 1987, was employed in this state as a psychologist or was recognized as a masters level psychologist by the professional standards committee of the association of community mental health centers of Kansas.

(d) Upon application for registration as a registered masters level psychologist made prior to January 1, 1989, the board shall waive the educational, degree and supervision requirements under subsection (b) and shall grant such registration if the applicant for registration at the time of application has been employed for 10 years or more as a psychologist by an institution within the department of social and rehabilitation services, as defined under K.S.A. 76-12a18 or 76-12b01, and amendments to such sections.

(e) *The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under item (2) of subsection (b). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of item (2) of subsection (b) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.*

Sec. 7. K.S.A. 1989 Supp. 74-7501 is hereby amended to read as follows: 74-7501. (a) There is hereby created a behavioral sciences regulatory board consisting of seven members appointed by the governor. The membership of the board shall be as follows: Two members of the board shall be licensed psychologists; two members of the board shall be licensed to engage in the practice of social work; and three members of the board shall be from and represent the general public. Each member of the board shall be a citizen of the United States and a resident of this state.

(b) The term of office of each member of the board shall be four years, except that the term of office of the members appointed to the first board shall be as follows: Three members shall be appointed for terms of two years, three members shall be appointed for terms of three years and one member shall be appointed for a term of four years. The governor shall designate the term of office for each member appointed to the first board. No member of the board shall be appointed for more than two successive terms. Upon the expiration of a member's term of office, the governor shall appoint a qualified successor. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the board prior to the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. The governor may remove any member of the board for misconduct, incompetency or neglect of duty.

(c) The board shall organize annually at its first meeting subsequent to June 30 and shall select from its members a chairperson and a vice-chairperson. Other meetings shall be held as the board designates. Four members of the board shall constitute a quorum for the transaction of business.

(d) The board may appoint an executive director who shall be in the unclassified service of the Kansas civil service act and shall receive an annual salary fixed by the board, subject to approval by the governor. The board may employ clerical personnel and other assistants, all of whom shall be in the classified service under the Kansas civil service act. The board may make and enter into contracts of employment with such professional personnel as necessary, in the board's judgment, for the performance of its duties and functions and the execution of its powers.

(e) Members of the behavioral sciences regulatory board attending meetings of the board, or attending a subcommittee meeting thereof authorized by the board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto.

(f) *The provisions of the Kansas sunset law apply to the behavioral sciences regulatory board created by this section, and the board is subject to abolition under that law.*

New Sec. 8. Except as provided in K.S.A. 74-7246, and amendments thereto, the behavioral sciences regulatory board, created by K.S.A. 74-7501, and amendments thereto, shall be and hereby is abolished on July 1, 1993.

Sec. 9. K.S.A. 74-5311 and K.S.A. 1989 Supp. 65-5808, 65-6314, 74-5310, 74-5349, 74-5363, 74-5363a and 74-7501 are hereby repealed.

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

(Published in the *Kansas Register*, May 24, 1990.)

HOUSE BILL No. 2689

AN ACT concerning civil procedure; relating to limitation of actions; amending K.S.A. 60-3303 and repealing the existing section.

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

Section 1. K.S.A. 60-3303 is hereby amended to read as follows: 60-3303. (a) (1) Except as provided in paragraph (2) of subsection (a) of this section, a product seller shall not be subject to liability in a product liability claim if the product seller proves by a preponderance of the evidence that the harm was caused after the product's "useful safe life" had expired. "Useful safe life" begins at the time of delivery of the product and extends for the time during which the product would normally be likely to perform or be stored in a safe manner. For the purposes of this section, "time of delivery" means the time of delivery of a product to its first purchaser or lessee who was not engaged in the business of either selling such products or using them as component parts of another product to be sold.

Examples of evidence that is especially probative in determining whether a product's useful safe life had expired include:

- (A) The amount of wear and tear to which the product had been subject;
- (B) the effect of deterioration from natural causes, and from climate and other conditions under which the product was used or stored;
- (C) the normal practices of the user, similar users and the product seller with respect to the circumstances, frequency and purposes of the product's use, and with respect to repairs, renewals and replacements;
- (D) any representations, instructions or warnings made by the product seller concerning proper maintenance, storage and use of the product or the expected useful safe life of the product; and
- (E) any modification or alteration of the product by a user or third party.

(2) A product seller may be subject to liability for harm caused by a product used beyond its useful safe life to the extent that the product seller has expressly warranted the product for a longer period.

(b) (1) In claims that involve harm caused, more than 10 years after time of delivery, a presumption arises that the harm was caused after the useful safe life had expired. This presumption may only be rebutted by clear and convincing evidence.

(2) (A) If a product seller expressly warrants that its product can be utilized safely for a period longer than 10 years, the period of repose, after which the presumption created in paragraph (1) of this subsection arises, shall be extended according to that warranty or promise.

(B) The ten-year period of repose established in paragraph (1) of this subsection does not apply if the product seller intentionally misrepresents facts about its product, or fraudulently conceals information about it, and that conduct was a substantial cause of the claimant's harm.

(C) Nothing contained in this subsection shall affect the right of any person liable under a product liability claim to seek and obtain indemnity from any other person who is responsible for the harm which gave rise to the product liability claim.

(D) The ten-year period of repose established in paragraph (1) of this subsection shall not apply if the harm was caused by prolonged exposure to a defective product, or if the injury-causing aspect of the product that existed at the time of delivery was not discoverable by a reasonably prudent person until more than 10 years after the time of delivery, or if the harm caused within 10 years after the time of delivery, did not manifest itself until after that time.

(c) **Nothing** Except as provided in subsections (d) and (e), nothing contained in subsections (a) and (b) above shall modify the application of K.S.A. 60-513, and amendments thereto.

(d) (1) In a product liability claim against the product seller, the ten-year limitation, as defined in K.S.A. 60-513, and amendments thereto, shall not apply to the time to discover a disease which is latent caused by exposure to a harmful material, in which event the action shall be deemed to have accrued when the disease and such disease's cause have been made known to the person or at the point

the person should have been aware of the disease and such disease's cause.

(2) The term "harmful material" means any chemical substances commonly known as asbestos, dioxins, or polychlorinated biphenyls, whether alone or as part of any product, or any substance which is determined to present an unreasonable risk of injury to health or the environment by the United States environmental protection agency pursuant to the federal toxic substances control act, 15 U.S.C. § 2601 et seq., or the state of Kansas, and because of such risk is regulated by the state or the environmental protection agency.

(e) Upon the effective date of this act through July 1, 1991, the provisions of this subsection shall revive such causes of action for latent diseases caused by exposure to a harmful material for: (1) Any person whose cause of action had accrued, as defined in subsection (d) on or after March 3, 1987; or (2) any person who had an action pending in any court on March 3, 1989, and because of the judicial interpretation of the ten-year limitation contained in subsection (b) of K.S.A. 60-513, and amendments thereto, as applied to latent disease caused by exposure to a harmful material the: (A) Action was dismissed; (B) dismissal of the action was affirmed; or (C) action was subject to dismissal. The intent of this subsection is to revive causes of action for latent diseases caused by exposure to a harmful material which were barred by interpretation of K.S.A. 60-513, and amendments thereto, in effect prior to this enactment.

Sec. 2. K.S.A. 60-3303 is hereby repealed.

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

(Published in the *Kansas Register*, May 24, 1990.)

HOUSE BILL No. 3109

AN ACT concerning municipalities; relating to the financing of certain projects, facilities and services through lease-purchase agreements or the issuance of bonds; amending K.S.A. 10-1116b, 12-1741a and 72-8225 and K.S.A. 1989 Supp. 12-1741b and repealing the existing sections.

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

New Section 1. Any election held prior to the effective date of this act for the approval of the issuance of general obligation water system bonds of the city of Burns, Kansas, in an amount not to exceed \$100,000, for the purpose of paying the costs of making repairs and improvements to the water system owned and operated by the city, under the authority of K.S.A. 10-101 et seq., 10-601 et seq., and 12-834, and amendments thereto, notice of which was given by two publications in the official newspaper of the city within the statutorily required time prior to the date of such election, and which election was called by an ordinance adopted by the governing body of the city, which ordinance was not published, is hereby validated. The city is hereby authorized to issue such bonds in the amount and for the purpose approved by the voters at such election. The bonds so issued shall be legal and binding general obligations of the city.

Sec. 2. K.S.A. 10-1116b is hereby amended to read as follows: 10-1116b. Nothing in the provisions of K.S.A. 10-1101 et seq., and amendments thereto, shall prohibit a municipality from entering into (1) an agreement to pay for electric interconnection or transmission facilities or services, (2) a lease agreement, with or without an option to buy, or (3) ~~an installment purchase a lease-purchase agreement~~, if any of such agreements specifically state that the municipality is obligated only to pay periodic payments or monthly installments under the agreement as may lawfully be made from (a) funds budgeted and appropriated for that purpose during such municipality's current budget year or (b) funds made available from any lawfully operated revenue producing source. For the purpose of this act, a lease-purchase agreement shall include a lease with an option to buy or an installment-purchase agreement.

New Sec. 3. Any lease-purchase agreement entered into pursuant to this act shall be subject to the following conditions:

(a) If the proposed agreement is for a term exceeding the current fiscal year of the municipality, it shall be approved by a majority vote of all members of the governing body.

(b) If the proposed agreement involves the acquisition of land or buildings, is for a term of three or more years, and provides for payments in any year in excess of 3% of the total amount budgeted



by the municipality for expenditure during the current year, excluding debt service, a notice thereof specifying the purpose and the total of all payments shall be published once each week for two consecutive weeks in a newspaper of general circulation with such municipality. If, within 30 days following the last publication of such notice, a petition in opposition to the agreement signed by not less than 5% of the qualified voters of such municipality is filed with the appropriate county election officer, no such agreement shall take effect unless and until the same is approved by a majority of the qualified voters of such municipality voting at an election thereon. Any such election shall be called and held in accordance with the provisions of K.S.A. 10-120, and amendments thereto, or in accordance with the provisions of the mail ballot election act.

(c) If the proposed agreement is for a term exceeding the current fiscal year of the municipality, the agreement shall specify the following: (1) The amount or capital cost required to purchase the item if paid for by cash, (2) the annual average effective interest cost, and (3) the amount included in the payments for service, maintenance, insurance or other charges exclusive of the capital cost and interest cost.

Sec. 4. K.S.A. 72-8225 is hereby amended to read as follows: 72-8225. The board of education of any school district, as lessee or lessor, may enter into written contracts for the use of real or personal property, ~~except that no or lease-purchase agreements as provided by K.S.A. 10-1116b, and amendments thereto.~~ No board of education shall enter into any contract under authority of this section as lessor of any school bus, as defined in K.S.A. 72-8301, ~~and amendments thereto.~~ The term of any such lease or lease-purchase agreement may be for not to exceed 10 years. Such lease or lease-purchase agreement may provide for annual or other payment of rent or rental fees and may obligate the school district to payment of maintenance or other expenses. Any contract made under authority of this section shall be subject to change or termination at any time by the legislature. Any assignment of rights in any contract made under this section shall contain a citation of this section and a recitation that the contract and assignment thereof are subject to change or termination by the legislature. The provisions of the cash basis ~~and budget laws law~~ shall not apply to any lease or lease-purchase agreement made under authority of this section in such a manner as to prevent the intention of this section from being made effective.

Sec. 5. K.S.A. 12-1741a is hereby amended to read as follows: 12-1741a. (a) No city shall issue revenue bonds authorized herein to finance facilities located in ~~unincorporated territory situated more than three miles beyond the nearest point of outside the issuing city's limits without such city having first received approval of the issuance of a letter of intent or the adoption of a resolution of intent or inducement resolution to issue such bonds from the board of county commissioners of the county in which such facility is to be located. No city shall issue revenue bonds authorized herein to finance facilities located in unincorporated territory lying within three miles of its corporate limits but within the county or counties in which any portion of such city is located, without such city having first notified the board of county commissioners of the county or counties of the proposed issuance.~~ No city shall issue revenue bonds authorized herein to finance facilities located within the corporate limits of another city without the issuing city first having received approval of the issuance of a letter of intent or the adoption of a resolution of intent or inducement resolution to issue such bonds from the governing body of the city in which the facility is to be located.

(b) No city shall issue revenue bonds authorized herein to finance a facility located outside the county or counties in which any portion of such city is located without such city having first received approval for the issuance of a letter of intent or the adoption of a resolution of intent or inducement resolution to issue such bonds from the board of county commissioners of the county in which the facility is to be located.

(c) No city or county shall issue revenue bonds for facilities to be located on property which is owned by another city or county without the issuing city or county first having received approval of a letter of intent or the adoption of a resolution of intent or inducement resolution to issue such bonds from the governing body of the city or county which owns the property.

(d) Approval of a board of county commissioners shall not be

required with respect to a letter of intent, resolution of intent or inducement resolution to issue revenue bonds to finance construction of facilities located on real estate in which the city issuing the revenue bonds has any title interest or in which any title interest is in another entity which acquired such interest in the real estate in whole or in part with funds of the city issuing the revenue bonds.

(e) The issuance of a letter of intent, resolution of intent or inducement resolution shall be deemed to have received the approval of a city or county for purposes of this section unless such city or county provides the city or county proposing such issuance with a written notification specifically disapproving the issuance within seven business days after the next regular meeting of the governing body of the city or county having such approval authority that follows receipt of a request for approval.

(f) The provisions of this section requiring approval of a letter of intent, resolution of intent or inducement resolution as a condition to issuance of revenue bonds shall not be applicable with respect to the issuance of any revenue bonds for which a city or county has issued a letter of intent, resolution of intent or inducement resolution prior to the effective date of this act.

Sec. 6. K.S.A. 1989 Supp. 12-1741b is hereby amended to read as follows: 12-1741b. (a) Subject to the provisions of K.S.A. 12-1744a and 12-1744b, ~~as amended and amendments thereto,~~ any county shall have power to issue revenue bonds, the proceeds of which shall be used for the purpose of paying all or part of the cost of purchasing, acquiring, constructing, reconstructing, improving, equipping, furnishing, repairing, enlarging or remodeling of facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes. Any county shall also have the power to enter into leases or lease-purchase agreements by resolution with any person, firm or corporation for the facilities. Except as otherwise provided in subsection (b) of this section, the facilities may be constructed within the county or its environs without limitation as to distance, providing the board of county commissioners declares that the facility, if in being, would promote the welfare of the county.

(b) No county shall issue revenue bonds authorized herein to finance facilities located within the corporate limits of a city or within three miles of the corporate limits of a city or within another county without the issuing county having first received approval of the issuance of a letter of intent or the adoption of a resolution of intent or inducement resolution to issue such bonds from the governing body of the city or county in which the facility is to be located. Approval of a city governing body shall not be required to finance the construction of facilities located on real estate, the title to which is in the county issuing the revenue bonds. The use of such real estate shall be subject to all zoning regulations, subdivision regulations and building code regulations of the city.

(c) The issuance of a letter of intent or the adoption of a resolution of intent or inducement resolution shall be deemed to have received the approval of a city or county for purposes of this section unless such city or county provides the county proposing such issuance with a written notification specifically disapproving the issuance within seven business days after the next regular meeting of the governing body of the city or county having such approval authority that follows receipt of a request for approval.

(d) The provisions of this section requiring approval of a letter of intent, resolution of intent or inducement resolution as a condition to issuance of revenue bonds shall not be applicable with respect to the issuance of any revenue bonds for which a county has issued a letter of intent, resolution of intent or inducement resolution prior to the effective date of this act.

Sec. 7. K.S.A. 10-1116b, 12-1741a and 72-8225 and K.S.A. 1989 Supp. 12-1741b are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, May 24, 1990.)

HOUSE BILL No. 2607

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1990, June 30, 1991, and June 30, 1992, for certain capital improvement projects for the adjutant general, attorney general—Kansas bureau of investigation, department of administration, department of transportation, Kansas highway patrol, department of human resources, state industrial reformatory, department of corrections, Kansas correctional institution at Lansing, Kansas state penitentiary, Ellsworth correctional work facility, Hutchinson correctional work facility, Winfield correctional facility, Norton correctional facility, Topeka correctional facility—east, youth center at Topeka, Kansas neurological institute, Larned state hospital, Osawatomie state hospital, Parsons state hospital and training center, Rainbow mental health facility, department of social and rehabilitation services, Winfield state hospital and training center, Kansas commission on veterans affairs and youth center at Atchison; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing; amending sections 2 and 3 of chapter 22 of the 1989 Session Laws of Kansas and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 1990, June 30, 1991, and June 30, 1992, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized to initiate and complete capital improvement projects as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

Sec. 2.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, for the capital improvement project specified as follows:

Architectural and engineering fees for Great Bend armory ..... \$4,015

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Rehabilitation and repair projects ..... \$249,834

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 1990, in the roof and miscellaneous repairs to national guard facilities account is hereby reappropriated to the rehabilitation and repair projects account for fiscal year 1991.

Any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following accounts is hereby reappropriated for fiscal year 1991: Architectural and engineering fees for Topeka armory; architectural and engineering fees for Great Bend armory.

(c) In addition to the purposes for which expenditures may be made by the above agency from the military fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the military fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair projects ..... \$50,000

*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the military fees fund for fiscal year 1991.

Sec. 3.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

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

Debt service payment—purchase of headquarters building at 1620 S.W. Tyler Street in Topeka  
 For the fiscal year ending June 30, 1990 ..... \$129,693  
 For the fiscal year ending June 30, 1991 ..... 314,757  
 Remaining purchase and closing costs for headquarters building acquisition  
 For the fiscal year ending June 30, 1990 ..... 104,617

Sec. 4.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Judicial center remodeling ..... \$251,113  
 Stone and miscellaneous exterior repairs ..... 300,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 1990, is hereby reappropriated for fiscal year 1991.

Interior repairs and renovations—statehouse ..... 75,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 1990, is hereby reappropriated for fiscal year 1991.

Wichita consolidation study ..... 30,000

Any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following capital improvement accounts is hereby reappropriated for fiscal year 1991: Special maintenance, repairs and improvements—statehouse, printing plant, judicial center, and governor's residence; special maintenance, repairs and improvements—statehouse; exterior repair, statehouse; planning for renovation of memorial building; stone and miscellaneous exterior repairs; interior repairs and renovations—statehouse; exterior stone cleaning—judicial center; replace cooling towers for statehouse; rotunda lighting and receptacle improvements—statehouse; renovate first floor restrooms—statehouse; install backflow preventers on fire protection water lines; construct maintenance building—governor's residence; renovation of cage elevator in statehouse; capitol plaza area improvements.

Total ..... \$656,113

(b) There is appropriated for the above agency from the state buildings depreciation fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Replace building chillers and controls—Docking office building ..... \$189,945  
 Renovate Docking office building and Forbes office building 740 ..... 196,409  
 Total ..... \$386,354

(c) In addition to the purposes for which expenditures may be made by the above agency from the state buildings operating fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the state buildings operating fund during fiscal year 1991: Interior repairs and renovation—statehouse; capitol plaza area improvements; energy conservation—capitol complex: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the state buildings operating fund for fiscal year 1991.

(d) In addition to the purposes for which expenditures may be made by the above agency from the building and ground fund for the fiscal year ending June 30, 1990, moneys may be expended by the above agency from the following capital improvement account of the building and ground fund during fiscal year 1990 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Complete parking lot at 7th and VanBuren ..... \$57,352

*Provided*, That all expenditures from such capital improvement account shall be in addition to any expenditure limitation imposed on the building and ground fund for fiscal year 1990.

(e) In addition to the purposes for which expenditures may be made by the above agency from the building and ground fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement account of the building and ground fund during fiscal year 1991 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Capitol plaza area improvements—debt service ..... \$68,640

*Provided*, That all expenditures from such capital improvement account shall be in addition to any expenditure limitation imposed on the building and ground fund for fiscal year 1991.

(f) In addition to the purposes for which expenditures may be made by the above agency from the building and ground fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the building and ground fund during fiscal year 1991: Exterior repairs, storage building at 3440 East 10th; complete parking lot at 7th and VanBuren: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from each such account shall be in addition to any expenditure limitation imposed on the building and ground fund for fiscal year 1991.

(g) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 6(d) of chapter 16 of the 1989 Session Laws of Kansas from the state buildings depreciation fund in the replace convector piping—Docking office building account, the sum of \$3,131 is hereby lapsed.

(h) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by



section 6(d) of chapter 16 of the 1989 Session Laws of Kansas from the state buildings depreciation fund in the special maintenance, repairs and improvements—state office buildings account, the sum of \$273,165 is hereby lapsed.

(i) On July 1, 1990, any unencumbered balance as of June 30, 1990, in each of the following capital improvement accounts of the state buildings depreciation fund is hereby lapsed: Replace convector piping, state office building; remodel building 740, Forbes complex; resurface loading dock ramp—Docking state office building; energy conservation improvements—Docking office building; remodel cafeteria—Docking office building; drive and parking lot repair for building 740, Forbes complex; exterior stone and window repairs, Docking office building.

(j) On July 1, 1990, any unencumbered balance as of June 30, 1990, in each of the following capital improvement accounts of the state buildings operating fund is hereby lapsed: Special maintenance—statehouse, judicial center, printing plant and Cedar Crest; clean and treat capitol dome; reroofing—Cedar Crest.

(k) On July 1, 1990, any state buildings depreciation fund appropriation heretofore appropriated to the department of administration and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as originally appropriated unless specific provision is made for lapsing such appropriation.

(l) On and after the effective date of this act, expenditures from the stone and miscellaneous exterior repairs capital improvement account of the state general fund shall not be subject to the provisions of K.S.A. 75-1250 through 75-1266 and amendments thereto which require the acquisition of the services of a project architect by a negotiating committee.

(m) On July 1, 1990, the director of accounts and reports shall transfer \$730,000 from the state buildings depreciation fund to the state general fund.

Sec. 5.

DEPARTMENT OF TRANSPORTATION

(a) In addition to the purposes for which expenditures may be made by the above agency from the state highway fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the state highway fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

State park road construction projects ..... \$1,200,000

Provided, That the above agency may make expenditures from the state park road construction projects account for fiscal year 1991 of amounts in unexpended project balances for state park roads construction projects approved for expenditures from the state highway fund for prior fiscal years: Provided further, That such expenditures of amounts in such unexpended project balances shall be in addition to the above expenditure limitation on such capital improvement projects account: And provided further, That all expenditures from such capital improvement projects account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 1991.

(b) In addition to the purposes for which expenditures may be made by the above agency from the state highway fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the state highway fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Construction, remodeling and special maintenance projects for buildings ..... \$2,600,000

Provided, That the above agency may make expenditures from the construction, remodeling and special maintenance projects for buildings account for fiscal year 1991 of the amounts in the unencumbered balance in such capital improvement projects account as of June 30, 1990: Provided further, That such expenditures of amounts in such unencumbered balance shall be in addition to the above expenditure limitation on such capital improvement projects account: And provided further, That all expenditures from such capital improvement projects account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 1991.

Sec. 6.

KANSAS HIGHWAY PATROL

(a) In addition to the purposes for which expenditures may be expended by the above agency from the motor carrier inspection fund for the fiscal year ending June 30, 1991, moneys may be ex-

pended by the above agency from the motor carrier inspection fund during fiscal year 1991, for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Replace drive Cheney weight station ..... \$52,800  
Replace drive Olathe weight station ..... 62,700

Provided, That all expenditures from such capital improvement project accounts shall be in addition to any expenditure limitation imposed on the motor carrier inspection fund for fiscal year 1991.

(b) In addition to the purposes for which expenditures may be made by the above agency from the motor carrier inspection fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the motor carrier inspection fund during fiscal year 1991: Capital improvements—Liberal; construct port of entry and weigh station—Belleville: Provided, however, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: Provided further, That all expenditures from such capital improvement project accounts shall be in addition to any expenditure limitation imposed on the motor carrier inspection fund for fiscal year 1991.

(c) On July 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$115,500 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol for the purpose of financing capital improvement projects as provided by this section.

Sec. 7.

DEPARTMENT OF HUMAN RESOURCES

(a) In addition to the purposes for which expenditures may be made by the above agency from the employment security administration fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the employment security administration fund from moneys made available to the state under section 903 of the federal social security act, as amended, during fiscal year 1991: Provided, however, That expenditures from this fund during fiscal year 1991 of moneys made available to the state under section 903 of the federal social security act, as amended, shall be made only for the following capital improvement purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: Provided further, That expenditures from this fund during fiscal year 1991 of moneys made available to the state under section 903 of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$123,360 plus the amounts of unencumbered balances on June 30, 1990, for projects approved for fiscal years prior to fiscal year 1991: And provided further, That all expenditures from this fund for such capital improvement purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 1991.

Sec. 8.

STATE INDUSTRIAL REFORMATORY

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 17 of chapter 12 of the 1989 Session Laws of Kansas from the correctional institutions building fund in the electrical improvement to food service, kitchen, education and print shop account, the sum of \$65,723 is hereby lapsed.

Sec. 9. On the effective date of this act, section 2 of chapter 22 of the 1989 Session Laws of Kansas is hereby amended to read as follows: Sec. 2.

STATE INDUSTRIAL REFORMATORY

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to replace the locking systems in A, B and C cellhouses, subject to the restrictions and limitations imposed by this section.

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

Replace locking systems in A, B and C cellhouses  
For the fiscal year ending June 30, 1990 ..... \$600,000

(continued)

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

Replace locking systems in A, B and C cellhouses  
For the fiscal year ending June 30, 1991 1990..... \$1,044,670 \$1,644,570

(c) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 1991: Upgrade power supply; capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 10.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, for the capital improvement projects specified as follows:

Capital improvement—major repairs, special maintenance, and remodeling for correctional institutions..... \$90,000

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Debt service for a new correctional facility and a mental health facility or facilities..... \$6,300,000

Debt service payment for the Ellsworth correctional work facility at Ellsworth, Kansas..... 1,177,000

Any unencumbered balance in excess of \$100 as of June 30, 1990, in the capital improvement—major repairs, special maintenance, and remodeling for correctional institutions account of the state general fund is hereby reappropriated for fiscal year 1991: Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1991 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 during fiscal year 1991 by the institution or facility for capital improvement projects approved by the secretary of corrections.

Any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following capital improvement accounts is hereby reappropriated for fiscal year 1991: Debt service payment for the Ellsworth correctional work facility at Ellsworth, Kansas; acquire, construct and equip a new, operationally efficient, correctional facility and a mental health facility or facilities; planning for new correctional facility and a mental health facility or facilities; renovation of correctional institutions for inmate programs; additional renovation and construction funds for fiscal year 1989 emergency inmate housing; planning for new correctional facility; Norton correctional facility—renovation and expansion.  
Total..... \$7,477,000

(c) On the effective date of this act, the appropriation of \$6,600,000 made for the above agency for the fiscal year ending June 30, 1990, by section 2(c) of chapter 31 of the 1989 Session Laws of Kansas from the state general fund in the debt service for new correctional facility and a mental health facility or facilities account is hereby lapsed.

(d) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 2(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the honor camps—game bird capital improvements account, the sum of \$45,801 is hereby lapsed.

(e) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Capital improvements—rehabilitation and repair of correctional institutions..... \$1,300,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1991 from this account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 1991 by the institution or facility for capital improvement projects approved by the secretary of corrections.

Sec. 11.

KANSAS CORRECTIONAL INSTITUTION AT LANSING

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 4(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the construct new inmate food service and support programs building account, the sum of \$83,217 is hereby lapsed.

Sec. 12.

KANSAS STATE PENITENTIARY

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 1991: Reconfiguration of electrical system; and capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

(b) On the effective date of this act, of the \$1,985,550 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 7(d) of chapter 32 of the 1988 Session Laws of Kansas from the correctional institutions building fund in the plan and construct the electrical service for the maximum security complex account, the sum of \$1,928,550 is hereby lapsed.

(c) There is hereby appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Plan and construct the electrical service for the maximum security complex..... \$1,928,550

Sec. 13.

ELLSWORTH CORRECTIONAL WORK FACILITY

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in the following capital improvement account of the state general fund is hereby reappropriated for fiscal year 1991: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 14.

HUTCHINSON CORRECTIONAL WORK FACILITY

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in the following capital improvement account of the state general fund is hereby reappropriated for fiscal year 1991: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 15.

WINFIELD CORRECTIONAL FACILITY

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in the following capital improvement account of the state general fund is hereby reappropriated for fiscal year 1991: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 16.

NORTON CORRECTIONAL FACILITY

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in the following capital improvement account of the state general fund is hereby reappropriated for fiscal year 1991: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 17.

TOPEKA CORRECTIONAL FACILITY—EAST

(a) On July 1, 1990, any unencumbered balance in excess of \$100 as of June 30, 1990, in the following capital improvement account of the state general fund is hereby reappropriated for fiscal year 1991: Capital improvement—major repairs, special maintenance and remodeling for correctional institutions.

Sec. 18.

YOUTH CENTER AT TOPEKA

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Construct control building and staff parking lot..... \$388,500

Provided, That no expenditures for construction may be made until the final plans for the project has been reviewed by the joint committee on state building construction.

Sec. 19.

KANSAS NEUROLOGICAL INSTITUTE

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Replace commercial washing machines in Sunflower and Meadowlark lodges.

Sec. 20.

LARNED STATE HOSPITAL

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building

fund is hereby lapsed: Enclose Beers building fire escape; and replace X-ray equipment.

Sec. 21.

OSAWATOMIE STATE HOSPITAL

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Reroute utility tunnel.

(b) The above agency is hereby authorized to make expenditures from the raze main building account of the state institutions buildings fund to make repairs to the southern portion of old main building to prevent additional significant deterioration in the near future.

Sec. 22.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Renovate Cedar cottage; planning funds for new heating plant; and replace public address and warning system console.

Sec. 23.

RAINBOW MENTAL HEALTH FACILITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Special school addition and renovation..... \$903,700

Sec. 24.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement projects specified as follows:

Institutional rehabilitation and repair projects..... \$5,174,000

*Provided*, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 1991 from this account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for the purpose of remodeling, maintenance, emergency repair, roof repair, or equipment replacement or acquisition.

Other rehabilitation and repair projects..... 365,900

*Provided*, That expenditures may be made from this account during fiscal year 1991 for the purposes of remodeling, maintenance, emergency repair, roof repair, or equipment replacement or acquisition for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto.

Total..... \$5,539,900

(b) In addition to the purposes for which expenditures may be made by the above agency from the Wichita office building fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the Wichita office building fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Renovate Wichita office building elevators..... \$42,516  
Land acquisition for parking..... 165,000

*Provided*, That all expenditures from each such capital improvement project account shall be in addition to any expenditure limitation imposed on the Wichita office building fund for fiscal year 1991.

(c) In addition to the purposes for which expenditures may be made by the above agency from the Wichita office building fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the following capital improvement accounts of the Wichita office building fund during fiscal year 1991: Parking improvements for Wichita office building; renovate Wichita office building elevators: *Provided, however*, That expenditures from such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: *Provided further*, That all expenditures from such account shall be in addition to any expenditure limitation imposed on the Wichita office building fund for fiscal year 1991.

(d) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 16(i) of chapter 32 of the 1989 Session Laws of Kansas from the state general fund in the construct fence around perimeter of youth center at Topeka account, the sum of \$65,000 is hereby lapsed.

(e) On the effective date of this act, any unencumbered balance as of June 30, 1990, in the following account of the state institutions

building fund is hereby lapsed: Title XIX modifications and hand-icapped code compliance fund.

Sec. 25.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Replace pan and utensil washing machines in Holly kitchen; widen ramp at medical services building.

Sec. 26.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Eisenhower hall air conditioner; replace and repair street; raze 13 cottages.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Repair and rehabilitation project..... \$50,000

Sec. 27. On the effective date of this act, section 3 of chapter 22 of the 1989 Session Laws of Kansas is hereby amended to read as follows: Sec. 3.

KANSAS STATE PENITENTIARY

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to plan and construct a steam generating plant, 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:

Plan and construct steam generating plant  
For the fiscal year ending June 30, 1990..... \$100,000 \$430,900  
For the fiscal year ending June 30, 1991 1992..... 3,512,900 3,271,900

Sec. 28.

YOUTH CENTER AT ATCHISON

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1991, for the capital improvement project specified as follows:

Acquire and install intercom system..... \$49,200

Sec. 29. *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. 30. *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 1990 regular session of the legislature, is hereby appropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 31. Any correctional institutions building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 1990 regular session of the legislature and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 32. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1990 regular session of the legislature and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 33. On the effective date of this act, sections 2 and 3 of chapter 22 of the 1989 Session Laws of Kansas are hereby repealed.

Sec. 34. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, May 24, 1990.)

## HOUSE BILL No. 3088

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1990, and June 30, 1991, for the department of social and rehabilitation services; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and 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, 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.

## DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, the following:

Medical assistance for long-term care	\$69,053
Other medical assistance	7,000,647
Youth services	2,864,375
Adult services	76,254
Staff development	11,969
Public assistance	1,185,654
Vocational rehabilitation	12,400
Income maintenance	224,670
MediKan and general assistance programs	195,087

*Provided*, That expenditures may be made from this account to commence a new general assistance and medikan program effective June 1, 1990, even in the absence of formal adoption by rules and regulations.

Special purpose community mental retardation assistance grants	317,250
Grants to community mental retardation and domestic violence programs	257,798

*Provided*, That expenditures shall be made from this account to restore the 5% reduction in grants to certain community programs.

Total..... \$12,215,157

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1990, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

KanWork revolving fund	No limit
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*Provided*, That expenditures may be made from this fund for loans to KanWork clients to allow clients to progress from financial assistance to financial independence through self-employment: *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.

Children's justice assistance fund—federal	\$181,586
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(c) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the charitable institutional commodity program fund is hereby increased from \$328,327 to \$329,373.

(d) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the alcoholism treatment fund is hereby increased from \$920,786 to \$1,029,983.

(e) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the alcohol, drug abuse and mental health block grant—federal fund is hereby increased from \$3,516,466 to \$4,003,689.

(f) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the rehabilitation program—social security—federal fund is hereby increased from \$196,455 to \$232,348.

(g) Any transfers of moneys during the fiscal year ending June 30, 1990, from the state legalization impact assistance grant fund—federal to the department of education or the department of health and environment shall be in addition to any expenditure limitation imposed on such fund.

(h) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the federal surplus food distribution fund—emergency jobs bill is hereby increased from \$489,967 to \$490,103.

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

established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the interim assistance—federal fund is hereby increased from \$852,775 to \$935,603.

(j) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the vocational rehabilitation supported employment—title VI(C)—federal fund is hereby increased from \$312,500 to \$362,990.

(k) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the drug abuse fund—department of social and rehabilitation services—federal fund is hereby increased from \$412,050 to \$578,050.

(l) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the purchase of services fund—private contributions is hereby increased from \$0 to \$20,070.

(m) In addition to the purposes for which moneys may be transferred and may be expended during fiscal year 1990 from the institutional receipts from title XIX—federal fund as prescribed by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas, the director of accounts and reports shall transfer an amount specified by the secretary of social and rehabilitation services from the institutional receipts from title XIX—federal fund to the social welfare fund for expenditures during fiscal year 1990 for long-term care services: *Provided*, That the amount transferred to and expended from the social welfare fund for such purpose during fiscal year 1990 shall not exceed \$10,000,000.

(n) On the effective date of this act, the position limitation established by the state finance council for the department of social and rehabilitation services is hereby decreased from 3,318.4 to 3,315.2.

(o) On the effective date of this act, of the \$25,865,783 appropriated for the above agency by section 2(a) of chapter 26 of the 1989 Session Laws of Kansas from the state general fund in the administration account, the sum of \$257,798 is hereby lapsed.

(p) On the effective date of this act, the expenditure limitation established by section 16(f) of chapter 32 of the 1989 Session Laws of Kansas on the state operations account of the social services clearing fund is hereby decreased from \$158,487,678 to \$157,892,140.

(q) On the effective date of this act, the expenditure limitation established by section 16(g) of chapter 32 of the 1989 Session Laws of Kansas on the salaries and wages account of the social services clearing fund is hereby decreased from \$105,242,862 to \$104,889,993.

(r) On the effective date of this act, the expenditure limitation established by section 16(h) of chapter 32 of the 1989 Session Laws of Kansas on the other operating expenditures account of the social services clearing fund is hereby decreased from \$53,244,816 to \$53,002,147.

(s) For the fiscal year ending June 30, 1990, any interagency transfer to the department of health and environment pursuant to inspection of care and utilization review contracts shall be in addition to any expenditure limitation imposed on the social services clearing fund or on any account thereof.

(t) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the family and children trust fund is hereby increased from \$218,875 to \$246,024.

(u) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the juvenile justice and delinquency act fund—federal is hereby increased from \$844,870 to \$921,619.

(v) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the community services block grant—federal fund is hereby increased from \$2,793,887 to \$2,957,887.

(w) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the federal victims of crime assistance program fund is hereby increased from \$398,000 to \$541,500.

(x) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 26 of the 1989 Session Laws of Kansas on the developmental disabilities program—federal fund is hereby increased from \$573,933 to \$780,801.

Sec. 3.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1991, the following:

Table listing various services and their allocated amounts, including Public assistance (\$60,516,077), Long term care medical assistance, Other medical assistance, Income maintenance, Staff development, Disability determination service, and Vocational rehabilitation.

Table listing various services and their allocated amounts, including Blind services (\$951,680), Kansas City workshop for the blind (\$250,000), Alcohol and drug abuse services (\$5,111,629), Administration (\$23,920,611), Youth services (\$14,569,648), Foster care (\$30,644,218), Adult services (\$8,406,823), Mental health and retardation services (\$1,053,126), Foster care lawsuit (\$300,000), Aid for mental retardation programs (\$6,069,996), Aid for mental health center programs (\$10,211,343), Special purpose community mental health assistance grants (\$2,298,838), Mental health reform financing (\$1,290,863), Special purpose community mental retardation assistance grants (\$10,818,159), Mental retardation community and day living grants (\$1,191,186), Additional grant support for Kansas advocacy and protective services (\$33,075), Kansas guardianship program (\$855,400), Physicians professional liability insurance (\$484,475), Grants for court-ordered evaluations (\$65,000), Total (\$392,303,433).

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1991, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Table listing Social services clearing fund (No limit) and Vocational rehabilitation (\$3,320,576).

(continued)



be expended for state operations, not to exceed \$108,462,627 may be expended for salaries and wages and not to exceed \$54,639,270 may be expended for other operating expenditures: *And provided further*, That expenditures may be made from this fund pursuant to employment incentive programs which the secretary is hereby authorized to develop and enter into with public and private employers to provide an economic incentive to such employers to employ assistance recipients: *And provided further*, That any interagency transfer to the department of health and environment pursuant to the inspection of care and utilization review contracts shall be in addition to any expenditure limitation imposed on this fund or on any account thereof.

Social welfare fund	No limit
<i>Provided</i> , That no expenditures shall be made from this fund for the Topeka workshop for the blind or the Kansas City workshop for the blind.	
Memorial trust fund—division of services for the blind	No limit
Topeka workshop for the blind fee fund	No limit
Kansas vocational rehabilitation center fees fund	\$25,000
Blind vending stand assessment fee fund	No limit
Community alcoholism and intoxication programs fund	1,240,405
Alcohol and drug abuse treatment facility fee fund	1,977
Certification of community-based alcohol and drug safety action programs fee fund	4,313
Alcoholism treatment fund	685,000
Vocational rehabilitation of disabled persons fund—federal	15,483,310
Rehabilitation program—social security—federal fund	241,628
Vocational rehabilitation clearing fund	No limit
Disability determination of O.A.S.D.I. fund—federal	No limit
Vocational rehabilitation special revenue fund	351,217
<i>Provided</i> , That all contributions from local entities shall be credited to this fund for the purpose of providing the required state match for receipt of federal vocational rehabilitation funds: <i>Provided further</i> , That expenditures may be made from this fund for local community-based vocational rehabilitation programs.	
State legalization impact assistance grant fund—federal	2,280,397
<i>Provided</i> , That any transfers from this fund to the department of education or the department of health and environment shall be in addition to any expenditure limitation imposed on this fund.	
Child abuse and neglect program fund—federal	127,000
Department of energy training and technical assistance—federal fund	111,174
Federal formula grants fund—assistance programs	No limit
Federal energy winterization program fund	No limit
Oil overcharge—LIEAP fund	5,500,000
Intermediate care facilities revolving fund	No limit
<i>Provided</i> , 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: <i>Provided, however</i> , 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.	
KanWork revolving fund	No limit
<i>Provided</i> , That expenditures may be made from this fund for loans to KanWork clients to allow clients to progress from financial assistance to financial independence through self-employment: <i>Provided, however</i> , 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.	
Oil overcharge—weatherization fund	1,500,000
Juvenile justice and delinquency act fund—federal	854,413
Vocational rehabilitation—dependent living program—federal fund	553,724
Federal weatherization assistance program fund	No limit
Casemix demonstration project grant fund	No limit
Community youth activity program block grant	No limit
Independent living for pre- and early-adolescent youth grant fund	No limit
Vocational rehabilitation—client assistance project—federal fund	75,464
Social services block grant—federal fund	27,331,334
<i>Provided</i> , That any transfers of moneys from this fund to any other block grant fund specified in this subsection shall be in addition to any expenditure limitation imposed on this fund.	
Energy assistance block grant—federal fund	No limit
Alcohol, drug abuse and mental health block grant—federal fund	5,945,842
<i>Provided</i> , That any transfers of moneys from this fund to any other block grant fund specified in this subsection shall be in addition to any expenditure limitation imposed on this fund.	
Community services block grant—federal fund	2,578,469
<i>Provided</i> , That any transfers of moneys from this fund to any other block grant fund specified in this subsection shall be in addition to any expenditure limitation imposed on this fund.	
Surplus food processing—federal fund	223,751
Community supplemental food program	154,457

Federal surplus food distribution fund—emergency jobs bill	501,534
Charitable institutional commodity program fund	388,164
Family and children trust fund	243,255
Federal victims of crime assistance program fund	541,500
Homemaker services fund—private contributions	159,240
Emergency homeless—federal fund	158,257
Purchase of services fund—private contributions	10,454
Lea B. McClure trust fund	No limit
John A. Brinkmeyer trust fund	No limit
Drug abuse fund—department of social and rehabilitation services—federal fund	578,050
Telecommunications network and technical assistance grant—federal fund	No limit
Child dependent care planning and development grant—federal fund	No limit
Children's justice assistance act fund	No limit
Institutional receipts from title XIX—federal fund	No limit

*Provided*, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services shall be credited to this fund: *Provided further*, That the moneys in this fund shall be used only for transfers to state institutions under the jurisdiction of mental health and retardation services, for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, and for expenditures for annual premium surcharges required to be paid to the health care stabilization fund and for transfers to the social welfare fund for long term care expenditures.

Mental health services and management block grant—federal fund	2,116,223
Special projects fund	No limit
Rehabilitation services—Title III—federal fund	453,808
Developmental disabilities program—federal fund	596,442
Vocational rehabilitation supported employment—title VI(C)—federal fund	250,000
Vocational rehabilitation unit reimbursement fund	No limit
Juvenile detention facilities fund	No limit
Job training partnership act fund	No limit
Dependent care planning and development grant—federal fund	No limit
Skilled training in intensive family counseling—federal fund	No limit
Promotion of special needs adoption fund	No limit
Evaluation of service delivery techniques related to adoption placement of children over 12—federal fund	No limit
Community stability project grant fund—federal	No limit
Drug abuse treatment waiting list reduction—federal fund	216,482
Uniform alcohol and drug abuse reporting system—federal fund	79,840

(c) On July 1, 1990, the appropriation made for the department of social and rehabilitation services by section 2(i) of chapter 26 of the 1989 Session Laws of Kansas from the state general fund in the special state grants for community mental retardation assistance account is hereby lapsed.

(d) Expenditures may be made by the above agency from appropriations for the fiscal year ending June 30, 1991, for contracts which are hereby authorized to be entered into by the secretary of social and rehabilitation services with the secretary of health and environment to provide for certification inspections of skilled nursing facilities and intermediate care facilities.

(e) Expenditures may be made by the above agency from appropriations for the fiscal year ending June 30, 1991, for contracts to provide homemaker services upon a determination by the secretary of social and rehabilitation services, with the advice of area directors of the department, that the amount of homemaker services provided could be increased through the use of contractual service agreements within the limits of funding for homemaker services.

(f) On July 1, 1990, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the energy grants management fund of the state corporation commission to the oil overcharge—weatherization fund of the department of social and rehabilitation services.

(g) On July 1, 1990, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,500,000 from the energy grants management fund of the state corporation commission to the oil overcharge—LIEAP fund of the department of social and rehabilitation services.

(h) On July 1, 1990, the director of accounts and reports shall transfer any unencumbered balance in the rehabilitation of the blind fund—federal to the vocational rehabilitation of disabled persons fund—federal.

(i) On July 1, 1990, the director of accounts and reports shall transfer any unencumbered balance in the interim assistance—federal fund to the social welfare fund.

(j) On July 1, 1990, or as soon thereafter as moneys are available,

the director of accounts and reports shall transfer from the institutional receipts from title XIX—federal fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services, which shall not exceed \$10 million.

Sec. 4. *Position limitations.* (a) The limitations imposed by this act on the number of full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1990 made in this act or in any appropriations act of the 1989 regular session of the legislature or in any other appropriations act of the 1990 regular session of the legislature, may be exceeded upon approval of the state finance council.

(b) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1991, made in this or other appropriation act of the 1990 regular session of the legislature for the following agency shall not exceed the following, except upon approval of the state finance council:

Agency	Number of Positions Equated To Full-Time
Department of Social and Rehabilitation Services .....	3,238.2

*Provided*, That all full-time and regular part-time positions equated to full-time, for the home care programs in the classified service under the Kansas civil service act, all unclassified positions for attendant care services under the home and community based services program, all unclassified positions of persons engaged in direct labor in production of goods or services at the industries for the blind workshop, and all positions for special projects staff of mental health and retardation services shall be in addition to any position limitation imposed on the department of social and rehabilitation services for fiscal year 1991.

Sec. 5. *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. 6. *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 1990 regular session of the legislature, is hereby appropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 7. *Federal Grants.* Each federal grant or other federal receipt which is received for the fiscal year ending June 30, 1991, by a state agency named in this act, which is not otherwise appropriated to that state agency by this or other appropriation act of the 1990 regular session of the legislature, is hereby appropriated 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. 8. Any transfers of money during the fiscal year ending June 30, 1991, 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, 1991.

Sec. 9. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, May 24, 1990.)

SENATE BILL No. 748

AN ACT concerning the correctional institutions; effecting certain consolidations and name changes; affecting definitions and conforming statutory references; prohibiting certain correctional facilities; amending K.S.A. 8-113, 8-607, 9-2010, 17-5412, 17-5811, 17-5812, 19-521, 20-208, 21-4203, 21-4602, 21-4620, 22-3710, 22-3711, 22-3712, 22-3713, 22-3719, 22-3720, 22-3722, 22-4001, 22-4002, 22-4006, 22-4011, 22-4012, 22-4013, 41-405, 42-396, 42-3, 104, 44-619, 47-421, 50-127, 59-103, 66-175, 74-4914a, 75-3058, 75-3765, 75-3790, 75-4228, 75-4362, 75-4503, 75-4610, 75-5202, 75-5209, 75-5210, 75-5211, 75-5212, 75-5218, 75-5225, 75-5226, 75-5246, 75-5247, 75-5247a, 75-5249, 75-5250, 75-5251, 75-5252, 75-5253, 75-5254, 75-5255, 75-5256, 75-5257, 75-5258, 75-5259, 75-5260, 75-5263, 75-5264, 75-5265, 75-5266, 75-5282, 75-5285, 75-52,116, 75-52,122, 75-52,124, 76-1305, 76-2473, 76-2474 and 79-1408 and K.S.A. 1989 Supp. 2-213 and K.S.A. 21-4605, as amended by section 1 of 1990 House Bill No. 2754, 65-1812, as amended by section 4 of 1990 House Bill No. 2466, 75-5220, as amended by section 1 of 1990 Senate Bill No. 213, and 75-5262, as amended by section 4 of 1990 Senate Bill No. 213, and K.S.A. 1989 Supp. 21-4603, as amended by section 12 of 1990 Senate Bill No. 77, and repealing the existing sections; also repealing K.S.A. 75-5261, 75-5283 and 75-52,115 and K.S.A. 1989 Supp. 21-4603c.

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

New Section 1. (a) On the effective date of this act, the Kansas correctional institution at Lansing shall be consolidated with and become a part of the Kansas state penitentiary. The consolidated institution shall be named the Lansing correctional facility. All properties, moneys, appropriations, rights and authorities now vested in the Kansas correctional institution at Lansing or the Kansas state penitentiary shall be vested in the Lansing correctional facility. Whenever the Kansas correctional institution at Lansing or Kansas state penitentiary, or words of like effect, are referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the Lansing correctional facility.

(b) On the effective date of this act, the state reception and diagnostic center shall be consolidated with and become a part of the state correctional vocational training center. The consolidated institution shall be named the Topeka correctional facility—east. All properties, moneys, appropriations, rights and authorities now vested in the state reception and diagnostic center or the state correctional vocational training center shall be vested in the Topeka correctional facility—east. Whenever the state reception and diagnostic center or state correctional vocational training center, or words of like effect, are referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the Topeka correctional facility—east.

(c) On the effective date of this act, the Forbes correctional facility shall be consolidated with and become a part of the Topeka correctional facility. The consolidated institution shall be named the Topeka correctional facility—west. All properties, moneys, appropriations, rights and authorities now vested in the Forbes correctional facility or the Topeka correctional facility shall be vested in the Topeka correctional facility—west. Whenever the Forbes correctional facility or the Topeka correctional facility, or words of like effect, are referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the Topeka correctional facility—west.

(d) On the effective date of this act, the Stockton correctional facility shall be consolidated with and become a part of the Norton correctional facility. All properties, moneys, appropriations, rights and authorities now vested in the Stockton correctional facility shall be vested in the Norton correctional facility. Whenever the Stockton correctional facility, or words of like effect, are referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the Norton correctional facility.

(e) The name of the state industrial reformatory is hereby changed to the Hutchinson correctional facility. All properties, moneys, appropriations, rights and authorities now vested in the state industrial reformatory shall be vested in the Hutchinson correctional facility. Whenever the state industrial reformatory, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the Hutchinson correctional facility.

Sec. 2. K.S.A. 1989 Supp. 2-213 is hereby amended to read as follows: 2-213. The state fair board is hereby authorized and em-

(continued)

powered to enter into a contract with individuals or corporations for the construction of an automobile display building, and the maintenance thereof, upon the state fairgrounds and for which purpose the right to construct such building upon ~~state's state~~ property is hereby expressly granted and conferred, ~~which~~. Such building shall be the property of the state for the use and benefit of the state fair. The board is further authorized and empowered to enter into a written lease for such building for a period of not more than eight years during which such period the rentals therefrom shall be used and applied to the payment of the cost of the construction and to the maintenance of such building and such rentals during such period shall be deemed ample and sufficient to pay the entire cost of the construction and the maintenance of such building. In no event shall the state of Kansas ever be liable for the cost of such building, nor shall the state be liable for the maintenance of such building during the eight-year lease period. In the construction of the building, brick from the ~~penitentiary Lansing correctional facility~~ may be used and labor from the ~~industrial reformatory Hutchinson correctional facility~~ shall be provided.

Sec. 3. K.S.A. 8-113 is hereby amended to read as follows: 8-113. Any person who shall destroy or cause to be destroyed, remove or cause to be removed, alter or deface, or cause to be altered or defaced, the engine number, identification number, or serial number of any motor vehicle in this state, or who shall change any identification number from one motor vehicle to another, or who shall give a wrong description in an application for the registration of any motor vehicle in this state, for the purpose of concealing or hiding the identity of such motor vehicle, or any person who shall copy, print, photostat or cause to be copied, printed or photostated for a fraudulent purpose or for the purpose of producing a fictitious title, alter or deface or cause to be altered or defaced or knowingly have in possession any fictitious, fraudulent, or counterfeit certificates of title, ownership certificates or registration receipts shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the ~~state penitentiary~~ the custody of the secretary of corrections for a term of not less than one (1) year nor more than five (5) years.

Sec. 4. K.S.A. 8-607 is hereby amended to read as follows: 8-607. Any person who shall violate any of the provisions of this act, and any employee, agent or officer of any such person who shall participate, in any manner, in making, enforcing or performing, or in aiding or abetting, in the performance of any such contract, condition, agreement or understanding, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished for each offense by a fine of not less than one hundred dollars \$100 nor more than five thousand dollars \$5,000 or by imprisonment in the ~~penitentiary~~ the custody of the secretary of corrections for not less than one year nor more than five years, or by both such fine and imprisonment.

Sec. 5. K.S.A. 9-2010 is hereby amended to read as follows: 9-2010. No bank shall accept or receive on deposit, with or without interest, any money, bank bills or notes, or United States treasury notes, gold or silver certificates, or currency, or other notes, bills, checks, or drafts, when such bank is insolvent; and any officer, director, cashier, manager, member, partner or managing partner of any bank, who shall knowingly violate the provisions of this section or be accessory to or permit or connive at the receiving or accepting on deposit of any such deposit, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$5,000, or by imprisonment in the ~~penitentiary~~ the custody of the secretary of corrections not less than one year nor more than five years, or by both such fine and imprisonment.

Sec. 6. K.S.A. 17-5412 is hereby amended to read as follows: 17-5412. The board of directors of any association formed under the provisions of this or any previous act may from time to time declare dividends from the earnings of the association to be paid or credited in such manner as may be provided in the bylaws, but no dividends shall be declared except from the earnings and undivided profits of the association. ~~Provided, however, That~~. If the board of directors shall declare, credit or pay any dividend when there is an impairment of capital they shall be jointly and severally liable to the extent of the dividend so declared, credited or paid for all the debts of the association then existing or that shall be thereafter contracted while

they shall respectively continue in office. ~~Provided, That~~. Any of the board of directors who shall object to the declaring of such dividend or the payment or crediting of the same and who shall at the time of declaration of the dividend procure his objections to be noted in the book of minutes of the association and shall file a certificate of his such objections in writing with the secretary of the association and with the commissioner shall be exempted from such liability and any director of such association who consents to the payment of any dividend when the capital is impaired shall be deemed guilty of a felony and upon conviction thereof shall be imprisoned in the ~~penitentiary~~ the custody of the secretary of corrections for not less than one (1) nor more than five (5) years.

Sec. 7. K.S.A. 17-5811 is hereby amended to read as follows: 17-5811. No association shall accept or receive payments upon shares when there is an impairment of capital; and any officer, director or employee who shall knowingly violate the provisions of this section or be accessory to or permit or connive at the receiving or accepting payments on such shares, shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the ~~penitentiary~~ the custody of the secretary of corrections not less than one (1) year nor more than five (5) years. The word "share" as used in this section shall not include guarantee shares or stock.

Sec. 8. K.S.A. 17-5812 is hereby amended to read as follows: 17-5812. Any officer, director, trustee, attorney, agent or servant of any association heretofore or hereafter to be incorporated who shall use or dispose of any part of the moneys, property, assets or funds of such association, or assign, transfer, cancel, deliver up or acknowledge satisfaction of any bond, mortgage or other written instrument belonging to such association, unless duly authorized or otherwise than in the regular and legitimate business of the association, or who shall be guilty of any fraud in the performance of his duties, shall be liable civilly to the association, and also to any other party injured, to the extent of the damage thereby caused, and shall also be guilty of a felony, and upon conviction thereof shall be imprisoned in the ~~penitentiary~~ the custody of the secretary of corrections for not less than one nor more than five years.

Sec. 9. K.S.A. 19-521 is hereby amended to read as follows: 19-521. The statement made, as provided in K.S.A. 19-520, and amendments thereto, shall be signed and sworn to by the treasurer; and Any treasurer who shall swear falsely in any such statement shall be guilty of perjury, and on conviction shall be confined in the ~~penitentiary~~ the custody of the secretary of corrections for one year, and his such treasurer's office shall be declared vacant.

Sec. 10. K.S.A. 20-208 is hereby amended to read as follows: 20-208. (a) When the reports of the decisions of the supreme court or court of appeals are delivered, the state law librarian shall up as many thereof as may be necessary to maintain reasonable and equitable exchanges of such reports for law books and other legal publications of the other states, territories, countries, societies and institutions, for use in the supreme court law library. As used herein, "Kansas reports" shall mean the reports of the decisions of the supreme court and court of appeals. The state law librarian shall distribute copies of the Kansas reports without charge, as follows:

(1) The supreme court, the court of appeals and the office of the attorney general shall receive the number of copies necessary to conduct the official business of such office, as certified to the state law librarian by the head or executive officer of the respective agencies;

(2) The office of each elected state official, other than those specifically provided for herein, shall receive one copy;

(3) The law library of the school of law of the university of Kansas shall receive ~~thirty (30)~~ 30 copies to maintain its sets of Kansas reports and for exchange purposes, and the law library of the school of law of Washburn university of Topeka shall receive ~~thirty (30)~~ 30 copies to maintain its sets of Kansas reports and for exchange purposes;

(4) The state library and the libraries of Emporia state university, Fort Hays state university, Pittsburg state university, Kansas state university, and Wichita state university shall receive two (2) copies to maintain its set of Kansas reports;

(5) The United States district court for the district of Kansas shall receive six (6) copies;



(6) The office of each judge of the district court shall each receive one copy;

(7) The ~~state penitentiary at Lansing correctional facility and the state industrial reformatory at Hutchinson correctional facility~~ shall each receive one copy for the use of inmates at such institutions and one copy for the use of the legal advisor at such institutions;

(8) The library of congress shall receive two ~~(2)~~ copies in order to complete the copyright of said reports;

(9) One copy shall be deposited with the appropriate office of the United States post office in order to obtain a postal permit for mailing such reports;

(10) A personal copy of the reports shall be presented to each justice of the supreme court, each judge of the court of appeals, the clerk of the supreme court, the supreme court reporter, and the judicial administrator of the district courts. Also, a personal copy shall be sent to any retired supreme court justice, judge of the court of appeals, district judge or associate district judge, if such retired judge or justice files with the clerk of the supreme court annually a certificate stating that ~~he or she~~ such judge or justice is not engaged in the active practice of law and is willing to accept judicial assignments; and

(11) The legislative coordinating council shall receive the number of copies necessary to conduct the official business of the legislative branch of government, as certified to the state law librarian by the legislative coordinating council.

(b) Except as otherwise specifically provided in paragraph (10) of subsection (a), all copies of the Kansas reports distributed pursuant to subsection (a) or purchased by any governmental agency or subdivision shall become the property of such office, agency or subdivision, which shall be accountable therefor, and the state law librarian shall not distribute any reports to any others or for any other purpose, but shall be responsible for the remaining volumes of said reports, which shall be sold ~~by him or her~~ at the per volume price fixed by the supreme court under this section for each current volume, plus the amount fixed by the supreme court under this section for the cost of postage and handling, and the per volume price fixed by the supreme court under this section for each non-current volume which has not been reprinted, plus the amount fixed by the supreme court under this section for the cost of postage and handling. The supreme court shall have authority to order printed such additional copies of the reports of the supreme court as in ~~their~~ its judgment will be necessary to supply the demand upon the state law librarian for the same. The state law librarian shall sell any noncurrent volume which is reprinted at the per volume price fixed by the supreme court under this section, plus the amount fixed by the supreme court under this section for the cost of postage and handling. All purchases of reports shall be made by payment in advance. The supreme court shall fix the per volume price for copies of these Kansas reports sold under this section to recover the costs of printing and binding such volumes and shall fix the amount to be charged in connection with the sale of each of such volumes to cover the costs of postage and handling applicable thereto. The supreme court shall revise all such prices from time to time as necessary for the purposes of covering or recovering such costs.

(c) It shall be the duty of the director of printing, under the direction of the supreme court, to make and preserve for future use proofs, matrices, plates, computer tapes or impressions of all volumes of the reports of the supreme court and such other publications as the supreme court may designate. The director of printing shall not make or permit to be made any proofs, matrices, plates, computer tapes or impressions of any book published by the judicial branch of the state government except for the use of the state, as herein provided, and all proofs, matrices, plates, computer tapes or impressions so made for any book published by the judicial branch of the state government shall be the exclusive property of the state, except that the director of printing may grant a revocable license to any nonprofit corporation whereby such corporation may utilize the services of equipment and personnel under the supervision of the director of printing for the purpose of converting reports of the Kansas supreme court and the Kansas court of appeals to machine readable form for use by such corporation in providing computerized legal research services, subject to protection of the state's copyright as to any purpose unnecessary for such computerized legal research.

Sec. 11. K.S.A. 21-4203 is hereby amended to read as follows: 21-4203. (1) Unlawful disposal of firearms is knowingly:

(a) Selling, giving or otherwise transferring any firearm with a barrel less than ~~twelve (12)~~ 12 inches long to any person under ~~eighteen (18)~~ 18 years of age; or

(b) Selling, giving or otherwise transferring any firearms to any habitual drunkard or narcotic addict; or

(c) Selling, giving or otherwise transferring any firearm with a barrel less than ~~twelve (12)~~ 12 inches long to any person who has been convicted of a felony under the laws of this or any other jurisdiction if such sale, gift or transfer is made to such convicted person within five ~~(5)~~ years after ~~his such person's~~ release from the ~~penitentiary a state correctional institution~~ or within five ~~(5)~~ years after ~~his such person's~~ conviction if the defendant has not been imprisoned in the ~~penitentiary a state correctional institution~~.

(2) Unlawful disposal of firearms is a class A misdemeanor.

Sec. 12. K.S.A. 21-4602 is hereby amended to read as follows: 21-4602. As used in K.S.A. 21-4601 through 21-4621, and amendments thereto:

(1) "Court" means any court having jurisdiction and power to sentence offenders for violations of the laws of this state.

(2) "Suspension of sentence" means a procedure under which a defendant, found guilty of a crime, upon verdict or plea, is released by the court without imposition of sentence. The release may be with or without supervision in the discretion of the court.

(3) "Probation" means a procedure under which a defendant, found guilty of a crime upon verdict or plea, is released by the court after imposition of sentence, without imprisonment, subject to conditions imposed by the court and subject to the supervision of the probation service of the court.

(4) "Parole" means the release of a prisoner to the community by the Kansas parole board prior to the expiration of such prisoner's term, subject to conditions imposed by the board and to the secretary of correction's supervision. "Parole" also means the release by a court of competent jurisdiction of a person confined in the county jail or other local place of detention after conviction and prior to expiration of such person's term, subject to conditions imposed by the court and its supervision. Where a court or other authority has filed a warrant against the prisoner, the Kansas parole board or paroling court may release the prisoner on parole to answer the warrant of such court or authority.

(5) "Institution" means the ~~Kansas state penitentiary at Lansing, the Kansas correctional institution at Lansing, the state industrial reformatory at Hutchinson, the state reception and diagnostic center at Topeka, the state correctional-vocational training center at Topeka, the Ellsworth correctional work facility at Ellsworth, Lansing correctional facility, Hutchinson correctional facility, Topeka correctional facility—east, Topeka correctional facility—west, Norton correctional facility, Ellsworth correctional facility, Hutchinson correctional work facility, Winfield correctional facility, Osawatimie correctional facility, Larned correctional mental health facility, El Dorado correctional work facility, Toronto correctional work facility, Wichita work release center, and any other correctional institution; center or camp~~ under control of the secretary of corrections.

(6) "Community correctional services program" means a program which operates under the community corrections act and to which a defendant is assigned for supervision, confinement, detention, care or treatment, subject to conditions imposed by the court. A defendant assigned to a community correctional services program shall be subject to the continuing jurisdiction of the court and in no event shall be considered to be in the custody of or under the supervision of the secretary of corrections.

Sec. 13. On July 1, 1990, K.S.A. 1989 Supp. 21-4603, as amended by section 12 of 1990 Senate Bill No. 77, is hereby amended to read as follows: 21-4603. (1) Whenever any person has been found guilty of a crime and the court finds that an adequate presentence investigation cannot be conducted by resources available within the judicial district, including mental health centers and mental health clinics, the court may require that a presentence investigation be conducted by the ~~state reception and diagnostic center Topeka correctional facility — east~~ or by the state security hospital. If the offender is sent to the ~~state reception and diagnostic center~~

(continued)

*Topeka correctional facility — east* or the state security hospital for a presentence investigation under this section, the ~~center correctional facility~~ or hospital may keep the offender confined for a maximum of 60 days, except that an inmate may be held for a longer period of time on order of the secretary, or until the court calls for the return of the offender. While held at the ~~reception and diagnostic center~~ *Topeka correctional facility — east* or the state security hospital the defendant may be treated the same as any person committed to the secretary of corrections or secretary of social and rehabilitation services for purposes of maintaining security and control, discipline, and emergency medical or psychiatric treatment, and general population management except that no such person shall be transferred out of the state or to a federal institution or to any other location unless the transfer is between the ~~reception and diagnostic center~~ *correctional facility* and the state security hospital. The ~~state reception and diagnostic center~~ *correctional facility* or the state security hospital shall compile a complete mental and physical evaluation of such offender and shall make its findings and recommendations known to the court in the presentence report.

(2) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(a) Commit the defendant to the custody of the secretary of corrections or, if confinement is for a term less than one year, to jail for the term provided by law;

(b) impose the fine applicable to the offense;

(c) release the defendant on probation subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(d) suspend the imposition of the sentence subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(e) assign the defendant to a community correctional services program subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(f) assign the defendant to a conservation camp for a period not to exceed 180 days;

(g) assign the defendant to a house arrest program pursuant to K.S.A. 21-4603b and amendments thereto; or

(h) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (3) of K.S.A. 21-4502 and amendments thereto; or

(i) impose any appropriate combination of (a), (b), (c), (d), (e), (f) or (g) or (h).

*In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (4) of K.S.A. 21-4502 and amendments thereto.*

In imposing a fine the court may authorize the payment thereof in installments. In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole or conditional release.

The court in committing a defendant to the custody of the secretary of corrections shall fix a maximum term of confinement within the limits provided by law. In those cases where the law does not fix a maximum term of confinement for the crime for which the defendant was convicted, the court shall fix the maximum term of such confinement. In all cases where the defendant is committed to the custody of the secretary of corrections, the court shall fix the minimum term within the limits provided by law.

(3) (a) Except when an appeal is taken and determined adversely to the defendant as provided in subsection (3)(b) ~~of this subsection~~ (3), at any time within 120 days after a sentence is imposed, after probation or assignment to a community correctional services program has been revoked, the court may modify such sentence, revocation of probation or assignment to a community correctional services program by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits and shall modify such sentence if recommended by the ~~state reception and diagnostic center~~ *Topeka correctional facility — east* unless the

court finds that the safety of the public will be jeopardized and that the welfare of the inmate will not be served by such modification.

(b) If an appeal is taken and determined adversely to the defendant, such sentence may be modified within 120 days after the receipt by the clerk of the district court of the mandate from the supreme court or court of appeals.

(4) The court shall modify the sentence at any time before the expiration thereof when such modification is recommended by the secretary of corrections unless the court finds that the safety of the public will be jeopardized and that the welfare of the inmate will not be served by such modification. The court shall have the power to impose a less severe penalty upon the inmate, including the power to reduce the minimum below the statutory limit on the minimum term prescribed for the crime of which the inmate has been convicted. The recommendation of the secretary of corrections, the hearing on the recommendation and the order of modification shall be made in open court. Notice of the recommendation of modification of sentence and the time and place of the hearing thereon shall be given by the inmate, or by the inmate's legal counsel, at least 21 days prior to the hearing to the county or district attorney of the county where the inmate was convicted. After receipt of such notice and at least 14 days prior to the hearing, the county or district attorney shall give notice of the recommendation of modification of sentence and the time and place of the hearing thereon to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's next of kin if the next of kin's address is known to the county or district attorney. Proof of service of each notice required to be given by this subsection shall be filed with the court.

(5) After such defendant has been assigned to a conservation camp but prior to the end of 180 days, the chief administrator of such camp shall file a performance report and recommendations with the court. The court shall enter an order based on such report and recommendations modifying the sentence, if appropriate, by sentencing the defendant to any of the authorized dispositions provided in subsection (2), except to reassign such person to a conservation camp as provided in subsection (2)(f).

(6) Dispositions which do not involve commitment to the custody of the secretary of corrections and commitments which are revoked within 120 days shall not entail the loss by the defendant of any civil rights.

(7) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office, or impose any other civil penalty as a result of conviction of crime.

(8) An application for or acceptance of probation, suspended sentence or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(9) When it is provided by law that a person shall be sentenced pursuant to section 8 of 1990 *Senate Bill No. 77*, the provisions of this section shall not apply.

Sec. 14. K.S.A. 21-4605, as amended by section 1 of 1990 House Bill No. 2754, is hereby amended to read as follows: 21-4605. (a) Upon request of the attorney for the state or the counsel for the defendant, the judge shall make available to the attorney or counsel the presentence report, any report that may be received from the ~~Kansas state diagnostic center~~ *Topeka correctional facility — east* or the state security hospital and other diagnostic reports and shall allow the attorney or counsel a reasonable time to review the report before sentencing the defendant. Except as otherwise provided in this section, all these reports shall be part of the record but shall be sealed and opened only on order of the court.

(b) If a defendant is committed to the custody of the secretary of corrections, all reports under subsection (a) shall be sent to the secretary of corrections and, in accordance with K.S.A. 75-5220, and amendments thereto, to the director of the state correctional institution to which the defendant is conveyed.

(c) Nothing in this section shall be construed as prohibiting the attorney for the defendant from disclosing the report of the pres-

entence investigation, or other diagnostic reports, to the defendant after receiving court approval to do so.

(d) Notwithstanding subsections (a), (b) and (c), the presentence report, any report that may be received from the ~~Kansas state diagnostic center Topeka correctional facility — east~~ or the state security hospital and other diagnostic reports, shall be made available upon request to the Kansas sentencing commission for the purpose of data collection and evaluation.

Sec. 15. K.S.A. 21-4620 is hereby amended to read as follows: 21-4620. (a) If the defendant is to be sentenced to the custody of the secretary of corrections, the court may prepare a judgment form which shall be signed by the court and filed with the clerk. If prepared, the judgment form shall reflect the conviction, the sentence and the commitment, and shall contain the following:

(1) The pronouncement of guilt including:

- (A) The title of the crime;
- (B) the statute violated;
- (C) the date the offense occurred.

(2) The sentence imposed including:

(A) The terms as required by subsection (2) of K.S.A. 21-4603 and amendments thereto;

(B) if applicable, a description of any increase in sentence because of previous felony conviction pursuant to K.S.A. 21-4504 and amendments thereto;

(C) if applicable, a statement that this defendant has been convicted of a class A, B or C felony by reason of aiding, abetting, advising, or counseling another to commit a crime, or by reason of the principle provided for in subsection (2) of K.S.A. 21-3205 and any amendments thereto;

(D) if applicable, a statement that this defendant, age 18 or over, has been mandatorily sentenced pursuant to K.S.A. 21-4618 and amendments thereto for use of a firearm in a crime under article 34 of chapter 21, or the crime of rape or aggravated sodomy;

(E) a statement of the effective date of the sentence indicating whether it is the date of imposition or some date earlier to give credit for time confined pending disposition of the case pursuant to K.S.A. 21-4614 and amendments thereto or credit for time on probation or assignment to community corrections pursuant to K.S.A. 21-4614a and amendments thereto.

(3) The order of commitment to the custody of the secretary, if not issued as a separate order.

(b) The court may attach to or include in the judgment form any of the following:

(1) A statement of reasons for imposing the sentence as ordered other than those reasons required above to be stated;

(2) a description of aggravating or mitigating circumstances the court took into consideration when ordering the commitment;

(3) recommendations on a program of rehabilitation for the offender, based on presentence investigation reports and any other information available. Such recommendations may include desirable treatment for corrections of physical deformities or disfigurement that may, if possible, be corrected by medical or surgical procedures or by prosthesis;

(4) a recommendation for further evaluation at the ~~Kansas state reception and diagnostic center Topeka correctional facility—east~~, even though defendant was committed for presentence investigation;

(5) the copy of the evidence from trial or part thereof transmitted pursuant to K.S.A. 75-5219 and amendments thereto.

(c) The court shall forward a copy of all presentence investigation reports and other diagnostic reports on the offender received by the district court, including any reports received from the ~~Kansas state reception and diagnostic center Topeka correctional facility—east~~ or the state security hospital, to the officer having the offender in custody for delivery with the offender to the correctional institution.

Sec. 16. K.S.A. 22-3710 is hereby amended to read as follows: 22-3710. The Kansas ~~adult authority parole board~~ shall adopt an official seal of which the courts shall take judicial notice. The orders of the ~~authority parole board~~ shall not be reviewable except as to compliance with the terms of this act or other applicable laws of this state. The ~~authority parole board~~ shall keep a record of its acts and shall notify each institution and the secretary of corrections of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year, the ~~authority parole board~~

shall submit to the governor and to the legislature a report with statistical and other data of its work, including research studies which it may make of probation, sentencing, parole, or related functions, and a compilation and analysis of dispositions of criminal cases by district courts throughout the state or by executive authority.

Sec. 17. K.S.A. 22-3711 is hereby amended to read as follows: 22-3711. The presentence report, the preparole report and the supervision history, obtained in the discharge of official duty by any member or employee of the ~~authority Kansas parole board~~ or any employee of the department of corrections, shall be privileged and shall not be disclosed directly or indirectly to anyone other than the ~~authority parole board~~, the judge, the attorney general or others entitled to receive the information, except that the ~~authority parole board~~, secretary of corrections or court may permit the inspection of the report or parts of it by the defendant, inmate, defendant's or inmate's attorney or other person having a proper interest in it, whenever the best interest or welfare of a particular defendant or inmate makes the action desirable or helpful.

Sec. 18. K.S.A. 22-3712 is hereby amended to read as follows: 22-3712. The ~~authority Kansas parole board~~ may establish and maintain residence facilities for the housing of probationers or parolees, or may contract for such housing in facilities approved by it; it may establish and maintain diagnostic and treatment facilities for persons referred during presentence investigation or on probation or parole, or may contract for such facilities. As a condition of probation or parole, a probationer or parolee may be placed in such residence, diagnostic, or treatment facility by order of the court or ~~authority parole board~~. Placement in a diagnostic or treatment facility shall not exceed ~~ninety (90)~~ 90 days, but may be renewed for further ninety-day periods on certificates presented to the court by the director of such facility.

Sec. 19. K.S.A. 22-3713 is hereby amended to read as follows: 22-3713. The ~~authority Kansas parole board~~ shall appoint a state director of the ~~Kansas adult authority parole board~~ who may appoint and prescribe the ~~duties of~~, with the approval of the ~~authority parole board~~, the ~~duties of~~ a deputy director and other employees required to administer the provisions of this act. The ~~authority parole board~~ may authorize one or more of its members to conduct hearings on behalf of the ~~authority parole board~~.

The deputy director may exercise such powers and perform such duties of the director as may be authorized by the ~~authority parole board~~. The director and all other officers and employees of the ~~authority parole board~~ shall be within the classified service of the Kansas civil service act: ~~Provided, That~~. The residence requirements of the Kansas civil service act shall not apply to the appointment of ~~said the~~ director or deputy director. All officers and employees of the ~~authority parole board~~ shall receive, in addition to their regular compensation, ~~receive~~ their actual and necessary ~~traveling travel~~ and other expenses incurred in the performance of their official duties.

Sec. 20. K.S.A. 22-3719 is hereby amended to read as follows: 22-3719. It shall be the duty of all correctional institution officials to grant to the members of the ~~authority Kansas parole board~~, or its properly accredited representatives, access at all reasonable times to any inmate, to provide for the ~~authority parole board~~ or such representative facilities for communicating with and observing such inmate, and to furnish to the ~~authority parole board~~ such reports as the ~~authority parole board~~ shall require concerning the conduct and character of any inmate in their custody and any other facts deemed by the ~~authority parole board~~ to be pertinent in determining any issue before the ~~authority parole board~~.

Sec. 21. K.S.A. 22-3720 is hereby amended to read as follows: 22-3720. The ~~authority Kansas parole board~~ shall have power to issue subpoenas requiring the attendance of any witnesses and the production of any records, books, papers and documents that it considers necessary for the investigation of the issues before it. Subpoenas may be signed and oaths administered by any member of the ~~authority parole board~~. Subpoenas so issued may be served by any law enforcement officer, in the same manner as similar process in the district court. Any person who testifies falsely, fails to appear when subpoenaed or fails or refuses to produce material pursuant to the subpoena shall be subject to the same orders and penalties

(continued)

to which a person before a court is subject. Any district court of this state, upon application of the ~~authority parole board~~, may in its discretion compel the attendance of witnesses, the production of material and the giving of testimony before the ~~authority parole board~~, by an attachment for contempt or otherwise in the same manner as production of evidence may be compelled before the district court.

Sec. 22. K.S.A. 22-3722 is hereby amended to read as follows: 22-3722. The period served on parole or conditional release shall be deemed service of the term of confinement, and, subject to the provisions contained in K.S.A. 1981 Supp. 75-5217 and amendments thereto relating to an inmate who is a fugitive from or has fled from justice, the total time served may not exceed the maximum term or sentence.

When an inmate on parole or conditional release has performed the obligations of ~~his the~~ release for such time as shall satisfy the ~~authority Kansas parole board~~ that ~~his~~ final release is not incompatible with the best interest of society and the welfare of the individual, the ~~authority parole board~~ may make a final order of discharge and issue a certificate of discharge to the inmate but no such order of discharge shall be made in any case within a period of less than one year after the date of release except where the sentence expires earlier thereto. Such discharge, and the discharge of an inmate who has served ~~his the inmate's~~ term of imprisonment, shall have the effect of restoring all civil rights lost by operation of law upon commitment, and the certification of discharge shall so state. Nothing herein contained shall be held to impair the power of the governor to grant a pardon or commutation of sentence in any case.

Sec. 23. K.S.A. 22-4001 is hereby amended to read as follows: 22-4001. The mode of inflicting the punishment of death, in all cases in this state, shall be by hanging by the neck until such convicted person is dead.

The warden of the ~~state penitentiary Lansing correctional facility~~, and in case of ~~his the warden's~~ death, sickness, absence or inability to act, then the deputy warden, shall be the executioner: ~~Provided~~. The warden may, ~~in writing~~, specially designate and appoint, ~~in writing~~, a suitable and competent person to act for ~~him the warden~~, and under ~~his the~~ direction of the warden, as executioner in any particular case: ~~Provided~~. Nothing contained in the provisions of this section shall apply to a crime committed at any time before the day when this section shall take effect.

Such crime shall be punished according to the provisions of law existing when it is committed, in the same manner as if this section had not been passed; and the provisions of law for the infliction of the penalty of death upon convicted criminals in existence on the day prior to the passage of this section are continued in existence and are applicable to all crimes punishable by death which have been or may be committed before the time when this section takes effect.

A crime punishable by death committed on or after the taking effect of this act must be punished according to the provisions herein made and not otherwise.

Sec. 24. K.S.A. 22-4002 is hereby amended to read as follows: 22-4002. When any person shall be sentenced to be hanged such punishment shall be inflicted within the walls of the ~~state penitentiary Lansing correctional facility~~, or within the yard or enclosure adjacent thereto, under the supervision of the warden and in such a manner as to exclude the view of all persons save those permitted to be present as herein provided.

Sec. 25. K.S.A. 22-4006 is hereby amended to read as follows: 22-4006. (1) If any convict under sentence of death shall appear to be insane, the ~~director warden~~ of the correctional institution or sheriff having custody shall forthwith give notice thereof to a district judge of the judicial district in which such convict was tried and sentenced, and the district judge shall at once make such investigation as shall satisfy ~~him or her the judge~~ as to whether a commission ought to be named to examine such convict. If the district judge shall determine that there is not sufficient reason for the appointment of a commission, such judge shall so find and refuse to suspend the execution of such convict.

(2) If the district judge shall determine that a commission ought to be appointed to examine such convict, such judge shall make a

finding to that effect and cause it to be entered upon the records of the district court in the county in which such convict was sentenced, and, if necessary, the judge shall suspend the execution and appoint the superintendents of the Topeka state hospital, the Osawatimie state hospital, the Rainbow mental health facility and the Larned state hospital as a commission to examine such convict. The commission shall examine the convict with a view of determining whether the convict is sane or insane and shall report its findings in writing to such judge within ~~ten (10)~~ 10 days after appointment. If for any reason any of such superintendents cannot serve in such capacity, the district judge shall appoint in ~~his or her~~ such ~~superintendent's~~ place one of the assistant superintendents of the hospital or facility.

(3) If three of the members of such commission shall find such convict insane, the district judge shall suspend the execution until further order.

(4) Any time thereafter, when it shall be made to appear to the district judge that such convict has become sane, such judge shall appoint a commission in the manner aforesaid, ~~who which~~ shall make another investigation as to the sanity of such convict, and in case such convict is again declared insane ~~his or her the convict's~~ execution shall be suspended by the judge until further order, and such proceedings may be had at such times as the district judge shall order until it is either determined that such convict is sane or incurably insane.

Sec. 26. K.S.A. 22-4011 is hereby amended to read as follows: 22-4011. If any person who has been convicted of a crime punishable by death and sentenced to be hanged shall escape and shall not be retaken before the time fixed for ~~his~~ execution, it shall be lawful for the warden, or any sheriff or other officer or person, to rearrest such person and return ~~him the person~~ to the custody of the warden of the ~~penitentiary Lansing correctional facility~~, who shall thereupon make return thereof to the governor of the state, and the governor shall thereupon issue a warrant fixing and appointing a day for the execution, which shall be carried into effect by the warden in the same manner as herein provided for the execution of an original sentence of death.

Sec. 27. K.S.A. 22-4012 is hereby amended to read as follows: 22-4012. Whenever any person has been tried and convicted before any district court in this state of a crime punishable by death, and under ~~said the~~ conviction has been sentenced by ~~said the~~ court to suffer death, it shall be the duty of the clerk of the court before which ~~said the~~ conviction was had to issue ~~his a~~ warrant, under the seal of ~~said the~~ court, reciting therein ~~said the~~ conviction and sentence, directed to the warden of the ~~penitentiary Lansing correctional facility~~, commanding ~~him the warden~~ to proceed at the time named in ~~said the~~ sentence to carry the same into execution by causing the person so convicted and sentenced to be hanged by the neck until dead; the clerk shall deliver the warrant to the sheriff of the county in which conviction was had, and such sheriff shall thereupon forthwith remove such convicted person to the ~~penitentiary of the state Lansing correctional facility~~, and there deliver ~~him the convicted person~~, together with ~~said the~~ warrant, into the custody of the warden, who shall receive and safely keep such convict within the ~~penitentiary Lansing correctional facility~~ until the time of execution, or until otherwise ordered by competent authority.

Sec. 28. K.S.A. 22-4013 is hereby amended to read as follows: 22-4013. It shall be the duty of the warden of the ~~penitentiary Lansing correctional facility~~, on receipt of such warrant, provided the sentence has not been suspended as by law provided, and provided the governor shall not have commuted such sentence, or granted a reprieve or pardon to such convict, to proceed at the time named in ~~said the~~ warrant to carry ~~said the~~ sentence into execution in the manner herein provided; and the manner of ~~his~~ executing ~~said the~~ warrant, and ~~his the~~ doings thereon, ~~he the warden~~ shall forthwith make return to ~~said the~~ clerk, who shall cause ~~said the~~ warrant and return to be recorded as a part of the records of the case.

Sec. 29. K.S.A. 41-405 is hereby amended to read as follows: 41-405. The director is hereby authorized to measure, gauge or check such alcoholic liquor in bond in any bonded warehouse, and if the amount of liquor on hand does not correspond with the reports of the manufacturer or distributor filed with the director, the proprietor

of such warehouse shall have ~~his~~ *the proprietor's* license revoked, and in addition thereto shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding ~~five thousand dollars (\$5,000)~~ \$5,000 or be imprisoned in the ~~penitentiary~~ *custody of the secretary of corrections* not exceeding ~~ten~~ 10 years. Any storekeeper, inspector or other person in the employ of the director having charge of such bonded liquor warehouse who removes or allows to be removed any cask or other package of such liquor, except on order or permit from the director, or which has not been marked or stamped or consigned as provided by law, or who removes or allows to be removed any part of the contents of any cask or package of liquor deposited therein, shall be immediately dismissed from ~~his~~ office or employment, and in addition thereto shall be deemed guilty of a felony, and upon conviction thereof shall be fined for each offense not exceeding ~~one thousand dollars (\$1,000)~~ \$1,000, and shall be imprisoned in the ~~penitentiary~~ *custody of the secretary of corrections* not more than three years.

Sec. 30. K.S.A. 42-396 is hereby amended to read as follows: 42-396. Any person so offending, after conviction thereof once had, shall be punished by fine in not less than ~~twenty dollars~~ \$20 and not exceeding ~~one thousand dollars~~ \$1,000, or by imprisonment in the ~~penitentiary~~ *custody of the secretary of corrections* for not exceeding one year, in the discretion of the court wherein such conviction shall be had.

Sec. 31. K.S.A. 42-3,104 is hereby amended to read as follows: 42-3,104. Every person who shall, either as owner, agent, contractor or manager, shall build, construct, operate or maintain any such dam or embankment, flume, aqueduct or other conduit in such manner that by reason of the willful or negligent disregard by such person of the requirements of this act, or by ~~his~~ failure to use due caution, care and diligence in the building, construction, operation or maintenance thereof, any other person shall be injured, damaged, or put in jeopardy, either as to person or property, or both, shall be liable for all damages caused by or resulting from ~~his~~ such willful or negligent conduct, and may ~~upon conviction thereunder~~ be punished ~~upon conviction~~ by fine in any sum not less than ~~twenty-five dollars~~ \$25 nor more than ~~five thousand dollars~~ \$5,000, or imprisonment not exceeding a term of three years in the ~~penitentiary~~ *custody of the secretary of corrections* or both such fine and imprisonment, in the discretion of the court wherein such conviction shall be had. ~~Provided, That~~ If loss of human life be caused or occasioned by any such willful or negligent conduct, the person so offending shall be amenable to all the laws and subject to all the penalties provided by the statutes of the state of Kansas in respect of unlawfully, maliciously, willfully or negligently causing the death of any person.

Sec. 32. K.S.A. 44-619 is hereby amended to read as follows: 44-619. Any officer of any corporation engaged in any of the industries, employments, utilities or common carriers herein named and specified, or any officer of any labor union or association of persons engaged as workers in any such industry, employment, utility or common carrier, or any employer of labor, coming within the provisions of this act, who shall willfully use the power, authority or influence incident to ~~his or her~~ such person's official position, or ~~to his or her~~ position as an employer of others, and by such means shall intentionally influence, impel, or compel any other person to violate any of the provisions of this act, or any valid order of the secretary of human resources, shall be deemed guilty of a felony and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine not to exceed \$5,000, or by imprisonment in the ~~state penitentiary at hard labor~~ *custody of the secretary of corrections* for a term not to exceed two years, or by both such fine and imprisonment.

Sec. 33. K.S.A. 47-421 is hereby amended to read as follows: 47-421. ~~On and after July 1, 1940,~~ Any person who shall willfully and knowingly brand or cause to be branded with ~~his~~ such person's brand, or any brand not the recorded brand of the owner, any livestock being the property of another, or who shall willfully or knowingly efface, deface or obliterate any brand upon any livestock, shall be deemed guilty of felony, and upon conviction thereof shall be punished by confinement in the ~~penitentiary~~ *custody of the secretary of corrections* for a period not exceeding five years. Prosecution for violation of the provisions of this section may be had

either in the county where such violation occurred or in any county in which the livestock may be located or found in the possession of the accused.

Sec. 34. K.S.A. 50-127 is hereby amended to read as follows: 50-127. Any person guilty of a violation of either of the preceding sections shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the ~~penitentiary~~ *custody of the secretary of corrections* for not less than two nor more than five years, or by imprisonment in the county jail not less than six months nor more than ~~twelve~~ 12 months.

Sec. 35. K.S.A. 59-103 is hereby amended to read as follows: 59-103. (a) Chapter 59 of the Kansas Statutes Annotated may be used:

- (1) To admit last wills and testaments to probate.
  - (2) To grant and revoke letters testamentary and of administration.
  - (3) To direct and control the official acts of executors and administrators, to settle their accounts, and to order the distribution of estates.
  - (4) To administer partnership estates as provided in this act.
  - (5) To determine the heirs, devisees, and legatees of decedents.
  - (6) To appoint and remove guardians and conservators for minors, voluntary conservatees and incapacitated persons, to make all necessary orders relating to their estates, to direct and control the official acts of such guardians and conservators and to settle their accounts.
  - (7) To supervise the administration of trusts and powers created by wills admitted to probate, and trusts and powers created by written instruments other than by wills in favor of persons subject to conservatorship; to appoint and remove trustees for such trusts, to make all necessary orders relating to such trust estates, to direct and control the official acts of such trustees, and to settle their accounts.
  - (8) To appoint and remove trustees of estates of convicts imprisoned in the ~~penitentiary~~ *a correctional institution* under sentence of imprisonment for life, to make all necessary orders relating to their estates, to direct and control the official acts of such trustees, and to settle their accounts.
  - (9) To hold hearings respecting mentally ill persons, and to order their referral for treatment.
- (b) Every petition to commence an action pursuant to chapter 59 shall state, immediately below the clause showing the name of the court, parties and case docket number, the following: "Petition pursuant to chapter 59 of the Kansas Statutes Annotated."

Sec. 36. On July 1, 1990, K.S.A. 65-1812, as amended by section 4 of 1990 House Bill No. 2466, is hereby amended to read as follows: 65-1812. (a) Any person shall be qualified to receive a license to practice barbering if such person:

- (1) Is at least 16 years of age and of good moral character and temperate habits;
- (2) has graduated from a high school accredited by the appropriate accrediting agency or has otherwise obtained the equivalent of a high school education;
- (3) is a graduate of a barber school or barber college approved by the board or has satisfactorily completed the barber course at the ~~Kansas state industrial reformatory at Hutchinson~~ *an institution under the control of the secretary of corrections* or the disciplinary barracks at Fort Leavenworth;
- (4) has paid an examination fee and has passed the examination conducted by the board to determine the fitness of such person to practice barbering.
- (b) Any person who fails to pass an examination conducted by the board to determine such person's fitness to practice barbering shall be entitled to take the next examination conducted by the board.
- (c) The board may issue a temporary license to practice barbering to any person who has graduated from an approved barber school or barber college and who makes application to take the next examination for licensure to practice barbering. Such license shall be effective only until the results of the examination are announced. No more than three temporary licenses shall be issued to any one person.

(continued)



Sec. 37. K.S.A. 66-175 is hereby amended to read as follows: 66-175. Any person who shall willfully and corruptly swear, testify or affirm falsely to any material matter, upon any oath or affirmation or declaration legally administered in any cause, matter or proceeding before said the corporation commission or any member thereof, or in any return, answer or report required to be made, shall be deemed guilty of willful and corrupt perjury, and shall be punished by imprisonment in the penitentiary at hard labor custody of the secretary of corrections for a term not exceeding seven years.

Sec. 38. K.S.A. 74-4914a is hereby amended to read as follows: 74-4914a. (1) As used in K.S.A. 74-4914a to 74-4914d 74-4914e, inclusive, and amendments thereto, and K.S.A. 74-4914e "security officer" means any person, as certified to the board by the secretary of corrections, who is employed on or after the effective date of this act as an employee of the department of corrections:

(a) Who is in any position in a job class in the ~~correctional~~ corrections officer class series including but not limited to ~~correctional~~ corrections officer I, ~~correctional~~ corrections officer II, ~~correctional~~ corrections supervisor I, ~~correctional~~ corrections supervisor II and ~~correctional~~ corrections supervisor III, or in a position in the ~~correctional~~ corrections counselor I, ~~correctional~~ corrections counselor II, unit team supervisor or ~~correctional~~ corrections classification administrator job class, as all such job classes are described on the effective date of this act in the state job classification plan in effect for the classified service under the Kansas civil service act or who is in a position in any successor job class or classes that have been approved under K.S.A. 75-2938, and amendments thereto, and that have substantially the same duties and responsibilities thereof;

(b) who is promoted prior to or on or after the effective date of this act from a position in any job class under paragraph (a) to any position in any job class of ~~director warden~~ or deputy ~~director warden~~ of any correctional institution, ~~the job class of director, honor camps,~~ the job class of work release supervisor, the job class of training officer, correctional institutions, or the job class of ~~correctional~~ corrections administrator — security specialist as such job classes are described on the effective date of this act in the state job classification plan in effect for the classified service under the Kansas civil service act or to any successor job class or classes that are approved under K.S.A. 75-2938, and amendments thereto, and that have substantially the same duties and responsibilities, if the person was employed and had at least three consecutive years of service in any one or more positions in any one or more job classes described in paragraph (a) immediately preceding promotion to the position in a job class under this paragraph (b);

(c) who is in any position for which the duties and responsibilities directly and primarily involve operation of power plant facilities within any correctional institution and involve regular contact with inmates;

(d) who is in any position for which the duties and responsibilities directly and primarily involve the operation of the correctional industries activity of the department of corrections within a correctional institution and involve regular contact with inmates;

(e) who is in any position for which the duties and responsibilities directly and primarily involve supervision of food service operations within any correctional institution and involve regular contact with inmates; or

(f) who is in any position for which the duties and responsibilities directly and primarily involve supervision of maintenance operations within any correctional institution and involve regular contact with inmates.

(2) As used in K.S.A. 74-4914a to 74-4914d 74-4914e, inclusive, and amendments thereto, and K.S.A. 74-4914e references to the department of corrections include correctional institutions as defined by K.S.A. 75-5202 and amendments thereto unless the context requires otherwise.

(3) The words and phrases used in K.S.A. 74-4914a to 74-4914d 74-4914e, inclusive, and amendments thereto, and K.S.A. 74-4914e shall have the meanings ascribed thereto in K.S.A. 74-4902, and amendments thereto, unless a different meaning is plainly required by the context.

Sec. 39. K.S.A. 75-3058 is hereby amended to read as follows: 75-3058. (a) The following imprest funds are hereby established for

institutions, other units or functions of the department of corrections:

Kansas state penitentiary Lansing correctional facility .....	\$40,000
State industrial reformatory Hutchinson correctional facility .....	25,000
State reception and diagnostic center .....	5,000
State correctional-vocational training center .....	10,000
Kansas correctional institution at Lansing .....	5,000
Toronto honor camp correctional work facility .....	5,000
El Dorado honor camp correctional work facility .....	4,000
Wichita work release center .....	4,000
Winfield correctional facility .....	10,000
Topeka correctional facility—east .....	15,000
Topeka correctional facility—west .....	5,000
Ellsworth correctional work facility .....	12,000
Norton correctional facility .....	12,000
Osawatomie correctional facility .....	3,000
Forbes correctional facility .....	3,000
Hutchinson correctional work facility .....	12,000
Stockton correctional facility .....	4,000

(b) On the effective date of this act or as soon thereafter as the transactions can be accomplished, the director of accounts and reports, pursuant to the amendments contained in subsection (a), shall transfer all amounts remaining in funds which are being discontinued or decreased to funds named in subsection (a) if needed to carry out the intent of this section, and if not so needed, then to the state general fund.

Sec. 40. K.S.A. 75-3765 is hereby amended to read as follows: 75-3765. The secretary of administration shall assign space and facilities in all state owned or operated property or buildings in Shawnee county, Kansas, except the state capitol building, Kansas state reception and diagnostic center Topeka correctional facility—east, the Kansas neurological institute, the youth center at Topeka, the employment security administrative office building, 401 Topeka avenue, Kansas state employment service building, 1309 Topeka avenue, the Topeka state hospital, state highway shops and laboratory and property of the Kansas national guard, for the use of the various state agencies and may determine, fix and establish a system of rental charges by the square foot and collect the same monthly for space and facilities occupied by each state agency whenever any appropriation for rental for space and facilities is made therefor, in an amount not to exceed the amount appropriated. The amounts collected shall be remitted by the secretary of administration to the state treasurer and the state treasurer shall deposit such amounts in the state treasury to the credit of the building and ground fund, except that amounts collected for space and facilities in the state office building located between Ninth, Tenth, Harrison and Topeka streets shall be deposited in the state treasury to the credit of the fund provided in K.S.A. 75-3615 and amendments thereto. Notwithstanding the other provisions of this section, charge for and deposit of rentals for the buildings and properties to which K.S.A. 75-3629 to 75-3647, and amendments thereto, apply shall be in compliance with said such statutes.

Sec. 41. K.S.A. 75-3790 is hereby amended to read as follows: 75-3790. The executive director of the department of administration of the state of Kansas is hereby authorized to sell in the manner hereinafter provided, all or a portion of the tract hereinafter described, the salt deposits, or any rights or interests therein necessary for the removal of salt therefrom under said such tract of land owned by the state of Kansas, the surface of which land is now being used for agricultural purposes by the state industrial reformatory; the legal description of which tract is as follows: That portion of the northeast quarter, the southeast quarter, and the southwest quarter and the east one-half of the northwest quarter of section 19, township 23, range 5 west of the 6th P.M. lying west of Lorraine street and south of G street adjacent to the city of Hutchinson, Reno county, containing five hundred sixty (560) acres, more or less.

Sec. 42. K.S.A. 75-4228 is hereby amended to read as follows: 75-4228. The making of profit by the treasurer or director of accounts and reports out of any moneys in the state treasury, the custody of which the treasurer or director of accounts and reports is charged with, by lending, depositing, or otherwise using, or disposing of the same in any manner whatsoever not provided in this act, or the removal by the treasurer or director of accounts and reports or by such official's consent, of any securities deposited by any bank under the provisions of this act out of the treasury, or failing to return or dispose of any securities as provided by law, shall be deemed a felony, and on conviction thereof, the treasurer or director of ac-

counts and reports shall be punished by imprisonment in the ~~penitentiary~~ custody of the secretary of corrections for a term of not less than two (2) nor more than five (5) years. In addition to such criminal liability the treasurer or director of accounts and reports and ~~his or her~~ the surety thereof shall also be liable, on ~~his or her~~ official bond, for all profits realized from such unlawful use of any state or special moneys. It shall be the duty of the attorney general to enter and prosecute to final termination all actions for violation of this act.

Sec. 43. K.S.A. 75-4362 is hereby amended to read as follows: 75-4362. (a) The director of the division of personnel services of the department of administration shall have the authority to establish and implement a drug screening program for persons taking office as governor, lieutenant governor or attorney general and for applicants for safety sensitive positions in state government, but no applicant for such a position shall be required to submit to a test as a part of such program unless the applicant is first given a conditional offer of employment. The director also shall have the authority to establish and implement a drug screening program for persons currently holding the office of governor, lieutenant governor or attorney general or safety sensitive positions in state government, based upon reasonable suspicion of illegal drug use by any such person.

(b) Any public announcement or advertisement soliciting applications for employment in a safety sensitive position in state government shall include a statement of the requirements of the drug screening program established under this section for applicants for and employees holding such position.

(c) No person shall be terminated solely due to positive results of a test administered as a part of a program authorized by this section if: (1) The employee has not previously had a valid positive test result; and (2) the employee undergoes a drug evaluation and successfully completes any education or treatment program recommended as a result of the evaluation. Nothing herein shall be construed as prohibiting demotions, suspensions or terminations pursuant to K.S.A. 75-2949e or 75-2949f, and amendments thereto.

(d) The results of any test administered as a part of a program authorized by this section shall be confidential and shall not be disclosed publicly.

(e) The secretary of administration may adopt such rules and regulations as necessary to carry out the provisions of this section.

(f) "Safety sensitive positions" means state law enforcement officers who are authorized to carry firearms, state ~~correctional~~ corrections officers, heads of state agencies who are appointed by the governor and employees on the governor's staff.

Sec. 44. K.S.A. 75-4503 is hereby amended to read as follows: 75-4503. (a) There is hereby created the capitol area security patrol which shall be under the supervision and management of the superintendent of the highway patrol.

(b) Members of the capitol area security patrol shall have the powers and authority of peace, police and law enforcement officers while wearing the prescribed badge of office and while on duty on or about any state owned property or building in Shawnee county, Kansas, except the ~~Kansas state reception and diagnostic center~~ Topeka correctional facility—east, the Kansas neurological institute, the youth center at Topeka, the Topeka state hospital, ~~the state correctional-vocational training center~~, and property of the Kansas national guard.

(c) All persons arrested by a member of the capitol area security patrol shall be turned over to the sheriff of Shawnee county, Kansas, to be dealt with by that sheriff in the same manner as other persons arrested by that sheriff, except in cases of violation of the ordinances of the city of Topeka, any such person may be turned over to the police department of the city of Topeka to be dealt with by it in the same manner as other persons arrested by police officers of the Topeka police department.

Sec. 45. K.S.A. 75-4610 is hereby amended to read as follows: 75-4610. ~~From and after July 1, 1973,~~ Every vehicle owned or leased by the state shall display vehicle license tags ~~manufactured at the state penitentiary~~. The color, numbering system or systems and lettering on such license tags and all other specifications thereof together with procedures for display thereof, and special provisions for registration fees and license tags of leased vehicles, shall be in accordance with rules and regulations adopted by the secretary of

administration as provided in K.S.A. 75-3706 and amendments thereto. Such license tags shall be provided upon requisition of the secretary of administration for all motor vehicles of the central motor pool. Such license tags for vehicles not in the central motor pool shall be provided upon the requisition of the head of each state agency for the vehicles owned or leased by ~~his or her~~ such state agency. Such license tags shall be replaced from time to time as the same may become less than plainly legible upon requisition as above provided.

Sec. 46. K.S.A. 75-5202 is hereby amended to read as follows: 75-5202. As used in this act, unless the context clearly requires otherwise:

(a) "Secretary" means the secretary of corrections ~~created by this act~~.

(b) "Authority Parole board" means the Kansas adult authority parole board established by K.S.A. 22-3707 and amendments thereto.

(c) "Inmate" means any person incarcerated in any correctional institution of the state of Kansas.

(d) "Correctional institution" means the ~~Kansas state penitentiary, the Kansas correctional institution at Lansing, the state industrial reformatory, the state reception and diagnostic center, the state correctional-vocational training center, the Ellsworth correctional work facility, Lansing correctional facility, Hutchinson correctional facility, Topeka correctional facility—east, Topeka correctional facility—west, Norton correctional facility, Ellsworth correctional facility, Hutchinson correctional work facility, Winfield correctional facility, Osawatimie correctional facility, Larned correctional mental health facility, El Dorado correctional work facility, Toronto correctional work facility, Wichita work release center and any other correctional institution hereafter established by the state for the confinement of offenders.~~

(e) "Director Warden" means the person in charge of the operation and supervision of a correctional institution.

(f) "Center" means the state reception and diagnostic center.

(g) "Correctional Corrections officer" means a full-time, salaried officer or employee under the jurisdiction of the secretary, whose duties ~~are limited to include~~ the receipt, custody, control, maintenance, discipline, security and apprehension of persons convicted of criminal offense in this state and sentenced to a term of imprisonment under the custody of the secretary.

(h) (g) "Parole officer" means a full-time salaried officer or employee under the jurisdiction of the secretary whose duties include:

- (1) Investigation, supervision, arrest and control of persons on parole and the enforcement of the conditions of parole; and
- (2) services which relate to probationers and parolees and are required by the uniform act for out-of-state parolee supervision.

Sec. 47. K.S.A. 75-5209 is hereby amended to read as follows: 75-5209. The secretary of corrections may arrange for the transfer of an inmate for observation and diagnosis or treatment to other appropriate state institutions with the prior consent of the administrators of the agencies. The administrator of such institution shall accept the transfer of such inmate unless such administrator shows that no facilities are available for the accommodation of such inmate and shall have access to any ~~Kansas reception and diagnostic center~~ case study, diagnosis or report ~~relating of the Topeka correctional facility—east which relates to an inmate transferred to such institution. While the inmate is in another institution the inmate's sentence shall continue to run. When, in the judgment of the administrator of the institution to which an inmate has been transferred, the inmate has recovered from the condition which occasioned the transfer, the administrator shall provide for the inmate's return to the secretary, unless the inmate's sentence has expired.~~

The costs of transfer as well as the transportation of the inmate to the appropriate state institution shall be borne by the correctional institution from which such inmate is transferred. No inmate shall receive treatment at the state security hospital after expiration of the inmate's sentence. If the inmate shall be in need of continued treatment for mental illness at the expiration of the inmate's term of confinement, an application to obtain such treatment for the inmate shall be filed pursuant to the treatment act for mentally ill persons.

(continued)

Any inmate transferred to the state security hospital pursuant to this section may correspond freely, without censorship, with any person, except that any such incoming correspondence or parcels may be opened and examined for the purpose of intercepting any items which the superintendent of such institution has declared to be contraband.

Sec. 48. K.S.A. 75-5210 is hereby amended to read as follows: 75-5210. (a) Persons committed to the institutional care of the secretary of corrections shall be dealt with humanely, with efforts directed to their rehabilitation and return to the community as safely and promptly as practicable. For these purposes, the secretary shall establish programs of classification and diagnosis, education, case-work, mental health, counseling and psychotherapy, chemical dependency counseling and treatment, sexual offender counseling, prerelease programs which emphasize re-entry skills, adjustment counseling and job placement, vocational training and guidance, work, library, physical education and other rehabilitation and recreation services; the secretary may establish facilities for religious worship; and the secretary shall institute procedures for the study and classification of inmates. The secretary shall maintain a comprehensive record of the behavior of each inmate reflecting accomplishments and progress toward rehabilitation as well as charges of infractions of rules and regulations, punishments imposed and medical inspections made.

(b) Programs of work, education or training shall include a system of promotional rewards entitling inmates to progressive transfer from high security status to a lesser security status. The secretary shall have authority at any time to transfer an inmate from one level of status to another level of status. Inmates may apply to the secretary for such status privileges. The secretary shall adopt rules and regulations establishing standards relating to the transfer of an inmate from one status to another, and in developing such standards the secretary shall take into consideration progress made by the inmate toward attaining the educational, vocational and behavioral goals set by the secretary for the individual inmate.

(c) The secretary, with the cooperation of the department of health and environment, shall adopt rules and regulations establishing and prescribing standards for health, medical and dental services for each institution, including preventive, diagnostic and therapeutic measures on both an outpatient and a hospital basis, for all types of patients. An inmate may be taken, when necessary, to a medical facility outside the institution.

(d) Under rules and regulations adopted by the secretary, directors of institutions may authorize visits, correspondence and communication, under reasonable conditions, between inmates and appropriate friends, relatives and others.

(e) The secretary shall adopt rules and regulations under which inmates, as part of a program anticipating their release from minimum security status, may be granted temporary furloughs from a correctional institution or contract facility to visit their families or to be interviewed by prospective employers.

(f) The secretary shall adopt rules and regulations for the maintenance of good order and discipline in the correctional institutions, including procedures for dealing with violations. Disciplinary rules and regulations may provide a system of punishment including segregation, forfeitures of good time credits, fines, extra work, loss of privileges, restrictions and payment of restitution.

The secretary and any persons designated by rules and regulations of the secretary may administer oaths for the purpose of conducting investigations and disciplinary proceedings pursuant to rules and regulations adopted by the secretary under this subsection and under K.S.A. 75-5251 and amendments thereto. For this purpose, the secretary shall adopt rules and regulations designating those persons who may administer oaths in such investigations and proceedings and the form and manner of administration of the oaths.

(g) A copy of the rules and regulations adopted pursuant to subsection (f) shall be provided to each inmate. Other rules and regulations of the secretary which are required to be published pursuant to K.S.A. 77-415 through 77-437, and amendments thereto, shall be made available to inmates by placing a copy in the inmate library at the institution or by some other means providing reasonable accessibility to inmates.

(h) Any inmate participating in work and educational release programs under the provisions of K.S.A. 75-5267 and amendments

thereto shall continue to be in the legal custody of the secretary of corrections, notwithstanding the inmate's absence from a correctional institution by reason of employment, education or for any other purpose related to such work and educational release programs, and any employer or educator of that person shall be considered the representative or agent for the secretary.

(i) The secretary shall establish administrative and fiscal procedures to permit the use of regional or community institutions, local governmental or private facilities or halfway houses for the placement of inmates released for the purposes of this act and for the work and educational release programs under K.S.A. 75-5267 and amendments thereto.

(j) The secretary may establish ~~honor camps~~ *correctional work facilities* and select inmates to be assigned to such ~~camps~~ *facilities*.

(k) The secretary may acquire, in the name of the state, by lease, purchase or contract additional facilities as may be needed for the housing of persons in the secretary's custody.

(l) The secretary is hereby authorized to use any of the inmates assigned to ~~his or her~~ *the secretary's* custody in the construction and repair of buildings or property on state owned or leased grounds.

(m) For the purposes of establishing and carrying out the programs provided for by subsection (a) and by K.S.A. 75-5267 and amendments thereto, the secretary may contract with qualified individuals, partnerships, corporations or organizations; with agencies of the state; or with the United States or any political subdivision of the state, or any agency thereof.

Sec. 49. K.S.A. 75-5211 is hereby amended to read as follows: 75-5211. (a) The secretary of corrections shall provide programs of employment, work, educational or vocational training for those inmates whom the secretary determines are available, willing and able to participate and are capable of benefiting therefrom. Equipment, management practices and general procedures shall, to the extent possible, approximate normal conditions of employment. Such work week may include schooling, vocational training, employment at private industry, treatment or other activities authorized by the secretary. For all purposes under state law, no inmate shall be deemed to be an employee of the state or any state agency. The secretary of corrections shall credit to each inmate as a reward for such employment, an amount which shall be set by the governor but shall not be less than \$.25 per day. Any inmate who is gainfully employed under the work release provisions of K.S.A. 75-5267 and 75-5268, and amendments thereto, or who is gainfully employed by a private business enterprise operating on the grounds of a correctional institution under K.S.A. 75-5288 and amendments thereto, or any other private business at which inmates are permitted to be gainfully employed, and any inmate who is incarcerated at the ~~Kansas reception and diagnostic center Topeka correctional facility—east~~ for the purpose of receiving diagnosis and any inmate on disciplinary segregation status shall not be eligible to receive compensation as provided in this subsection.

(b) The secretary of corrections shall establish programs and prescribe procedures for withdrawing amounts from the compensation paid to inmates from all sources for the same purposes as are prescribed by K.S.A. 75-5268 and amendments thereto for moneys of work release participants, except that any inmate employed in a private industry program, other than work release, shall, in addition to the deductions specified in K.S.A. 75-5268 and amendments thereto, have deduction of 5% of monthly gross wages paid to the crime victims compensation fund for the purpose of victim compensation. The department of corrections is authorized to make this deduction and payment to the crime victims compensation fund.

(c) (1) Upon the release of any inmate on parole, conditional release or expiration of the inmate's maximum sentence, the inmate shall be provided with suitable clothing and a cash payment of \$100. Any inmate who is gainfully employed under the work release provisions of K.S.A. 75-5267 and 75-5268, and amendments thereto, or who is gainfully employed by a private business enterprise operating on the grounds of a correctional institution under K.S.A. 75-5288 and amendments thereto, or any other private business at which inmates are permitted to be gainfully employed or any inmate paroled to a detainer shall not be eligible to receive this cash payment.

(2) An inmate released on expiration of the inmate's maximum sentence shall be provided public transportation, if required, to the inmate's home, if within the state, or, if not, to the place of conviction



or to some other place not more distant, as selected by the inmate. An inmate released on parole or conditional release shall be provided public transportation, if required, to the place to which the inmate was paroled or conditionally released.

Sec. 50. K.S.A. 75-5212 is hereby amended to read as follows: 75-5212. (a) The secretary shall adopt rules and regulations establishing standards of training and provisions for certifying ~~correctional~~ **corrections** officers and parole officers.

(b) Except as provided in subsection (c), no person shall receive a permanent appointment as a ~~correctional~~ **corrections** officer or a parole officer unless awarded a certificate by the secretary, attesting to satisfactory completion of a basic course of instruction approved by the secretary and consisting of not less than 200 hours of instruction. The certificate shall be effective during the term of a person's employment, except that any person who has terminated employment with the secretary for a period exceeding one year shall be required to be certified again.

(c) The secretary may award a certificate attesting to the satisfactory completion of a basic course of instruction to any person who has been duly certified under the laws of another state or territory if, in the opinion of the secretary, the requirements for certification in the other jurisdiction are equal to or exceed the requirements for certification in this state. The secretary may waive any number of hours or courses required to complete the basic course of instruction for any person who, in the opinion of the secretary, has received sufficient training or experience that such hours of instruction would be unduly burdensome or duplicitious.

(d) Every ~~correction~~ **corrections** officer shall receive 80 hours of in-service training annually.

Sec. 51. K.S.A. 75-5218 is hereby amended to read as follows: 75-5218. (a) When any person is sentenced to the custody of the secretary of corrections pursuant to the provisions of K.S.A. 21-4609 and amendments thereto, the clerk of the court which imposed such sentence shall within three (3) days following the order of the commitment to the secretary notify the secretary of corrections. The clerk shall not notify the secretary if the sentence is suspended or the defendant placed on probation or any other disposition which will not result in transfer of the defendant to the secretary of corrections.

(b) Together with the order of commitment to the custody of the secretary of corrections as required by K.S.A. 21-4621 and amendments thereto, ~~said~~ the clerk shall deliver to the officer having ~~said~~ the offender in charge the judgment form or journal entry as required by K.S.A. 21-4620 or 22-3426 and amendments thereto. These materials shall be delivered to the officers conveying ~~said~~ the offender to the ~~Kansas state reception and diagnostic center Topeka correctional facility—east~~ or such other correctional institution prescribed by K.S.A. 75-5220 and amendments thereto, or by the secretary of corrections in accordance with ~~said~~ such statute.

Sec. 52. K.S.A. 75-5220, as amended by section 1 of 1990 Senate Bill No. 213, is hereby amended to read as follows: 75-5220. (a) Within three days of receipt of the notice provided for in K.S.A. 75-5218 and amendments thereto, the secretary of corrections shall notify the sheriff having such offender in custody to convey such offender immediately to the ~~state reception and diagnostic center Topeka correctional facility — east~~ or if space is not available at such ~~center facility~~, then to some other state correctional institution until space at the ~~center facility~~ is available, except that, in the case of first offenders who are conveyed to a state correctional institution other than the ~~state reception and diagnostic center Topeka correctional facility — east~~, such offenders shall be segregated from the inmates of such correctional institution who are not being held in custody at such institution pending transfer to the ~~state reception and diagnostic center Topeka correctional facility — east~~ when space is available therein. The expenses of any such conveyance shall be charged against and paid out of the general fund of the county whose sheriff conveys the offender to the institution as provided in this subsection.

(b) Any female offender sentenced according to the provisions of K.S.A. 75-5229 and amendments thereto shall be conveyed by the sheriff having such offender in custody directly to a correctional institution designated by the secretary of corrections, subject to the provisions of section 3 of 1990 Senate Bill No. 213. The expenses

of such conveyance to the designated institution shall be charged against and paid out of the general fund of the county whose sheriff conveys such female offender to such institution.

(c) Each offender conveyed to a state correctional institution pursuant to this section shall be accompanied by the record of the offender's trial and conviction as prepared by the clerk of the district court in accordance with K.S.A. 75-5218 and amendments thereto.

Sec. 53. K.S.A. 75-5225 is hereby amended to read as follows: 75-5225. No defect in the order of commitment under which a person convicted of crime is held by the ~~director~~ **warden** of any correctional institution or the secretary of corrections shall be held a ground of action against the ~~director~~ **warden** or the secretary of corrections for false imprisonment, and no such action shall be maintained in the courts, provided it shall appear that the ~~director~~ **warden** or the secretary of corrections attempted to faithfully carry out the judgment of the court making such order.

Sec. 54. K.S.A. 75-5226 is hereby amended to read as follows: 75-5226. (a) Unlawful use of inmate labor is the knowing use by any ~~correctional~~ **corrections** officer or employee of any correctional institution of the labor of any inmate or inmates of a correctional institution for the personal benefit of such ~~correctional~~ **corrections** officer or employee.

(b) Unlawful use of inmate labor shall constitute a class A misdemeanor.

Sec. 55. K.S.A. 75-5246 is hereby amended to read as follows: 75-5246. (a) The secretary of corrections shall appoint a ~~director~~ **warden** of each of the correctional institutions under ~~his or her~~ **the secretary's** supervision and control. Such ~~directors~~ **wardens** shall be within the classified service under the Kansas civil service act, but the residence requirements of ~~said~~ such act shall not apply to such appointment.

(b) *All the powers, duties and functions of the existing director of a correctional institution are hereby transferred to, conferred, and imposed upon the warden of such correctional institution. Whenever the director of a correctional institution, or words of like effect, is referred to or designated by a statute, contract or document, such reference or designation shall be deemed to apply to the warden of the correctional institution.*

Sec. 56. K.S.A. 75-5247 is hereby amended to read as follows: 75-5247. Every ~~correctional~~ **corrections** officer who shall be appointed pursuant to the provisions of this act shall make and file in the office of the secretary, within ~~fifteen (15)~~ **15** days after the appointment, the constitutional oath of office. Each ~~correctional~~ **corrections** officer who is required by the rules of the correctional institution to wear a uniform shall be furnished with at least two (2) uniform suits upon the commencement of ~~his or her~~ employment duties at the correctional institution and replacements thereof as needed.

Sec. 57. K.S.A. 75-5247a is hereby amended to read as follows: 75-5247a. The ~~director~~ **warden** of any correctional institution within the Kansas department of corrections, all deputy ~~directors~~ **wardens**, all persons on the staff of the department of corrections who are in the chain of command from the secretary of corrections to the ~~correctional~~ **corrections** officer and every ~~correctional~~ **corrections** officer, regardless of rank, while acting within the scope of their duties as employees of the department of corrections, shall possess such powers and duties of a law enforcement officer as are necessary for the performance of such duties and may exercise such powers and duties anywhere within the state of Kansas. Such powers and duties may be exercised outside the state of Kansas for the purpose of maintaining custody, security and control of any prisoner or inmate being transported or escorted by anyone authorized to so act. Such employees of the department of corrections shall be responsible to and shall be at all times under the supervision and control of the secretary of corrections or the secretary's designee.

Sec. 58. K.S.A. 75-5249 is hereby amended to read as follows: 75-5249. The secretary of corrections shall employ or contract with a person licensed to practice medicine and surgery to be the chief physician for each correctional institution under the secretary's supervision and control. One chief physician may be made responsible for more than one such institution. It is hereby made the duty of the chief physician of any correctional institution to direct the op-

(continued)

eration and management of such institution's medical services and to supervise and coordinate all inmate health care in such institution. Such physician may recommend to the ~~director~~ warden of any institution the transportation of an inmate to an outside medical care facility, as defined by K.S.A. 65-425 and amendments thereto, when necessary to protect the health of such inmate.

Sec. 59. K.S.A. 75-5250 is hereby amended to read as follows: 75-5250. The officers of any correctional institution under the supervision and control of the secretary of corrections shall consist of a ~~director~~ warden, who may reside at the correctional institution, and such other officers and employees, including physicians and attorneys, as the secretary shall deem necessary. The ~~director~~ warden of each correctional institution shall be appointed by the secretary. All other officers and employees of the several correctional institutions shall be appointed by the ~~director~~ warden of each institution with the approval of the secretary. Subject to available appropriations, student interns may be appointed to temporary positions, the duration of which shall not exceed ~~one hundred fifty~~ (150) 150 calendar days, as ~~correctional corrections~~ officers of such institutions. Any physician or attorney so appointed and any student intern appointed as a temporary ~~correctional corrections~~ officer shall be in the unclassified service under the Kansas civil service act. All other such officers and employees shall be within the classified service under the Kansas civil service act, but the residence requirements of ~~said the act~~ shall not apply. The secretary is hereby authorized for good cause to assign and reassign the supervisory personnel, including the ~~director~~ warden of any correctional institution, to any other correctional institution at any time without the consent of such ~~director~~ warden, officer or employee. The expenses of moving caused by such assignment or reassignment shall be paid by the department of corrections.

Sec. 60. K.S.A. 75-5251 is hereby amended to read as follows: 75-5251. The secretary shall have power, and it shall be ~~his or her~~ the secretary's duty from time to time, to examine and inquire into all matters connected with the government and discipline of the correctional institutions under ~~his or her~~ the secretary's supervision and control; the punishment and employment of the inmates confined therein, and the purchases and sales of the articles provided for such correctional institutions or sold on account thereof; and ~~he or she~~ the secretary may from time to time require reports from the ~~director~~ warden or other officers of any such correctional institution in relation to any or all of ~~said such~~ matters. It shall be ~~his or her~~ the secretary's duty to inquire into any improper conduct which may be alleged to have been committed by the ~~director~~ warden or any other officer of any such correctional institution; and for that purpose the secretary shall have power to issue subpoenas to compel the attendance of witnesses, and the production of papers and writings ~~before it~~ in the same manner and with like effect as in cases of arbitration. The secretary may administer oaths to any such witnesses ~~as are brought before him or her for examination thereof~~.

The secretary shall have free access to the correctional institutions at all times, and it shall be the duty of the ~~director~~ warden and other officers of any such correctional institution, whenever requested, to exhibit to the secretary, on demand, all the books, papers, accounts and writings pertaining to the correctional institution, or to the business, government, discipline or management thereof, and to render to the secretary every other facility in their power to enable the secretary to discharge ~~his or her~~ the secretary's duties under this act.

The secretary shall adopt rules and regulations for the direction and government of such correctional institutions and the officers thereof, and may change the same from time to time.

Sec. 61. K.S.A. 75-5252 is hereby amended to read as follows: 75-5252. Subject to the general supervision of the secretary of corrections and applicable rules and regulations adopted by the secretary, it shall be the duty of the ~~director~~ warden of each correctional institution:

(a) To oversee the government and discipline of the correctional institution, and to superintend all business concerns thereof.

(b) To give necessary directions to the officers and employees and to examine whether they have been careful and vigilant in their respective duties.

(c) To examine into the state of the correctional institution and for the health, conduct and safekeeping of the inmates.

(d) To use every proper means to furnish employment to the inmates most beneficial to the public and best suited to their several capacities under the direction of the secretary.

(e) To take charge of all real and personal property belonging to the state in and about the correctional institution or appurtenant thereto.

Sec. 62. K.S.A. 75-5253 is hereby amended to read as follows: 75-5253. All transactions and dealings on account of the correctional institution shall be conducted under such rules and regulations as a secretary may adopt; and all contracts made by the ~~director~~ warden as authorized or provided by law shall be reduced to writing, and approved by the secretary, and one copy of every contract shall be ~~filed in the office of the chief clerk of the correctional institution kept on file by the warden~~.

Sec. 63. K.S.A. 75-5254 is hereby amended to read as follows: 75-5254. It shall be the duty of the ~~director~~ warden of each correctional institution to keep a regular and correct account of all moneys received by ~~him or her~~ the warden from every source by virtue of ~~his or her~~ the warden's office, including all moneys taken from any inmate, or received as the proceeds of property taken from them, and of all sums paid by ~~him or her~~ any inmate, and the persons to whom and the purposes for which the same were paid; and to make out and deliver to the secretary, monthly, under oath, a return of all moneys received and paid by ~~him or her~~ the warden on account of the correctional institution during the preceding month, specifying from whom received and to whom paid, and on what account, and stating also the balance in ~~his or her~~ the warden's hands at the time of rendering such account.

Sec. 64. K.S.A. 75-5255 is hereby amended to read as follows: 75-5255. The ~~director~~ warden of each correctional institution shall annually, on the last day of June, close ~~his or her~~ the warden's account, and on or before the ~~thirty-first day of July 31~~ thereafter shall render to the secretary a full and true account of all moneys received by ~~him or her~~ the warden on account of the correctional institution, and of all moneys expended by ~~him or her~~ the warden for the use thereof, with sufficient vouchers for the same. To the several returns and accounts required to be rendered there shall be annexed an affidavit of the ~~director~~ warden of the correctional institution, stating that the same are true in every respect, to the best of ~~his or her~~ the warden's knowledge and belief. The ~~director~~ warden shall, ~~monthly~~, make out and deliver ~~monthly~~ to the secretary a return of the property on hand, which return shall contain a full and complete exhibit of the affairs of the correctional institution at the date of its rendition, together with all the profits or increase by reason of the added labor of the inmates, or from any sources whatever. ~~He or she~~ The warden shall also, ~~on or before the first day of August in every year~~, make and deliver to the secretary, ~~on or before August 1 in every year~~, a report exhibiting a comprehensive view of the transactions of the correctional institution during the preceding year, and stating the number of inmates confined therein, the various kinds of business in which they are employed, the number employed in each branch, and the profits, if any, arising to the state therefrom.

Sec. 65. K.S.A. 75-5256 is hereby amended to read as follows: 75-5256. (a) The ~~director~~ warden of each correctional institution may issue orders subject to the provisions of law and the rules and regulations adopted by the secretary of corrections, as the ~~director~~ warden may deem necessary for the government of the correctional institution and the enforcement of discipline therein.

(b) All rules and regulations or orders for the government of a correctional institution and the enforcement of discipline therein adopted or issued by the secretary of corrections and all orders issued by the ~~director~~ warden of the correctional institution shall be published and made available to all inmates, other than rules and regulations and orders relating to emergency or security procedures. Every order issued by the ~~director~~ warden of a correctional institution shall be effective until rescinded or amended by the ~~director~~ warden or until disapproved by the secretary.

Sec. 66. K.S.A. 75-5257 is hereby amended to read as follows: 75-5257. It shall be the duty of the ~~director~~ warden of each correctional institution to take charge of any money or property which any inmate may have with ~~him or her~~ the inmate at the time of entering the correctional institution; if property, the ~~director~~ warden

may sell or preserve the same as desired by the inmate. Such money, or the proceeds of the sale of any such property, if the same shall amount to at least ~~twenty five dollars (\$25)~~ \$25, may be placed at interest in a federally insured financial institution by the ~~director warden~~ for the benefit of such inmate or ~~his or her the inmate's~~ representatives. ~~Such director~~ The warden shall keep an account of all such money or property, and shall pay the amount of proceeds thereof, or return the same to the inmate when discharged, or to ~~his or her the inmate's~~ legal representatives in case of ~~his or her the death of such inmate~~; and in case of the death of such inmate without being released, if no legal representative shall demand such money or property within one (1) year, then the same shall be applied to the revolving fund established by the secretary pursuant to K.S.A. 75-5211 and amendments thereto.

Sec. 67. K.S.A. 75-5258 is hereby amended to read as follows: 75-5258. Whenever there shall be a vacancy in the office of the ~~director warden~~ of a correctional institution, or when the ~~director warden~~ shall necessarily be absent from the correctional institution, all the duties and keeping of the inmates and the discipline of the correctional institution shall devolve upon and be executed by the person designated by the ~~director warden~~ until the vacancy be filled, or the ~~director warden~~ returned to the correctional institution. The deputy ~~director warden~~ shall perform, under the directions of the ~~director warden~~, perform such duties connected with the office of the latter as the ~~director warden~~ may assign ~~him or her the deputy warden~~, and shall in all things cooperate with the ~~director warden~~ in the government, management and police regulations of the correctional institution.

Sec. 68. K.S.A. 75-5259 is hereby amended to read as follows: 75-5259. The ~~director warden~~ of each correctional institution shall cause to be kept a record of each and every infraction of the rules of discipline by the inmates, with the name of the inmate offending, and the date and character of each offense, which record shall be placed before the secretary monthly.

Sec. 69. K.S.A. 75-5260 is hereby amended to read as follows: 75-5260. The ~~director warden~~ of any correctional institution of the state of Kansas may, with the advice and consent of the secretary of corrections, may extend the limits of the place of confinement of an inmate who has been confined in a correctional institution at least two (2) years, who has a good behavior record and who has a minimum security classification, to allow such inmate to leave the confines of such correctional institution unaccompanied by a custodial agent for a prescribed period of time within the state of Kansas for other than reasons now prescribed by law.

Sec. 70. K.S.A. 75-5262, as amended by section 4 of 1990 Senate Bill No. 213, is hereby amended to read as follows: 75-5262. The primary function and purpose of the ~~state reception and diagnostic center Topeka correctional facility — east~~ shall be to provide for examination and study of all felony offenders sentenced by the courts of this state to the custody of the secretary of corrections so that each such offender may be assigned to a state correctional institution having the type of security and programs designed to accomplish a maximum of rehabilitation for such offender. Such offenders shall be delivered to the center as provided in K.S.A. 75-5220 and amendments thereto, upon being sentenced by the court.

Sec. 71. K.S.A. 75-5263 is hereby amended to read as follows: 75-5263. The ~~director warden~~ of the ~~center Topeka correctional facility—east~~ shall appoint such psychiatrists, psychologists, social workers, chaplains, and other officers and employees, with the approval of the secretary, as shall be deemed necessary by the secretary. The remaining duties of the ~~director warden~~ shall be such as may be prescribed by the secretary.

Sec. 72. K.S.A. 75-5264 is hereby amended to read as follows: 75-5264. The secretary may make requisition upon the ~~director warden~~ of a state correctional institution for any inmate at such institution and transfer the inmate to the ~~center Topeka correctional facility—east~~ for examination and study; and upon the completion of such study and examination such inmate shall be assigned to confinement as provided by K.S.A. 75-5206 and amendments thereto.

Sec. 73. K.S.A. 75-5265 is hereby amended to read as follows: 75-5265. The secretary may make requisition upon the ~~director warden~~ of any state correctional institution for any inmate at such

correctional institution and transfer the inmate to the ~~center Topeka correctional facility—east~~ for the purpose of performing work or services at the ~~center facility~~. Inmates so employed shall be entitled to the same goodtime allowances as they would receive at the state correctional institution from which they are transferred.

Sec. 74. K.S.A. 75-5266 is hereby amended to read as follows: 75-5266. Psychiatric evaluation reports of the ~~state reception and diagnostic center Topeka correctional facility—east~~ and the ~~Kansas correctional institution at Lansing correctional facility~~ shall be privileged and shall not be disclosed directly or indirectly to anyone except as provided herein. The court, the ~~district or county attorney~~, the attorney for the defendant or inmate, the ~~Kansas adult authority parole board~~ and its staff, the ~~wardens and classification committees~~ of the state correctional institutions and those persons authorized by the secretary shall have access to such reports. Such reports may be disclosed to the defendant or inmate, the members of the inmate's family or the inmate's friends or the superintendent or director of any other state institution when authorized by the ~~director warden of the state reception and diagnostic center Topeka correctional facility—east~~, secretary of corrections or the ~~director warden of the Kansas correctional institution at Lansing correctional facility~~. Employees of the ~~correctional institutions~~ under the supervision of the secretary are expressly forbidden from disclosing the contents of such reports to anyone except as provided herein. Nothing in this section shall be construed as preventing the attorney for the defendant or inmate from discussing such reports with the defendant or inmate.

Sec. 75. K.S.A. 75-5282 is hereby amended to read as follows: 75-5282. (a) All moneys collected by the secretary from the sale or disposition of goods manufactured and services provided under the prison-made goods act shall be remitted to the state treasurer at least monthly. The state treasurer shall deposit each such remittance in the state treasury and the same shall be credited to the correctional industries fund, which fund is hereby created in the state treasury.

(b) All the moneys collected and deposited pursuant to subsection (a) shall be used solely for the purchase of manufacturing supplies, equipment and machinery, for the repair, maintenance and replacement of equipment and machinery, and for administrative expenses.

(c) The balance of all proceeds from the lease of agricultural land at ~~Kansas state penitentiary a correctional institution~~, after payment of the expenses of the lease from such proceeds, shall be remitted to the state treasurer at least monthly. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and such amount shall be credited to the farming operations account of the correctional industries fund which is hereby created in such fund. All moneys credited to the farming operations account of the correctional industries fund shall be used for the development and maintenance of farming operations at ~~Kansas state penitentiary the Lansing correctional facility~~ for the employment of inmates under the custody of the secretary of corrections.

Sec. 76. K.S.A. 75-5285 is hereby amended to read as follows: 75-5285. (a) Whenever the board of probation and parole or the ~~Kansas adult authority~~, or words of like effect, is referred to or designated by statute, contract or other document, such reference or designation shall be deemed to apply to the ~~Kansas adult authority created by this act parole board~~.

(b) Whenever probation and parole officers under the jurisdiction of the ~~Kansas adult authority or the state board of probation and parole board~~, or words of like effect, is referred to or designated by statute, contract or other document, such reference or designation shall be deemed to apply to parole officers under the jurisdiction of the secretary of corrections.

Sec. 77. K.S.A. 75-52,116 is hereby amended to read as follows: 75-52,116. (a) The ~~director warden~~ of any correctional institution, with the approval of the secretary of corrections, may extend the limits of confinement of inmates who are classified minimum security or less to work for any state agency, federal agency, city, county, school district or nonprofit organization organized for charitable purposes if such work is in furtherance of public service and public welfare or charitable objectives within the community and results in

(continued)

minimal negative impact on the private sector workforce. Such inmates shall remain under the legal custody of the secretary of corrections with the actual limits of confinement extended and without actual supervision of correctional officials. Those persons observing, supervising, managing, controlling and reporting back to ~~correctional~~ ~~corrections~~ officials regarding such inmates in their work shall be agents of the state and of the secretary of corrections for that purpose only but shall not, solely by reason of the agency, have law enforcement powers.

(b) Compensation of inmates working pursuant to this section shall be normal inmate incentive pay rendered to other inmates working within correctional institutions pursuant to K.S.A. 75-5211 and amendments thereto.

Sec. 78. K.S.A. 75-52,122 is hereby amended to read as follows: 75-52,122. The secretary of corrections is hereby authorized to establish and equip the Ellsworth correctional ~~work~~ facility which shall be located in Ellsworth, Kansas.

Sec. 79. K.S.A. 75-52,124 is hereby amended to read as follows: 75-52,124. The secretary of corrections shall have general management and control of such institution and of the officers and employees thereof and the inmates therein and of all matters relating to the discipline, control and fiscal concerns thereof, the same as other correctional institutions under the secretary's control and jurisdiction. The secretary may adopt such rules and regulations as may be determined necessary for carrying out the purposes of this act. The secretary shall appoint a ~~director~~ ~~warden~~ with such duties as may be prescribed, and the ~~director~~ ~~warden~~ so appointed, may select, with the approval of the secretary, officers and employees necessary for the management and operation of the institution. The ~~director~~ ~~warden~~ and all other officers and employees shall be within the classified service of the Kansas civil service act.

Sec. 80. K.S.A. 76-1305 is hereby amended to read as follows: 76-1305. The secretary of social and rehabilitation services is authorized and directed to establish, equip and maintain, in connection with and as a part of the Larned state hospital, suitable buildings to be known as the "state security hospital" for the purpose of holding in custody, examining, treating and caring for such mentally ill persons as may be committed or ordered to the state security hospital by courts of criminal jurisdiction or inmates with mental illness who are transferred for care or treatment to the state security hospital from the ~~state penitentiary, the state reception and diagnostic center, the state correctional vocational training center and the state industrial reformatory~~ a *correctional institution under the control of the secretary of corrections*, or patients or persons with a mental illness, other than minors and voluntary patients, who are transferred for care or treatment to the state security hospital from any institution under the jurisdiction of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services is hereby authorized and empowered to supervise and manage the state security hospital. The superintendent of the Larned state hospital shall act as the superintendent of the state security hospital.

Sec. 81. K.S.A. 76-2473 is hereby amended to read as follows: 76-2473. The state treasurer shall have the custody and charge of all moneys in the all faiths chapel building fund, *which chapel is located at the Lansing correctional facility*. The pooled money investment board may invest and reinvest the moneys not needed immediately in: (a) Direct obligations the principal of and interest on which are unconditionally guaranteed by the United States of America;

(b) in interest-bearing time deposits in any commercial bank located in Kansas, except that the amount so invested in a bank shall not exceed an amount equal to the total capital and surplus of such bank and shall be secured in the manner prescribed by K.S.A. 75-4218; and amendments thereto;

(c) if the board determines that it is impossible to deposit such moneys in such time deposits, in repurchase agreements of less than 30 days' duration with a Kansas bank or with a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof; or

(d) in shares or accounts in federally insured savings and loan associations located in the state of Kansas to the extent covered by

the insurance. The net income from the investments shall be considered income of the fund and placed in such fund, subject to reinvestment as provided by this section. All moneys in the fund and income therefrom shall be subject to post audit.

Sec. 82. K.S.A. 76-2474 is hereby amended to read as follows: 76-2474. The ~~director of penal institutions~~ *secretary of corrections* is hereby authorized to execute a document, to be approved by the attorney general, requesting the corps of engineers of the United States army to repair damage to the levee at the ~~state penitentiary at Lansing, Kansas, correctional facility~~ designated as No. 83B, located along the right bank of the Missouri river in section 16 and 17, township 9 south, range 23 east, Leavenworth county, Kansas, which was damaged from high waters during 1973, resulting in breaks in such levees. Such request shall be made in accordance with 33 U.S.C.A. 701 (N) (PL 85-99, 1955). The request authorized by this act may provide that the state of Kansas agrees to reimburse the United States for any payment made by the United States to third parties as a result of finding of liability by a court of competent jurisdiction, or as a result of settlement, arising out of the repair work requested, except that no reimbursement shall be made to the extent that the liability arises from the sole fault of the United States.

Sec. 83. K.S.A. 79-1408 is hereby amended to read as follows: 79-1408. The director of property valuation shall prepare all necessary interrogatories and questions to be answered by the taxpayers and persons of each county, and the form of the same, and the oath to be annexed thereto, and the same shall be correctly and duly answered by each and every person required to list property for taxation; and if any person shall knowingly answer *falsely* any question or interrogatory so prepared and submitted to ~~him or her~~ *falsely such person, he or she such person* shall be deemed guilty of perjury, and upon conviction shall be sentenced to the ~~penitentiary to hard labor custody of the secretary of corrections~~ for not less than one nor more than five years; and if any person shall willfully refuse to answer such questions and interrogatories and take and subscribe the oath annexed thereto, ~~he the person~~ shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ~~one hundred dollars~~ *\$100* nor more than ~~one thousand dollars~~ *\$1,000*, or by imprisonment in the county jail of not less than six months nor more than ~~twelve~~ *12* months, or by both such fine and imprisonment, at the discretion of the court.

New Sec. 84. (a) Except as authorized by Kansas statute, cities, counties and private entities are prohibited from authorizing, constructing, owning or operating any type of correctional facility for the placement or confinement of inmates from any agency of another state until such time as the legislature has reviewed and provided a public policy regarding such activity.

(b) The provisions of this section shall not apply to regional, city or county jails used exclusively as such jails and as places of detention for inmates, prisoners or fugitives as authorized by K.S.A. 19-1917, 19-1930 or 75-5217, and amendments thereto.

(c) the provisions of this section shall expire on July 1, 1991.

Sec. 85. K.S.A. 8-113, 8-607, 9-2010, 17-5412, 17-5811, 17-5812, 19-521, 20-208, 21-4203, 21-4602, 21-4620, 22-3710, 22-3711, 22-3712, 22-3713, 22-3719, 22-3720, 22-3722, 22-4001, 22-4002, 22-4006, 22-4011, 22-4012, 22-4013, 41-405, 42-396, 42-3,104, 44-619, 47-421, 50-127, 59-103, 66-175, 74-4914a, 75-3058, 75-3765, 75-3790, 75-4228, 75-4362, 75-4503, 75-4610, 75-5202, 75-5209, 75-5210, 75-5211, 75-5212, 75-5218, 75-5225, 75-5226, 75-5246, 75-5247, 75-5247a, 75-5249, 75-5250, 75-5251, 75-5252, 75-5253, 75-5254, 75-5255, 75-5256, 75-5257, 75-5258, 75-5259, 75-5260, 75-5261, 75-5263, 75-5264, 75-5265, 75-5266, 75-5282, 75-5283, 75-5285, 75-52,115, 75-52,116, 75-52,122, 75-52,124, 76-1305, 76-2473, 76-2474 and 79-1408 and K.S.A. 1989 Supp. 2-213 and K.S.A. 21-4605, as amended by section 1 of 1990 House Bill No. 2754, 75-5220, as amended by section 1 of 1990 Senate Bill No. 213 and 75-5262, as amended by section 4 of 1990 Senate Bill No. 213 are hereby repealed.

Sec. 86. On July 1, 1990, K.S.A. 65-1812, as amended by section 4 of 1990 House Bill No. 2466, and K.S.A. 1989 Supp. 21-4603, as amended by section 12 of 1990 Senate Bill No. 77, and 21-4603c are hereby repealed.

Sec. 87. This act shall take effect and be in force from and after its publication in the Kansas register.



(Published in the Kansas Register, May 24, 1990.)

House Substitute for SENATE BILL No. 799

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992, and June 30, 1993; 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; providing for the lapsing of a certain percentage amount of certain state general fund appropriations and reappropriations; decreasing the expenditure limitation amount on state general fund reappropriated balances; reducing the amount of certain demand transfers; amending K.S.A. 79-3425e, 79-34,147 and 82a-953 and K.S.A. 1989 Supp. 44-566a and sections 8 and 14 of 1990 Senate Bill No. 443 and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992, and June 30, 1993, 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.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) On July 1, 1990, of the \$652,326 appropriated for the above agency by section 6(a) of 1990 House Bill No. 2638 for the fiscal year ending June 30, 1991, from the state general fund in the personnel services — other operating expenditures account, the sum of \$100,000 is hereby lapsed.

(b) On July 1, 1990, the \$300,000 appropriated for the above agency by section 4(a) of 1990 House Bill No. 2607 for the fiscal year ending June 30, 1991, from the state general fund in the stone and miscellaneous exterior repairs account is hereby lapsed.

(c) On July 1, 1990, the \$251,113 appropriated for the above agency by section 4(a) of 1990 House Bill No. 2607 for the fiscal year ending June 30, 1991, from the state general fund in the judicial center remodeling account is hereby lapsed.

(d) On July 1, 1990, the reappropriation of any unencumbered balance in excess of \$100 on June 30, 1990, for the above agency by section 4(a) of 1990 House Bill No. 2607 for the fiscal year ending June 30, 1991, from the state general fund in the stone and miscellaneous exterior repairs account is hereby lapsed.

(e) There is appropriated for the above agency from the state general fund for the fiscal years specified for the capital improvement projects specified, the following:

	Fiscal Year 1990	Fiscal Year 1991
Restoration and repairs — statehouse and judicial center .....		\$321,113
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1990, in the stone and miscellaneous exterior repairs account is hereby reappropriated to the restoration and repairs — statehouse and judicial center account for fiscal year 1991.		

Sec. 3.

STATE HISTORICAL SOCIETY

(a) On July 1, 1990, of the amount reappropriated for the above agency by section 6(a) of 1990 Senate Bill No. 453 the fiscal year ending June 30, 1991, from the state general fund in the historic properties, preservation, restoration and development account, the sum of \$225,000 is hereby lapsed.

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

	Fiscal Year 1990	Fiscal Year 1991
Historic properties fund .....		\$225,000
<i>Provided</i> , That expenditures may be made from this fund for preservation, restoration and development of historic properties.		

(c) On July 1, 1990, October 15, 1990, January 15, 1991, April 15, 1991, and June 15, 1991, or as soon after each such date as

moneys are available, the director of accounts and reports shall transfer \$45,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the historic properties fund of the state historical society.

Sec. 4. On July 1, 1990, section 8 of 1990 Senate Bill No. 443 is hereby amended to read as follows: Sec. 8.

STATE HISTORICAL SOCIETY

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to construct and equip a center for historical research, subject to the restrictions and limitations imposed by this section.

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

Construct and equip center for historical research		
For the fiscal year ending June 30, 1991 .....	\$4,488,000	\$150,000
For the fiscal year ending June 30, 1992 .....	3,040,000	6,000,000
For the fiscal year ending June 30, 1993 .....		1,904,000

Sec. 5.

DEPARTMENT OF REVENUE

(a) On July 1, 1990, of the \$2,000,000 appropriated for the above agency by section 3(a) of 1990 Senate Bill No. 450 for the fiscal year ending June 30, 1991, from the state general fund in the aid to counties for maintaining and updating reappraised valuations account, the sum of \$2,000,000 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 3(b) of 1990 Senate Bill No. 450 on the aid to counties for reappraisal — EDIF fund of the above agency is hereby increased from \$2,000,000 to \$3,000,000.

(c) Expenditures may be made by the above agency for fiscal year 1991 from the aid to counties for reappraisal — EDIF fund of the above agency for program creation and modification to the KSCAMA software system and mainframe computer software: *Provided*, That expenditures for program creation and modification to the KSCAMA software system and mainframe computer software from the aid to counties for reappraisal — EDIF fund for fiscal year 1991 shall not exceed \$444,000.

(d) On September 15, 1990, and October 15, 1990, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$500,000 on each such date from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the aid to counties for reappraisal — EDIF fund of the department of revenue.

Sec. 6.

DEPARTMENT OF REVENUE — HOMESTEAD PROPERTY TAX REFUNDS

(a) On July 1, 1990, of the \$3,000,000 appropriated for the above agency by section 2(a) of 1990 House Bill No. 2625 for the fiscal year ending June 30, 1991, from the state general fund in the homestead tax refunds account, the sum of \$2,000,000 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 5(b) of 1990 House Substitute for Senate Bill No. 793 on expenditures for homestead property tax refunds pursuant to K.S.A. 79-4520 fund is hereby decreased from \$6,000,000 to \$2,000,000.

(c) On July 1, 1990, of the amount of \$1,261,000 authorized by section 2(c) of 1990 House Bill No. 2625 to be transferred by the director of accounts and reports on December 15, 1990, January 15, 1991, February 15, 1991, and March 15, 1991, from the Kansas economic development research and development account of the state economic development initiatives fund of the department of commerce to the homestead property tax refunds pursuant to K.S.A. 79-4520 fund of the department of revenue — homestead property tax refunds is hereby decreased to \$261,000, on each such date.

(d) On the effective date of this act, of the \$7,290,000 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 442 for the fiscal year ending June 30, 1990, from the state general fund in the homestead tax refunds account and of the amount of money transferred from the homestead property tax refunds pursuant to section 5 of 1989 Senate Bill No. 24 account of the state general fund of the above agency to the homestead tax refunds account of the state general fund of the above agency by section 2(b) of 1990 Senate Bill No. 442, the sum of \$1,000,000 is hereby lapsed.

(continued)

Sec. 7.

DEPARTMENT OF EDUCATION

(a) On July 1, 1990, the \$2,450,000 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal year ending June 30, 1991, from the state general fund in the at risk pupil and innovative program assistance account, the sum of \$1,000,000 is hereby lapsed.

(b) On July 1, 1990, the \$25,000 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal year ending June 30, 1991, from the state general fund in the grant to the Kansas cultural heritage and arts center, Dodge City, Kansas account is hereby lapsed.

(c) On July 1, 1990, the \$30,000 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal year ending June 30, 1991, from the state general fund in the Kansas foundation for agriculture project grant account is hereby lapsed.

(d) On July 1, 1990, the \$600,000 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal year ending June 30, 1991, from the state general fund in the vocational education capital outlay aid account is hereby lapsed.

(e) On July 1, 1990, of the \$1,463,334 appropriated for the above agency by section 2(a) of 1990 Senate Bill No. 448 for the fiscal year ending June 30, 1991, from the state general fund in the other operating expenditures account, the sum of \$50,000 is hereby lapsed.

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

	Fiscal Year 1990	Fiscal Year 1991
Oil overcharge — Kansas foundation for agriculture project grant fund.....		\$30,000
<i>Provided</i> , That expenditures from this account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agriculture information: <i>Provided further</i> , That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state, 40% private basis.		
Economic development initiatives fund.....		1,675,000
<i>Provided</i> , That expenditures may be made from this fund for the following purposes, subject to the expenditure limitations prescribed therefor:		
At risk pupil and innovative program assistance.....	\$1,000,000	
<i>Provided</i> , That expenditures from this account for each such grant shall be matched from the general fund of the school district in an amount which is equal to not less than 50% of the grant.		
Grant to the Kansas cultural heritage and arts center, Dodge City, Kansas.....	25,000	
Vocational education capital outlay aid.....	600,000	
<i>Provided</i> , That expenditures may be made from this account for grants to area vocational schools and to area vocational-technical schools for acquisition of instructional equipment: <i>Provided further</i> , That expenditures from this account for each such grant shall be matched by the area vocational school or the area vocational-technical school in an amount which is equal to 50% of the grant and which was obtained from sources other than state revenues.		
At risk academy.....	50,000	

(g) On July 1, 1990, or as soon thereafter as the moneys are available, the director of accounts and reports shall transfer \$30,000 from the energy grants management fund of the state corporation commission to the oil overcharge — Kansas foundation for agriculture project grant fund of the department of education.

(h) On July 15, 1990, or as soon thereafter as the moneys are available, the director of accounts and reports shall transfer \$675,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives fund of the department of education.

(i) On January 15, 1991, or as soon thereafter as the moneys are available, the director of accounts and reports shall transfer

\$1,000,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives fund of the department of education.

Sec. 8.

DEPARTMENT OF COMMERCE

(a) On July 1, 1990, the expenditure limitation established by section 28(i) of 1990 House Substitute for Senate Bill No. 793 on the state economic development initiatives fund is hereby increased from \$7,126,367 to \$8,901,367.

(b) On July 1, 1990, the expenditure limitation established by section 28(j) of 1990 House Substitute for Senate Bill No. 793 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$7,126,367 to \$8,901,367.

(c) On July 1, 1990, the expenditure limitation established by section 28(k) of 1990 House Substitute for Senate Bill No. 793 on the state operations subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$1,581,367 to \$3,356,367.

(d) On July 1, 1990, of the \$5,324,320 appropriated for the above agency by section 6(a) of 1990 Senate Bill No. 450 for the fiscal year ending June 30, 1991, from the state general fund in the state operations (including official hospitality) account, the sum of \$1,775,000 is hereby lapsed.

(e) On the effective date of this act, the director of accounts and reports shall transfer \$250,000 from the Kansas export loan guarantee fund of the department of commerce to the state economic development initiatives fund of the department of commerce.

Sec. 9.

STATE CONSERVATION COMMISSION

(a) On July 1, 1990, of the \$765,795 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 7(a) of 1990 Senate Bill No. 452 from the state general fund in the state aid to soil conservation districts account, the sum of \$400,000 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 7(b) of 1990 Senate Bill No. 452 on the water plan special revenue fund is hereby increased from \$7,648,038 to \$8,048,038.

(c) On July 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$400,000 from the state water plan fund of the Kansas water office to the state water plan special revenue fund of the state conservation commission.

(d) In addition to the purposes for which expenditures may be made from the water plan special revenue fund as authorized by section 7(b) of 1990 Senate Bill No. 452 for the fiscal year ending June 30, 1991, expenditures may be made for the following purpose, subject to the expenditure limitation prescribed therefor:

Soil conservation district aid.....	\$400,000
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Sec. 10.

KANSAS STATE UNIVERSITY

(a) On July 1, 1990, the \$500,000 appropriated for the above agency by section 10(f) of 1990 Senate Bill No. 443 for the fiscal year ending June 30, 1991, from the state general fund in the plant science phase IIA — final planning account is hereby lapsed.

(b) On July 1, 1990, there is appropriated for the above agency from the Kansas educational building fund for the fiscal year specified, for the capital improvement project specified as follows:

	Fiscal Year 1990	Fiscal Year 1991
Plant science phase IIA — final planning.....		\$500,000

(c) On July 1, 1990, of the \$20,201,646 appropriated for the above agency by section 3(a) of 1990 Senate Bill No. 454 for the fiscal year ending June 30, 1991, from the state general fund in the agricultural experiment stations account, the sum of \$100,000 is hereby lapsed.

(d) 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 1990	Fiscal Year 1991
Agricultural experiment stations water programs fund		\$100,000

(e) On July 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$100,000 from the state water plan fund of the Kansas water office to the agricultural experiment stations water programs fund of Kansas state university.

Sec. 11.

FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, of the \$3,122,444 appropriated for the above agency by section 4(c) of 1990 Senate Bill No. 442 for the fiscal year ending June 30, 1990, from the state general fund in the renovate Sheridan coliseum account, the sum of \$1,250,000 is hereby lapsed.

(b) On July 1, 1990, there is appropriated for the above agency from the Kansas educational building fund for the fiscal year specified, for the capital improvement project specified as follows:

	Fiscal Year 1990	Fiscal Year 1991
Renovate Sheridan coliseum		\$1,250,000

Sec. 12.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On July 1, 1990, of the \$61,609,129 appropriated for the above agency by section 8(a) of 1990 Senate Bill No. 454 for the fiscal year ending June 30, 1991, from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,450,000 is hereby lapsed.

(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year specified, for the following capital improvements as follows:

	Fiscal Year 1990	Fiscal Year 1991
Renovate cardio-thoracic ICU		\$600,000
Ventilating and air conditioning repairs to Bell memorial hospital — phase III		400,000
Total		\$1,000,000

(c) On July 1, 1990, the expenditure limitation established by section 8(b) of 1990 Senate Bill No. 454 on the operating expenditures account of the medical scholarship repayment fund is hereby increased from \$1,432,529 to \$1,632,529.

Sec. 13. On July 1, 1990, section 14 of 1990 Senate Bill No. 443 is hereby amended to read as follows: Sec. 14.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1991, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

University of Kansas hospital fund	No limit
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*Provided*, That expenditures from this fund are subject to the restrictions of K.S.A. 76-827 and amendments thereto: *Provided further*, That no moneys shall be credited to this fund except by appropriation act of the legislature transferring moneys from the hospital revenue fund to this fund: *And provided further*, That, except as otherwise authorized by appropriation act, expenditures from this fund are hereby authorized to be made only for the following equipment purchases and capital improvement projects and are subject to the expenditure limitations prescribed therefor:

Renovate cardio-thoracic ICU	\$850,000
Ventilating and air conditioning repairs to Bell memorial hospital — Phase II	400,000

*And provided further*, That expenditures from this fund are hereby authorized to be made from the following accounts: Neonatal intensive care unit modification account; heating, ventilating and air conditioning repairs to Bell memorial hospital account; renovate inpatient pediatric unit account; and renovate hospital — phase I — planning account: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990.

Renovate cardio-thoracic ICU fund	\$250,000
Federal aid for buildings fund	No limit
Bond construction funds fund	No limit
Clinical facility bond and interest sinking fund	No limit
Clinical facility bond reserve fund	No limit
Clinical facility extraordinary repair fund	No limit
Clinical facility discretionary fund	No limit

Parking facility revenue fund	No limit
Parking facility bond and interest sinking fund	No limit
Parking facility refunding interest and sinking fund	No limit
Parking facility refunding repair and construction fund	No limit
Hospital refunding principal and interest and sinking fund	No limit
Hospital refunding bond reserve fund	No limit
Parking facility K DFA project fund	No limit

(b) In addition to the purposes for which expenditures may be made by the above agency from the parking fees fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the parking fees fund during fiscal year 1991 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

Parking lot capital improvements	\$75,000
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*Provided*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the parking fees fund for fiscal year 1991.

(c) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Purchase and install hazardous waste incinerator.

(d) On July 1, 1990, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas of not to exceed \$1,250,000 from the hospital revenue fund to the university of Kansas hospital fund.

(e) (d) During the fiscal year ending June 30, 1991, the university of Kansas medical center is hereby authorized to raze university buildings numbers 40 and 44.

(e) On July 15, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$250,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the renovate cardio-thoracic ICU fund of the university of Kansas.

Sec. 14.

STATE BOARD OF REGENTS

(a) On July 1, 1990, of the \$8,000,000 appropriated for the above agency by section 16(a) of 1990 Senate Bill No. 443 for the fiscal year ending June 30, 1991, from the Kansas educational building fund in the rehabilitation and repair projects for institutions of higher education account, the sum of \$2,750,000 is hereby lapsed.

Sec. 15. (a) Except as otherwise provided under subsection (c), on July 1, 1990, of the amount of each appropriation and reappropriation from the state general fund for the fiscal year ending June 30, 1991, made by any appropriation act of the 1990 regular session of the legislature, the sum equal to 1.75% of the total of each such appropriation and reappropriation is hereby lapsed.

(b) Except as otherwise provided under subsection (c), on July 1, 1990, each expenditure limitation imposed on expenditures from a reappropriated balance in an account of the state general fund which is reappropriated for the fiscal year ending June 30, 1991, by any appropriation act of the 1990 regular session of the legislature, is hereby decreased by the amount equal to 1.75% of such limitation.

(c) The following shall not be subject to the provisions of subsection (a) or (b): (1) Any item of appropriation or reappropriation for debt service for payments pursuant to contractual bond obligations; (2) any item of appropriation or reappropriation for employer contributions for the employees who are eligible employees as specified in subsections (1), (2) and (3) of K.S.A. 74-4931 and amendments thereto under the Kansas public employees retirement system pursuant to K.S.A. 74-4939 and amendments thereto; (3) any item of appropriation for state school equalization aid, Fort Leavenworth school district, state school transportation aid and special education services aid; and (4) any expenditure limitation imposed on expenditures from the reappropriated balance in an account of the state general fund which reappropriation is not subject to the provisions of subsections (a) or (b) under this subsection (c).

Sec. 16. On July 1, 1990, K.S.A. 1989 Supp. 44-566a is hereby amended to read as follows: 44-566a. (a) There is hereby created in the state treasury the workers compensation fund. The workmens compensation fund created by this section is hereby abolished, and on July 1, 1982, the director of accounts and reports shall transfer all moneys in the workmens compensation fund to the workers compensation fund. All amounts which are required

(continued)



to be paid out of the workmens compensation fund for liability arising from injuries occurring prior to July 1, 1989, whether reduced to award or not, shall be paid out of the workers compensation fund. The commissioner of insurance shall be responsible for administering the workers compensation fund, and all payments from the workers compensation fund shall be upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner of insurance or a person or persons designated by the commissioner. The commissioner of insurance annually shall report to the governor and the legislature the receipts and disbursements from the workers compensation fund during the preceding fiscal year.

(b) (1) Each September the commissioner of insurance shall certify, with the commissioner's annual budget request, the amount of state general fund entitlement of the workers compensation fund for the ensuing fiscal year. Such entitlement shall be equal to the sum of the amounts paid from the workers compensation fund during the preceding fiscal year in payment of awards made to handicapped employees in accordance with the provisions of K.S.A. 44-569 and amendments thereto, including attorney fees, less the sum of the amounts deposited during the preceding fiscal year to the credit of the workers compensation fund in accordance with the provisions of K.S.A. 44-570 and amendments thereto, except that (A) no state general fund entitlement for a fiscal year shall be more than \$4,000,000, and (B) the state general fund entitlement for the state fiscal year 1991 shall be reduced by 1.75%. For the purpose of providing funds to meet and pay awards made to handicapped employees, within appropriations therefor, there shall be transferred not later than July 1 each year, or more frequently by appropriation acts of the legislature, from the state general fund to the workers compensation fund, the amount certified by the commissioner of insurance to be the entitlement of the workers compensation fund from the state general fund, or a part thereof followed by supplemental certifications to complete the entitlement for each such fiscal year, subject to the limitation of a total amount of \$4,000,000 for any such fiscal year and to the reduction of 1.75% for the state fiscal year 1991. Such transfer shall be considered to be a demand transfer from the state general fund.

(2) On July 1 each year, the commissioner of insurance shall impose an assessment against all insurance carriers, self-insurers and group-funded workers compensation pools insuring the payment of compensation under the workmens compensation act, the proceeds of which shall be credited to the workers compensation fund. The total amount of each such assessment shall be equal to an amount sufficient, in the opinion of the commissioner of insurance, to pay all amounts, including attorney fees and costs, which may be required to be paid from such fund during the current fiscal year, less amounts required to be transferred from the state general fund to the workers compensation fund. The total amount of each such assessment shall be apportioned among those upon whom it is imposed, such that each is assessed an amount that bears the same relation to such total assessment as the amount of money paid or payable in workers compensation claims by such insurance carrier, self-insurer or group-funded workers compensation pool in the immediately preceding calendar year bears to all such claims paid or payable during such calendar year. Not later than September 1 each year, the commissioner of insurance shall notify all such insurance carriers, self-insurers and group-funded workers compensation pools of the amount of each assessment imposed under this subsection on such carrier, self-insurer or group-funded workers compensation pool, and the same shall be due and payable on the October 1 following.

(3) The commissioner of insurance shall remit all moneys received by or for such commissioner under this subsection to the state treasurer. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the workers compensation fund.

(c) (1) Whenever the workers compensation fund may be made liable for the payment of any amounts in proceedings under the workmens workers compensation act, the commissioner of insurance, in the capacity of administrator of such fund, shall be impleaded in such proceedings and shall represent and defend the workers compensation fund. The commissioner of insurance shall be deemed impleaded in any such proceedings whenever written notice of the proceedings setting forth the nature of the liability asserted against

the workers compensation fund, is given to the commissioner of insurance. The commissioner of insurance may be made a party in this manner by any party to the proceedings. A copy of the written notice shall be given to the director and to all other parties to the proceedings.

(2) The director or administrative law judge shall dismiss the workers compensation fund from any proceeding where the director has determined that there is insufficient evidence to indicate involvement by the workers compensation fund.

(d) The commissioner of insurance, in the capacity of administrator of the workers compensation fund, may make settlements of any amounts which may be payable from the workers compensation fund with regard to any claim under the workmens workers compensation act, subject to the approval of the director.

(e) The workers compensation fund shall be liable for:

(1) Payment of awards to handicapped employees in accordance with the provisions of K.S.A. 44-569 and amendments thereto;

(2) payment of workers compensation benefits to an employee who is unable to receive such benefits from such employee's employer under the conditions prescribed by K.S.A. 44-532a and amendments thereto;

(3) reimbursement of an employer or insurance carrier pursuant to the provisions of K.S.A. 44-534a and amendments thereto, subsection (d) of K.S.A. 44-556 and amendments thereto, subsection (c) of K.S.A. 44-569 and amendments thereto and K.S.A. 44-569a and amendments thereto;

(4) payment of the actual expenses of the commissioner of insurance which are incurred for administering the workers compensation fund, subject to the provisions of appropriations acts; and

(5) any other payments or disbursements provided by law.

(f) If it is determined that the workers compensation fund is not liable as described in subsection (e), attorney fees incurred by the workers compensation fund may be assessed against the party who has impleaded the workers compensation fund other than impleadings pursuant to K.S.A. 44-532a and amendments thereto.

(g) The legislature shall provide for the implementation of the workers compensation fund as provided in this section and shall be responsible for ensuring the fund's adequacy to meet and pay claims awarded against it.

Sec. 17. On July 1, 1990, K.S.A. 79-3425e is hereby amended to read as follows: 79-3425e. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10 and amendments thereto and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425 and amendments thereto, except that each such transfer during the state fiscal year 1991 shall be reduced by 1.75%. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 18. On July 1, 1990, K.S.A. 79-34,147 is hereby amended to read as follows: 79-34,147. (a) On October 1, 1989, and on each January 1, April 1, July 1 and October 1 thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 10% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(b) Upon receipt of each certification under subsection (a), the director of accounts and reports shall transfer from the state general fund to the state highway fund an amount equal to the amount so certified, on October 1, 1989, and on January 1, 1990, April 1, 1990, and July 1, 1990, and on each October 1, January 1, April 1 and July 1 thereafter and October 1, except that each such transfer during the state fiscal year 1991 shall be reduced by 1.75%.

(c) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 19. On July 1, 1990, K.S.A. 82a-953 is hereby amended to read as follows: 82a-953. In each fiscal year beginning on or after July 1, 1990, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, 1/2 of such amount to be transferred on July 15 and 1/2 to be transferred on January 15, except that each

such transfer during the state fiscal year 1991 shall be reduced by 1.75%. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 20. *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 equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriation act of the 1989 regular session of the legislature or in any other appropriation act of the 1990 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 21. *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. 22. Any state institutions building fund appropriation heretofore appropriated to any institution named in this or any other appropriation act of the 1990 regular session of the legislature and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 23. Any Kansas educational building fund appropriation

heretofore appropriated to any state agency named in this or other appropriation act of the 1990 regular session of the legislature, and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 24. *Savings.* Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or any other appropriation act of the 1990 regular session of the legislature, is hereby reappropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 25. Any transfers of money during the fiscal year ending June 30, 1991, from any special revenue fund of any state agency named in this act or in any other appropriation act of the 1990 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, 1991.

Sec. 26. On July 1, 1990, K.S.A. 79-3425e, 79-34,147 and 82a-953 and K.S.A. 1989 Supp. 44-566a and sections 8 and 14 of 1990 Senate Bill No. 443 are hereby repealed.

Sec. 27. This act shall take effect and be in force from and after its publication in the Kansas register.

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1989 Index Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-1	Revoked	V. 8, p. 1207
1-2-1	Amended	V. 8, p. 1472
1-5-9	Amended	V. 8, p. 1207
1-5-9	Amended	V. 8, p. 1472
1-5-10	Amended	V. 8, p. 1207
1-5-10	Amended	V. 8, p. 1472
1-5-11	Amended	V. 8, p. 130
1-5-11	Amended	V. 8, p. 1473
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-5-19b	Amended	V. 8, p. 1208
1-5-19b	Amended	V. 8, p. 1473
1-5-19c	Amended	V. 8, p. 1208
1-5-19c	Amended	V. 8, p. 1473
1-5-24	Amended	V. 8, p. 1209
1-5-24	Amended	V. 8, p. 1474
1-5-29	New	V. 8, p. 1210
1-5-29	New	V. 8, p. 1475
1-6-24	Amended	V. 8, p. 131
1-6-31	New	V. 8, p. 131
1-6-32	Amended	V. 9, p. 10
1-7-10	Amended	V. 8, p. 1210
1-7-10	Amended	V. 8, p. 1475
1-9-19a	Amended	V. 9, p. 10
1-16-8	Amended	V. 9, p. 379
1-16-18	Amended	V. 9, p. 379
1-18-1a	Amended	V. 9, p. 329
1-18-1a	Amended	V. 9, p. 380
1-62-1	New	V. 8, p. 1004

**AGENCY 4: BOARD OF AGRICULTURE**

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4-1-17	Amended	V. 8, p. 1004
4-1-17	Amended	V. 8, p. 1070
4-2-17	Revoked	V. 8, p. 1004
4-2-17	Revoked	V. 8, p. 1087

4-2-17a	New	V. 8, p. 1087
4-2-17a	New	V. 8, p. 1395
4-4-2	Amended	V. 8, p. 1005
4-4-2	Amended	V. 8, p. 1070
4-7-510	Amended	V. 9, p. 189
4-7-511	New	V. 9, p. 189
4-7-512	New	V. 9, p. 189
4-7-513	New	V. 9, p. 190
4-7-900	through	
4-7-905	New	V. 8, p. 1731, 1732
4-8-27	Amended	V. 8, p. 1732
4-13-4	Amended	V. 9, p. 190
4-13-4a	New	V. 9, p. 190
4-13-5	Amended	V. 9, p. 191
4-13-8	Amended	V. 9, p. 191
4-13-15	Amended	V. 9, p. 578
4-13-26	New	V. 9, p. 191
4-13-27	New	V. 9, p. 191
4-20-3	Amended	V. 9, p. 191
4-20-5	Amended	V. 9, p. 192
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4-20-8	New	V. 9, p. 192
4-20-11	New	V. 9, p. 192
4-20-12	New	V. 9, p. 192
4-20-13	New	V. 9, p. 192
4-20-14	New	V. 9, p. 193
4-33-1	New	V. 8, p. 132

**AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-23-3	Amended	V. 9, p. 193
5-23-4	Amended	V. 8, p. 1089
5-23-9	Revoked	V. 8, p. 1089

**AGENCY 7: SECRETARY OF STATE**

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7-34-1	New	V. 8, p. 1139
7-34-1	New	V. 8, p. 1183
7-35-1	New	V. 8, p. 1556
7-35-2	New	V. 8, p. 1556

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

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9-7-7	Amended	V. 8, p. 1804
9-13-4	New	V. 9, p. 1624
9-17-1	through	
9-17-4	Amended	V. 8, p. 1804, 1805
9-17-6	New	V. 8, p. 1805
9-17-7	New	V. 8, p. 1805
9-17-8	New	V. 8, p. 1805

9-18-1	New	V. 8, p. 1138
9-18-1	New	V. 8, p. 1183

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
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**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

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**AGENCY 16: ATTORNEY GENERAL**

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16-7-9	New	V. 8, p. 1326, 1327
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16-7-9	New	V. 8, p. 1447, 1448

**AGENCY 17: STATE BANKING DEPARTMENT**

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**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
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22-1-2	Amended	V. 8, p. 1090
22-3-1	Amended	V. 8, p. 1090
22-3-2	New	V. 8, p. 1090
22-4-2	New	V. 8, p. 1495
22-4-3	New	V. 8, p. 1495
22-5-6	New	V. 8, p. 1090
22-6-17	New	V. 8, p. 1090
22-8-1	Amended	V. 8, p. 1091
22-10-3	Amended	V. 8, p. 1091
22-10-12	Amended	V. 8, p. 1092
22-10-17	New	V. 8, p. 1092
22-13-35	Amended	V. 8, p. 1092

**AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
23-1-8	Revoked	V. 9, p. 704
23-1-10	Revoked	V. 8, p. 1733
23-1-12	Revoked	V. 9, p. 386
23-2-3	Revoked	V. 8, p. 1525
23-2-5	Revoked	V. 9, p. 704

(continued)

23-2-7	Revoked	V. 9, p. 386
23-2-12	Revoked	V. 9, p. 704
23-2-14	Revoked	V. 9, p. 386
23-2-15	Revoked	V. 9, p. 386
23-2-16	Revoked	V. 9, p. 386
23-2-18	Revoked	V. 9, p. 704
23-2-19	Revoked	V. 9, p. 704
23-3-2	Revoked	V. 8, p. 1733
23-3-8	Revoked	V. 8, p. 1629
23-3-10	Revoked	V. 8, p. 1629
23-3-11	Revoked	V. 8, p. 1629
23-3-12	Revoked	V. 8, p. 1629
23-3-14	Revoked	V. 8, p. 1629
23-3-15	Revoked	V. 8, p. 1629
23-5-1	through	
23-5-8	Revoked	V. 9, p. 386
23-6-6	Revoked	V. 9, p. 167
23-7-5	Revoked	V. 9, p. 167
23-7-7	Revoked	V. 9, p. 167
23-8-1	Revoked	V. 8, p. 1525
23-8-2	Revoked	V. 8, p. 1525
23-8-18	Revoked	V. 8, p. 1525
23-8-19	Revoked	V. 8, p. 1525
23-8-21	Revoked	V. 8, p. 1525
23-8-25	Revoked	V. 8, p. 1525
23-8-33	Revoked	V. 8, p. 1525
23-8-34	Revoked	V. 8, p. 1525
23-8-36	Revoked	V. 8, p. 1525
23-9-2	Revoked	V. 8, p. 1525
23-9-10	Revoked	V. 8, p. 1525
23-9-11	Revoked	V. 8, p. 1525
23-11-1	Revoked	V. 8, p. 1356
23-14-1	Revoked	V. 8, p. 1356
23-17-1	Revoked	V. 8, p. 1356
23-17-2	Revoked	V. 8, p. 1356
23-17-3	Revoked	V. 8, p. 1356
23-18-1	Revoked	V. 8, p. 1525
23-18-3	Revoked	V. 8, p. 1629
23-18-4	Revoked	V. 8, p. 1629

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	Vol. 8, p. 1290

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1	through	
26-8-10	New	V. 8, p. 1557
26-9-1	through	
26-9-4	New	V. 8, p. 1557, 1558

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-113	through	
28-4-118	Amended	V. 9, p. 36-40
28-4-119b	Amended	V. 9, p. 40
28-4-120	Amended	V. 9, p. 40
28-4-124	through	
28-4-132	Amended	V. 9, p. 40-43
28-4-350	Amended	V. 9, p. 44
28-4-400	Amended	V. 8, p. 1632
28-4-401	Amended	V. 8, p. 1632
28-4-403	Amended	V. 8, p. 1632
28-4-405	Amended	V. 8, p. 1633
28-4-405a	Amended	V. 8, p. 1634
28-4-405b	Amended	V. 8, p. 1635
28-4-406	Amended	V. 8, p. 1635
28-4-407	Amended	V. 8, p. 1636
28-4-408	Amended	V. 8, p. 1636
28-4-410	Amended	V. 8, p. 1636
28-4-411	Amended	V. 8, p. 1637
28-4-412	Revoked	V. 8, p. 1637
28-4-413	Amended	V. 8, p. 1637
28-4-442	Amended	V. 9, p. 44
28-16-110	through	
28-16-138	New	V. 8, p. 517-520
28-16-137	Amended	V. 8, p. 1559
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291

28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	Amended	V. 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296
28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298
28-19-56	Amended	V. 8, p. 1298
28-31-1	through	
28-31-6	Amended	V. 8, p. 1806-1812
28-31-8	Amended	V. 8, p. 1813
28-31-8a	Amended	V. 8, p. 1814
28-31-8b	New	V. 8, p. 1814
28-31-9	Amended	V. 8, p. 1814
28-31-14	Amended	V. 8, p. 1814
28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, p. 200
28-39-87	Amended	V. 8, p. 871
28-39-200	Revoked	V. 8, p. 201
28-39-202	through	
28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201
28-39-226	Amended	V. 8, p. 203
28-51-108	Amended	V. 9, p. 123

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-35	Amended	V. 8, p. 714
30-4-41	Amended	V. 8, p. 714
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1661
30-4-63	Amended	V. 9, p. 541
30-4-64	Amended	V. 8, p. 1661
30-4-64	Amended	V. 9, p. 542
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 9, p. 193
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 9, p. 194
30-4-90	Amended	V. 8, p. 1182
30-4-96	Amended	V. 9, p. 194
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 9, p. 450
30-4-102	Amended	V. 9, p. 450
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1662
30-4-112	Amended	V. 8, p. 1662
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-120	Amended	V. 9, p. 543
30-4-130	Amended	V. 8, p. 1662
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 8, p. 1662
30-5-58	Amended	V. 9, p. 451
30-5-59	Amended	V. 8, p. 1662
30-5-59	Amended	V. 9, p. 455
30-5-60	Amended	V. 9, p. 456
30-5-62	Amended	V. 9, p. 457
30-5-65	Amended	V. 9, p. 457
30-5-67	Amended	V. 9, p. 457
30-5-68	Amended	V. 9, p. 457
30-5-70	Amended	V. 9, p. 457
30-5-71	Amended	V. 9, p. 458
30-5-73	Amended	V. 9, p. 459
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 8, p. 1205
30-5-81	Amended	V. 8, p. 1470
30-5-81a	Amended	V. 9, p. 459
30-5-81b	Amended	V. 8, p. 718
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718

30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 9, p. 459
30-5-84	Revoked	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-88	Amended	V. 8, p. 1206
30-5-88	Amended	V. 8, p. 1471
30-5-89	Amended	V. 8, p. 118
30-5-94	Amended	V. 9, p. 460
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 8, p. 1182
30-5-101	Amended	V. 9, p. 119
30-5-103	Amended	V. 9, p. 119
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 8, p. 719
30-5-111	Amended	V. 9, p. 460
30-5-112	Amended	V. 9, p. 461
30-5-113	Amended	V. 9, p. 461
30-5-114	Amended	V. 9, p. 461
30-5-115	Amended	V. 9, p. 461
30-5-115a	New	V. 8, p. 719
30-5-116	Amended	V. 9, p. 461
30-5-116a	New	V. 8, p. 720
30-5-150	New	V. 9, p. 461
30-5-151	New	V. 9, p. 462
30-5-152	New	V. 9, p. 462
30-5-154	through	
30-5-172	New	V. 9, p. 462-464
30-6-35	Amended	V. 8, p. 720
30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 9, p. 544
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 8, p. 721
30-6-77	Amended	V. 9, p. 545
30-6-79	Amended	V. 9, p. 195
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 9, p. 546
30-6-106	Amended	V. 9, p. 195
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26	through	
30-7-63	Revoked	V. 8, p. 721
30-7-64	through	
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-9-13	New	V. 8, p. 1663
30-9-18	through	
30-9-22	New	V. 8, p. 1663, 1664
30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-21	Amended	V. 9, p. 546
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-46-10	Amended	V. 8, p. 1666
30-46-17	Amended	V. 8, p. 1666
30-51-1	through	
30-51-5	Revoked	V. 9, p. 198

**AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
33-1-4 through 33-1-17	Revoked	V. 8, p. 1525
33-1-19	Revoked	V. 8, p. 1525
33-1-21	Revoked	V. 9, p. 167
33-2-4	Revoked	V. 8, p. 1733
33-3-2	Revoked	V. 9, p. 386
33-3-3	Revoked	V. 8, p. 1733
33-3-4	Revoked	V. 9, p. 386
33-4-5	Revoked	V. 8, p. 1525
33-4-7 through 33-4-10	Revoked	V. 8, p. 1525

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-16-1	Amended	V. 8, p. 1162

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-35	Amended	V. 9, p. 303
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-38	New	V. 8, p. 455
40-4-39	New	V. 9, p. 303
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-11	Amended	V. 9, p. 304
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516
40-7-22 through 40-7-25	New	V. 9, p. 304
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-7-114	New	V. 9, p. 577
44-8-115	New	V. 9, p. 577
44-8-116	New	V. 9, p. 577
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 80
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 81
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129 through 44-11-135	New	V. 9, p. 81, 82

**AGENCY 49: DEPARTMENT OF HUMAN RESOURCES**

Reg. No.	Action	Register
49-49-1	Amended	V. 9, p. 706

**AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—**

Reg. No.	Action	Register
50-2-21	Amended	V. 9, p. 704

**AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS' COMPENSATION**

Reg. No.	Action	Register
51-24-4	Amended	V. 8, p. 1493
51-24-5	Amended	V. 8, p. 1493

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-11-104a	Amended	V. 9, p. 406

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170
63-1-6	Amended	V. 8, p. 712
63-1-12	Amended	V. 8, p. 713
63-2-14	Amended	V. 8, p. 713
63-6-3	Amended	V. 8, p. 713
63-6-6	Amended	V. 8, p. 714
63-6-7	Revoked	V. 8, p. 714
63-6-8	Revoked	V. 8, p. 714

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

**AGENCY 67: BOARD OF HEARING AID EXAMINERS**

Reg. No.	Action	Register
67-5-3	Amended	V. 9, p. 625
67-5-4	Amended	V. 9, p. 625

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-1-2	Amended	V. 8, p. 252
68-2-12a	Amended	V. 9, p. 383
68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-9-1	Amended	V. 9, p. 384
68-20-1	Amended	V. 8, p. 254
68-20-16	Amended	V. 8, p. 255
68-20-20	Amended	V. 9, p. 384

**AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS**

Reg. No.	Action	Register
70-5-1	Amended	V. 8, p. 750

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-2-1 through 71-2-7	Amended	V. 8, p. 161, 162
71-2-9	Amended	V. 8, p. 162
71-2-11	Amended	V. 8, p. 163
71-2-12	Amended	V. 8, p. 163
71-2-13	Revoked	V. 8, p. 163
71-4-1	Amended	V. 8, p. 163

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-5-202	Amended	V. 8, p. 493
74-5-203	Amended	V. 8, p. 493
74-6-2	Amended	V. 8, p. 1069
74-12-1	Amended	V. 8, p. 1590
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-26	Amended	V. 9, p. 625

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-3-2	Amended	V. 8, p. 1704
81-3-2	Amended	V. 9, p. 83

81-5-6	Amended	V. 8, p. 1704
81-5-6	Amended	V. 9, p. 83

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-100	Amended	V. 9, p. 329
82-3-101	Amended	V. 9, p. 329
82-3-103	Amended	V. 9, p. 332
82-3-103a	Amended	V. 9, p. 332
82-3-105	Amended	V. 8, p. 425
82-3-106	Amended	V. 9, p. 333
82-3-107	Amended	V. 9, p. 334
82-3-108	Amended	V. 9, p. 334
81-3-109	Amended	V. 9, p. 335
82-3-110	Amended	V. 9, p. 336
82-3-111	Amended	V. 9, p. 336
82-3-113	Amended	V. 9, p. 336
82-3-114	Amended	V. 8, p. 427
82-3-117	Amended	V. 9, p. 336
82-3-120	Amended	V. 9, p. 337
82-3-122	Amended	V. 9, p. 337
82-3-123	Amended	V. 9, p. 337
82-3-123a	Amended	V. 9, p. 337
82-3-124	Amended	V. 9, p. 338
82-3-126	Amended	V. 9, p. 338
82-3-128	Amended	V. 9, p. 339
82-3-129	Amended	V. 9, p. 339
82-3-130	Amended	V. 9, p. 339
82-3-131	Amended	V. 9, p. 339
82-3-133	Amended	V. 9, p. 339
82-3-134	Revoked	V. 9, p. 339
82-3-135	Amended	V. 9, p. 339
82-3-135a	New	V. 9, p. 340
82-3-135b	New	V. 9, p. 340
82-3-138	Amended	V. 9, p. 341
82-3-139	Revoked	V. 9, p. 340
82-3-140	Amended	V. 9, p. 341
82-3-141	Amended	V. 9, p. 341
82-3-142	Revoked	V. 9, p. 342
82-3-143	Revoked	V. 9, p. 342
82-3-201	Amended	V. 9, p. 342
82-3-203	Amended	V. 9, p. 342
82-3-205	Revoked	V. 9, p. 342
82-3-206	Amended	V. 9, p. 342
82-3-208	Amended	V. 9, p. 342
82-3-209	Amended	V. 9, p. 343
82-3-300	Amended	V. 9, p. 343
82-3-300a	New	V. 9, p. 344
82-3-303	Amended	V. 9, p. 344
82-3-304	Amended	V. 9, p. 346
82-3-305	Amended	V. 8, p. 431
82-3-306	Amended	V. 9, p. 346
82-3-307	Amended	V. 9, p. 346
82-3-311	Amended	V. 9, p. 346
82-3-312	Amended	V. 9, p. 347
82-3-400	Amended	V. 9, p. 347
82-3-401	Amended	V. 9, p. 348
82-3-402	Amended	V. 8, p. 434
82-3-403	Amended	V. 9, p. 349
82-3-404	Amended	V. 9, p. 349
82-3-405	Amended	V. 9, p. 350
82-3-406	Amended	V. 9, p. 351
82-3-407	Amended	V. 9, p. 351
82-3-408	Amended	V. 9, p. 351
82-3-409	Amended	V. 8, p. 435
82-3-410	Amended	V. 9, p. 352
82-3-600a	New	V. 9, p. 352
82-3-603	Amended	V. 9, p. 352
82-3-604	New	V. 9, p. 352
82-3-606	New	V. 9, p. 352
82-4-1	Amended	V. 9, p. 381
82-4-3	Amended	V. 9, p. 381
82-4-8a	Amended	V. 9, p. 382
82-4-20	Amended	V. 9, p. 382
82-4-38	Amended	V. 9, p. 383
82-11-1 through 82-11-9	New	V. 8, p. 377-383
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

**AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS**

Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-10	Amended	V. 8, p. 1752
86-1-13	Amended	V. 8, p. 1753

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-20-1 through 88-20-11	New	V. 9, p. 165-167
88-21-1 through 88-21-10	New	V. 8, p. 1834, 1835

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22	Amended	V. 8, p. 1755
91-12-23	Amended	V. 8, p. 1758
91-12-25	Amended	V. 8, p. 1759
91-12-32	Amended	V. 8, p. 1760
91-12-34	Amended	V. 8, p. 1760
91-12-38	Amended	V. 8, p. 1760
91-12-40	Amended	V. 8, p. 1761
91-12-41	Amended	V. 8, p. 1762
91-12-42	Amended	V. 8, p. 1763
91-12-44	Amended	V. 8, p. 1763
91-12-51 through 91-12-63	Amended	V. 8, p. 1764-1770
91-12-65	Amended	V. 8, p. 1771
91-12-70	Amended	V. 8, p. 1771
91-12-73	New	V. 8, p. 1771
91-16-30	New	V. 8, p. 423
91-19-1	Amended	V. 8, p. 101
91-19-2	Amended	V. 8, p. 101
91-19-6	Amended	V. 8, p. 102
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-3	Amended	V. 8, p. 1361
91-31-4a	New	V. 8, p. 1362
91-31-7	Amended	V. 8, p. 103
91-31-11	Revoked	V. 8, p. 1362
91-31-12a	Amended	V. 8, p. 104
91-31-12h	Amended	V. 8, p. 1362
91-31-13	Amended	V. 8, p. 104
91-31-14	New	V. 8, p. 105
91-31-14a	Amended	V. 8, p. 105
91-33-1	Amended	V. 8, p. 105
91-33-3	Amended	V. 8, p. 1363
91-33-5	Amended	V. 8, p. 106
91-33-8	Amended	V. 8, p. 1364
91-33-9	Revoked	V. 8, p. 1364
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107
91-34-6	Revoked	V. 8, p. 1364
91-34-7	Amended	V. 8, p. 1364
91-34-13	Amended	V. 8, p. 1365

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-51-42	New	V. 9, p. 35
92-52-10	Revoked	V. 9, p. 35
92-52-12	New	V. 9, p. 35
92-56-1 through 92-56-5	New	V. 8, p. 1324, 1325

**AGENCY 98: KANSAS WATER OFFICE**

Reg. No.	Action	Register
98-6-1 through 98-6-4	New	V. 8, p. 1121, 1122

**AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-38-1	Amended	V. 8, p. 1558
100-38-1	Amended	V. 8, p. 1806
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257
100-54-4	Amended	V. 8, p. 1558
100-54-4	Amended	V. 8, p. 1806
100-55-4	Amended	V. 8, p. 1558
100-55-4	Amended	V. 8, p. 1806
100-60-1	Amended	V. 8, p. 1558
100-60-1	Amended	V. 8, p. 1806
100-60-15	New	V. 8, p. 1558
100-60-15	Amended	V. 8, p. 1806

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906
102-1-13	Amended	V. 9, p. 624
102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-2-3	Amended	V. 8, p. 1470
102-2-3	Amended	V. 8, p. 1591
102-3-1	New	V. 8, p. 1526
102-3-1	New	V. 8, p. 1591
102-3-3 through 102-3-13	New	V. 8, p. 1526-1531
102-3-3 through 102-3-13	New	V. 8, p. 1591-1596
102-4-1	New	V. 8, p. 204
102-4-1	New	V. 8, p. 335
102-4-3 through 102-4-11	New	V. 8, p. 205-209
102-4-3 through 102-4-11	New	V. 8, p. 335-339

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended	V. 8, p. 1366
105-5-6	Amended	V. 8, p. 1366
105-5-7	Amended	V. 8, p. 1367
105-5-8	Amended	V. 8, p. 1367
105-7-5	Amended	V. 8, p. 1367
105-8-4	Amended	V. 8, p. 1367
105-10-1	Amended	V. 8, p. 1070
105-10-1	Amended	V. 8, p. 1367

**AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD**

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874

109-2-5 through 109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877
109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-6-1	Amended	V. 8, p. 1731
109-7-1	New	V. 8, p. 1731
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1 through 109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-3-1 through 110-3-11	New	V. 8, p. 28-30

**AGENCY 111: THE KANSAS LOTTERY**

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-2-2a	New	V. 9, p. 199
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8 through 111-2-12	Revoked	V. 8, p. 1666
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-3-1	Amended	V. 9, p. 199
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 8, p. 1085
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 9, p. 503
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 9, p. 697
111-3-14a	Revoked	V. 9, p. 30
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-22a	Revoked	V. 9, p. 31
111-3-24	Revoked	V. 9, p. 31
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206

111-4-22 through  
 111-4-40 Revoked V. 7, p. 206, 207  
 111-4-41 Revoked V. 7, p. 1435  
 111-4-42 Revoked V. 7, p. 1435  
 111-4-43 Revoked V. 7, p. 207  
 111-4-44 Revoked V. 7, P. 1435  
 111-4-46 through  
 111-4-64 Revoked V. 7, p. 207  
 111-4-66 through  
 111-4-77 New V. 7, p. 207-209  
 111-4-66 through  
 111-4-71 Revoked V. 9, p. 31  
 111-4-71a Revoked V. 9, p. 31  
 111-4-71b Revoked V. 9, p. 31  
 111-4-72 Revoked V. 9, p. 31  
 111-4-73 Revoked V. 9, p. 31  
 111-4-73a Revoked V. 8, p. 134  
 111-4-74 Revoked V. 9, p. 31  
 111-4-75 Revoked V. 9, p. 31  
 111-4-76 Revoked V. 9, p. 31  
 111-4-77 Revoked V. 9, p. 31  
 111-4-77a Revoked V. 9, p. 32  
 111-4-77b Revoked V. 9, p. 32  
 111-4-78 through  
 111-4-82 Revoked V. 8, p. 13  
 111-4-82a Revoked V. 8, p. 13  
 111-4-83 through  
 111-4-87 Revoked V. 8, p. 13  
 111-4-88 through  
 111-4-91 Revoked V. 8, p. 210  
 111-4-92 through  
 111-4-95 Revoked V. 8, p. 299  
 111-4-96 through  
 111-4-114 New V. 7, p. 1606-1610  
 111-4-96 through  
 111-4-99 Revoked V. 8, p. 1667  
 111-4-99a Revoked V. 8, p. 1667  
 111-4-99b Revoked V. 8, p. 1667  
 111-4-100 Amended V. 8, p. 1396  
 111-4-101 Amended V. 8, p. 1328  
 111-4-102 Amended V. 8, p. 1396  
 111-4-104 Amended V. 8, p. 1396  
 111-4-105 Amended V. 8, p. 1396  
 111-4-107 Amended V. 8, p. 1397  
 111-4-115 through  
 111-4-118 Revoked V. 8, p. 1667  
 111-4-118a Revoked V. 8, p. 1667  
 111-4-119 through  
 111-4-125 Revoked V. 8, p. 1667  
 111-4-126 through  
 111-4-129 Revoked V. 8, p. 1667, \*1668  
 111-4-130 through  
 111-4-137 Revoked V. 9, p. 32  
 111-4-138 through  
 111-4-152 Revoked V. 8, p. 1668  
 111-4-153 through  
 111-4-160 New V. 8, p. 970, 971  
 111-4-160 Amended V. 8, p. 1329  
 111-4-161 through  
 111-4-176 Revoked V. 8, p. 1668, 1669  
 111-4-177 through  
 111-4-180 New V. 8, p. 1086, 1087  
 111-4-181 through  
 111-4-184 New V. 8, p. 1329  
 111-4-185 through  
 111-4-196 New V. 8, p. 1518-1520

111-4-196 through  
 111-4-203 New V. 9, p. 32-34  
 111-4-201 Amended V. 9, p. 232  
 111-4-205 New V. 9, p. 504  
 111-4-206 New V. 9, p. 504  
 111-4-207 New V. 9, p. 504  
 111-4-208 New V. 9, p. 504  
 111-4-209 New V. 9, p. 698  
 111-4-210 New V. 9, p. 698  
 111-4-211 New V. 9, p. 699  
 111-4-212 New V. 9, p. 699  
 111-4-213 through  
 111-4-220 New V. 9, p. 728, 729  
 111-5-1 through  
 111-5-23 New V. 7, p. 209-213  
 111-5-1 through  
 111-5-8 Revoked V. 9, p. 34  
 111-5-9 through  
 111-5-15 Amended V. 8, p. 210, 211  
 111-5-11 Amended V. 9, p. 505  
 111-5-17 Amended V. 8, p. 211  
 111-5-19 Amended V. 8, p. 212  
 111-5-20 Revoked V. 8, p. 212  
 111-5-21 Revoked V. 9, p. 34  
 111-5-22 Revoked V. 9, p. 34  
 111-5-23 Revoked V. 9, p. 34  
 111-6-1 through  
 111-6-15 New V. 7, p. 213-217  
 111-6-1 Amended V. 8, p. 212  
 111-6-3 Amended V. 9, p. 200  
 111-6-6 Amended V. 9, p. 200  
 111-6-12 Amended V. 8, p. 212  
 111-6-13 Amended V. 8, p. 299  
 111-6-16 Revoked V. 8, p. 212  
 111-6-17 New V. 7, p. 1191  
 111-7-1 through  
 111-7-10 New V. 7, p. 1192, 1193  
 111-7-1 Amended V. 8, p. 212  
 111-7-3 Amended V. 9, p. 505  
 111-7-4 Amended V. 7, p. 1610  
 111-7-5 Amended V. 7, p. 1610  
 111-7-11 New V. 7, p. 1224  
 111-7-12 through  
 111-7-32 New V. 7, p. 1194-1196  
 111-7-12 through  
 111-7-27 Revoked V. 7, p. 1436, 1437  
 111-7-28 through  
 111-7-32 Revoked V. 9, p. 34  
 111-7-32a Revoked V. 8, p. 1330  
 111-7-32b Revoked V. 8, p. 1330  
 111-7-33 through  
 111-7-43 New V. 7, p. 1197, 1198  
 111-7-33 Revoked V. 7, p. 1437  
 111-7-33a New V. 8, p. 300  
 111-7-34a Revoked V. 8, p. 1330  
 111-7-37a Revoked V. 8, p. 1330  
 111-7-34 through  
 111-7-42 Revoked V. 9, p. 34, 35  
 111-7-43 Revoked V. 8, p. 212  
 111-8-1 New V. 7, p. 1633  
 111-8-2 New V. 7, p. 1633  
 111-8-3 Amended V. 9, p. 505  
 111-8-4 New V. 7, p. 1714  
 111-8-4a New V. 7, p. 1995  
 111-8-5 through  
 111-8-13 New V. 7, p. 1634  
 111-9-1 through  
 111-9-12 New V. 7, p. 1714-1716  
 111-9-13 through  
 111-9-18 New V. 8, p. 300, 301

111-9-25 through  
 111-9-30 New V. 9, p. 699, 700  
 111-10-1 through  
 111-10-9 New V. 8, p. 136-138  
 111-10-7 Amended V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-16	Amended	V. 9, p. 153
112-3-19	Amended	V. 9, p. 153
112-4-1 through		
112-4-14	New	V. 8, p. 255-257
112-4-1	Amended	V. 8, p. 1244
112-4-1	Amended	V. 8, p. 1288
112-4-3	Amended	V. 8, p. 1245
112-4-3	Amended	V. 8, p. 1288
112-4-4	Amended	V. 8, p. 1245
112-4-4	Amended	V. 8, p. 1288
112-4-5	Amended	V. 8, p. 1246
112-4-5	Amended	V. 8, p. 1288
112-4-8	Amended	V. 8, p. 1246
112-4-8	Amended	V. 8, p. 1288
112-4-10	Amended	V. 8, p. 1246
112-4-10	Amended	V. 8, p. 1288
112-4-11	Amended	V. 8, p. 1246
112-4-11	Amended	V. 8, p. 1289
112-4-14a	New	V. 8, p. 1214
112-4-14a	New	V. 8, p. 1289
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	Amended	V. 8, p. 1214
112-4-19	Amended	V. 8, p. 1289
112-4-20	Amended	V. 8, p. 1246
112-4-20	Amended	V. 8, p. 1289
112-4-22	Amended	V. 8, p. 1246
112-4-22	Amended	V. 8, p. 1289
112-5-1 through		
112-5-9	New	V. 8, p. 258-260
112-5-1	Amended	V. 9, p. 153
112-5-2	Amended	V. 9, p. 154
112-5-3	Amended	V. 9, p. 154
112-5-8	Amended	V. 9, p. 155
112-5-9	Amended	V. 9, p. 155
112-6-1 through		
112-6-8	New	V. 8, p. 261-263
112-6-6	Amended	V. 9, p. 155
112-7-2 through		
112-7-22	New	V. 8, p. 593, 594
112-7-2		
112-7-22		
112-7-22	New	V. 8, p. 641-648
112-8-2 through		
112-8-12	New	V. 8, p. 263-267
112-8-3	New	V. 8, p. 596
112-8-3	New	V. 8, p. 725
112-8-9	New	V. 8, p. 596
112-8-9	New	V. 8, p. 725
112-9-2 through		
112-9-38	New	V. 8, p. 726-737
112-9-5	Amended	V. 9, p. 155
112-9-7	Amended	V. 9, p. 156
112-9-8	Amended	V. 9, p. 156
112-9-11	Amended	V. 9, p. 156
112-9-13	Amended	V. 9, p. 156
112-9-18	Amended	V. 9, p. 157
112-9-21	Amended	V. 9, p. 157
112-9-22	Amended	V. 9, p. 158
112-9-23	Amended	V. 9, p. 159
112-9-29	Amended	V. 9, p. 159
112-9-34	Amended	V. 9, p. 159
112-9-37	Amended	V. 9, p. 159
112-9-39 through		
112-9-41	New	V. 8, p. 1214-1216

(continued)

112-9-39 through			
112-9-41	New	V. 8, p. 1289	
112-10-2 through			
112-10-12	New	V. 8, p. 598	
112-10-2 through			
112-10-12	New	V. 8, p. 737-740	
112-10-4	Amended	V. 9, p. 160	
112-10-32 through			
112-10-37	New	V. 8, p. 1246-1248	
112-10-37 through			
112-10-37	Amended	V. 8, p. 1289	
112-11-1 through			
112-11-19	New	V. 8, p. 594, 595	
112-11-1 through			
112-11-19	New	V. 8, p. 648-653	
112-11-2	Amended	V. 9, p. 160	
112-11-3	Amended	V. 9, p. 161	
112-11-6	Amended	V. 9, p. 161	
112-11-7	Amended	V. 9, p. 161	
112-11-9	Amended	V. 9, p. 161	
112-11-10	Amended	V. 9, p. 161	
112-11-12	Amended	V. 9, p. 162	
112-11-14	Amended	V. 9, p. 162	
112-11-15	Amended	V. 9, p. 162	
112-11-20	Amended	V. 9, p. 162	
112-11-21	New	V. 8, p. 595	
112-11-21	New	V. 8, p. 653	
112-12-2 through			
112-12-13	New	V. 8, p. 1007	
112-12-2 through			
112-12-13	New	V. 8, p. 1123-1126	

112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-13-2	New	V. 8, p. 596
112-13-2	New	V. 8, p. 267
112-13-3	New	V. 8, p. 598
112-13-3	New	V. 8, p. 740
112-14-2 through		
112-14-10	New	V. 8, p. 1162-1164
112-14-2 through		
112-14-10	New	V. 8, p. 1184, 1185

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	New	V. 8, p. 1629
115-2-1	New	V. 8, p. 1520
115-2-2	New	V. 8, p. 1733
115-2-3	New	V. 8, p. 1733
115-3-1	New	V. 8, p. 1160
115-3-1	New	V. 8; p. 1185
115-3-2	Amended	V. 8, p. 1733
115-3-2	Amended	V. 9, p. 35
115-4-1	New	V. 8, p. 1733
115-4-3	New	V. 9, p. 386
115-4-5	New	V. 9, p. 387
115-4-6	New	V. 9, p. 388
115-4-7	New	V. 9, p. 390
115-4-8	New	V. 8, p. 1356
115-4-8	New	V. 8, p. 1477
115-4-10	New	V. 8, p. 1357
115-4-10	New	V. 8, p. 1477
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-1	New	V. 8, p. 1630
115-7-2	New	V. 8, p. 1630
115-7-4	New	V. 8, p. 1631
115-7-5	New	V. 8, p. 1631

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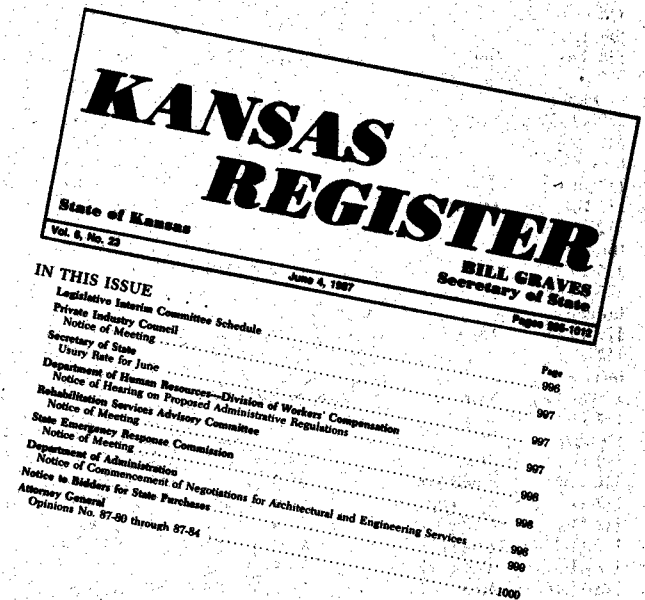
AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
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