



# Kansas Register

Bill Graves, Secretary of State

Vol. 10, No. 23

June 6, 1991

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# Kansas Register

State of Kansas

## Legislature

### Interim Committee Schedule

The following committee meetings have been scheduled June 10 through June 23:

Date	Room	Time	Committee	Agenda
June 19	313-S	9:00 a.m.	Joint Committee on KPERS	Agenda unavailable.
June 20	313-S	9:00 a.m.	Investment Practices	
June 21	313-S	9:00 a.m.		
June 20	514-S	10:00 a.m.	Joint Committee on	Agenda unavailable.
June 21	514-S	9:00 a.m.	Administrative Rules and Regulations	

Emil Lutz  
Director of Legislative  
Administrative Services

Doc. No. 010721

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.15 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

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**PUBLISHED BY**  
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2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236



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

## State of Kansas

## Kansas Sentencing Commission

## Notice of Meeting

The Kansas Sentencing Commission will meet at 10:30 a.m. Monday, June 10, at the Public Library, 7th and Vermont, Lawrence.

Ben Coates  
Executive Director

Doc. No. 010713

## State of Kansas

Kansas Planning Council on  
Developmental Disabilities Services

## Notice of Meeting

The Kansas Planning Council on Developmental Disabilities Services will meet at 9 a.m. Thursday, June 20, in the Disability Determinations meeting room, tenth floor, Docking State Office Building, Topeka.

John F. Kelly  
Executive Director

Doc. No. 010720

## State of Kansas

## Historic Sites Board of Review

## Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, June 22, in the classroom at the Kansas Museum of History, 6425 S.W. 6th, Topeka. The agenda includes the evaluation of the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- Cleo F. Miller House, Broadway and Coffey Streets, Lebo, Coffey County
- Rehwinkle Hall, St. John's College, 1415 E. 6th, Winfield, Cowley County
- Vermilya-Boemer House, SE 1/4, Sec. 12, T 12 S., R 19 E, Grant Township, Douglas County
- Santa Fe Depot, Third and Boone, Madison, Greenwood County
- Booth Archeological Site, Lincoln Township, Jackson County
- J.S. Schroeder Building, 111 N. Walnut, Peabody, Marion County
- Weber House, NE 1/4, SW 1/4, Sec. 13, T 8 S, R 8 E, Pottawatomie County (state register only)
- Stackman Court Apartments, 1207 Franklin, Wichita, Sedgwick County
- Park House Gallery, 501 E. Harvey, Wellington, Sumner County (state register only)
- Island Creek Archeological Site, Prairie Township, Wyandotte County (state register only)

Ramon Powers  
Executive Director

Doc. No. 010709

## State of Kansas

Board of Agriculture  
Division of Water ResourcesNotice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Wednesday, July 10, at the 4-H Building on the fairgrounds, South 9th and Frederick, Garden City, to consider the adoption of a new rule and regulation of the Division of Water Resources and proposed changes in an existing rule and regulation of the Division of Water Resources.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, 901 S. Kansas Ave., 2nd Floor, Topeka 66612-1283. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. The summary of proposed regulations and their economic impact follows:

K.A.R. 5-23-3 has been amended to change the distance a point of diversion may be moved from the originally authorized point of diversion from 1,320 feet to 2,640 feet. This is not expected to result in a significant fiscal impact to water users or governmental agencies.

K.A.R. 5-23-4a is a new regulation establishing criteria for closing townships to new appropriations. This is expected to increase staff time initially, but in the long term it is expected to decrease staff time due to the decrease in processing time taken for applications on the part of both the district and the division. This regulation will also impact those few additional applicants who will not be able to get permits approved but this impact is not expected to be significant. No other fiscal impacts to water users or governmental entities is expected.

Copies of the regulations and their economic impact statements may be obtained from the Division of Water Resources at the address above, (913) 296-4623.

Gary Hall  
Acting Secretary of Agriculture

Doc. No. 010714

## State of Kansas

## Department of Commerce

## Notice of Hearing

A public hearing on the proposed program description for the Kansas Small Cities Rental Rehabilitation Program for 1991 will be at 10:30 a.m. Friday, June 14, in the first floor conference room, Capitol Tower, 400 S.W. 8th, Topeka. Copies of the proposed program description are available during working hours at the KDOC Small Cities Rental Rehabilitation Program offices, 5th Floor, 400 S.W. 8th, Topeka.

Written comments on the proposed program description will be received for consideration in preparation of the program description by the Kansas Small Cities Rental Rehabilitation Program through June 18. For further information call (913) 296-3480.

Laura E. Nicholl  
Secretary of Commerce

Doc. No. 010718

## State of Kansas

Department of Health  
and EnvironmentNotice 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 Kansas water pollution control facility and/or a national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Deryll Amstutz Route 2, Box 42 Hillsboro, KS 67063	NW/4 Section 31, Township 20S, Range 2E, Marion County, Kansas	Neosho River Basin

Kansas Permit No: A-NEMN-H001 Federal Permit: KS-0088218

The proposed facility will have capacity for approximately 3,600 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: Due to the large capacity of the lagoons, dewatering equipment is not required at this time. However, when the liquid level in the second cell reaches within 11 feet of the top (elevation 1469 ft. or 11 ft. of depth), a written rental agreement must be obtained stating dewatering equipment will be available for dewatering this facility any time needed. The equipment must have at least 265 gallon per minute capacity and be able to distribute water uniformly over 20 acres. This agreement shall be submitted to the Department within 30 days of its consummation.

Name and Address of Applicant	Legal Description	Receiving Water
Donovan Claassen Golden Rule Farms Route 1, Box 118 Whitewater, KS 67154	NE/4 Section 6, Township 24S, Range 4E, Butler County, Kansas	Walnut River Basin

Kansas Permit No: A-WABU-S010  
The proposed expanded facility will have capacity for approximately 2,150 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: The 2100 gallon slurry wagon is smaller than normally required for wastewater handling at a facility of this size. Due to the large capacity of the lagoon, increased dewatering capacity will not be required at this time. However, should monitoring in compliance with permit requirements, additional dewatering equipment will be required.

Name and Address of Applicant	Legal Description	Receiving Water
Dale R. Josefiak P.O. Box 40 Rozel, KS 67574	SE/4 Section 33, Township 21S, Range 19W, Pawnee County, Kansas	Upper Arkansas River Basin

Kansas Permit No: A-UAPN-B002

The feedlot has capacity for approximately 950 cattle and a contributing drainage area of approximately 7 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 3 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas of application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Leslie E. Wakeman, Jr. Wakeman Feed Yard Route 1, Box 22 Fowler, KS 67844	SE/4 Section 34, Township 29S, Range 36W, Ford County, Kansas	Cimarron River Basin

Kansas Permit No: A-CIFO-C003 Federal Permit: KS-0080527

The feedlot has capacity for approximately 2,500 cattle and a contributing drainage area of approximately 10 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capability of 3.2 acre-feet is provided for runoff and other wastewater accumulations.

Compliance Schedule:

- 1) A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas of application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.
- 2) The capacity of the waste retention structure is marginal and is permitted conditionally dependent upon the producer's ability to manage the system. If monitoring indicates that the minimum required storage is not being maintained, a compliance schedule to immediately upgrade will be required.

Written comments on the proposed permits may be submitted to Angela Buie, Bureau of Water, Industrial Programs Section, Kansas Department of Health and Environment, Forbes Field, Topeka 66620-0001. All comments received prior to July 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-91-34/37) 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 offices, 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  
Acting Secretary of Health  
and Environment

Doc. No. 010728

State of Kansas

Department of Health  
and Environment

Notice Concerning Kansas  
Water Pollution Control Permit

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, the Secretary of Health and Environment has reviewed the following application and made a tentative decision to deny the permit. Staff review of the application indicates the permit should be denied for reasons as specified in K.A.R. 28-16-62(a)(5) and (a)(6), and for other reasons including:

1. This new discharge will cause or contribute to violation of water quality standards.
2. Alternate options for sludge handling and disposal are available at reasonable cost.
3. The controlled discharge option proposed by Johnson County Water District does not meet the requirements of the Clean Water Act and subsequent regulations and guidelines. The proposal does not provide the equivalent of secondary treatment or the application of best practical treatment technology available.

Name and Address of Applicant	Waterway	Type of Discharge
Johnson County Water District #1	Kansas River	Controlled discharge of

Hansen Water Treatment  
Facility  
7500 Holliday Drive  
Kansas City, KS 66106  
Wyandotte County, Kansas

untreated potable  
water clarification  
and softening  
sludges

Description of Facility: The Hansen Water Treatment Plant provides drinking water by clarification, softening, filtration and disinfection treatment to water from the Missouri and Kansas Rivers. Current capacity of the plant is 55 MGD from the Kansas River and 25 MGD from the Missouri River with construction now underway to add another 25 MGD capacity from the Missouri River. The applicant currently lagoons all sludges resulting in no discharge to surface waters. The applicant proposes an untreated discharge of clarification and softening sludges along with backwash water to the Kansas River during river stages exceeding 2000 cfs. Sludges and backwash water would be retained in a lagoon when Kansas River flows are less than 2000 cfs, for discharge when river flows again were above 2000 cfs. According to the district's application, discharge would be as follows:

	Average
Flow	440,000 gpd (max 1,000,000 gpd)
Biochemical Oxygen Demand	50 mg/l
Chemical Oxygen Demand	1290 mg/l
Total Organic Carbon	25.5 mg/l
Total Suspended Solids	150,000 mg/l
Ammonia as Nitrogen	1.15 mg/l
pH	9.5 - 11.5
Fluoride	0.3-0.4
Nitrate-Nitrite as N	1.0 mg/l
Chlorine	0.1 mg/l
Sulfate	180 mg/l
Aluminum	500 mg/l
Iron	137 mg/l
Magnesium	1390 mg/l
Cadmium Total	0.003 mg/l
Lead Total	0.18 mg/l
Zinc Total	0.91 mg/l
Chromium	0.27 mg/l

Written comments on the proposed permit denial may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Technical Services Section, Forbes Field, Topeka 66620. All comments received prior to July 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-91-102) and name of applicant as listed when preparing comments.

If no comments are received, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, comments received and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the Division of Environment.

Stanley C. Grant  
Acting Secretary of Health  
and Environment

Doc. No. 010723

## 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
Acme Brick Company P.O. Box 582590 Tulsa, OK 74158	Smoky Hill River via Clear Creek via unnamed tributary	Mine pit dewatering and uncontaminated stormwater runoff

Ellsworth County, Kansas

Kansas Permit No: I-SH19-P002 Fed. Permit No. KS-0087009

Description of Facility: This facility is a clay mining operation for brick manufacturing. This is a new facility. 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
Kaneb Pipe Line Operating Partnership, L.P.	McFarland gravel pit	Contaminated groundwater

Arkansas City Facility  
100 N. Broadway, Suite 550  
Wichita, KS 67202  
Attn: Mack Brown

Cowley County, Kansas

Kansas Permit No: I-AR06-P005 Fed. Permit No. KS-0087882

Description of Facility: This facility is engaged in a groundwater remediation project. An air stripping tower is utilized to treat gasoline-contaminated groundwater prior to discharge. This is a new permit. 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
N.R. Hamm Quarry, Inc. #53 Harrell P.O. Box 17 Perry, KS 66073	Kansas River via Wakarusa River and Clinton Reservoir	Quarry pit dewatering and uncontaminated stormwater runoff

Douglas County, Kansas

Kansas Permit No: I-KS88-P001 Fed. Permit No. KS-0117901

Description of Facility: This is a limestone quarrying and crushing operation with no washing. This is a new facility. 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
N.R. Hamm Quarry, Inc. #2 Kopp P.O. Box 17 Perry, KS 66073	Kansas River via Delaware River and Perry Lake via Cedar Creek	Quarry pit dewatering and uncontaminated stormwater runoff

Brown County, Kansas

Kansas Permit No: I-KS95-P002 Fed. Permit No. KS-0087076

Description of Facility: This facility is engaged in the quarrying and crushing of limestone rock with no washing. This is a new facility. 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
N.R. Hamm Quarry, Inc. #29 Mellgren P.O. Box 17 Perry, KS 66073	Big Blue River via Tuttle Creek Reservoir via Shannon Creek via unnamed tributary	Quarry pit dewatering and uncontaminated stormwater runoff

Pottawatomie County, Kansas

Kansas Permit No: I-BB18-P001 Fed. Permit No. KS-0087084

Description of Facility: This is a limestone quarrying and crushing operation with no washing. This is a new facility. 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
N.R. Hamm Quarry, Inc. #82 Miller P.O. Box 17 Perry, KS 66073	Kansas River via Vassar Creek	Quarry pit dewatering and uncontaminated stormwater runoff

Shawnee County, Kansas

Kansas Permit No: I-KS99-P001 Fed. Permit No. KS-0087092

Description of Facility: This is a limestone quarrying and crushing operation with no washing. This is a new facility. 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
N.R. Hamm Quarry, Inc. #36 Pressler P.O. Box 17 Perry, KS 66073	Smoky Hill River via Lyons Creek via Lime Creek via unnamed tributary	Quarry pit dewatering and uncontaminated stormwater runoff

Dickinson County, Kansas

Kansas Permit No: I-SH17-P001 Fed. Permit No. KS-0117382

Description of Facility: This is a limestone quarrying and crushing operation with no washing. This is a new facility. 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 Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to July 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-91-106/112) 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. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

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  
Acting Secretary of Health  
and Environment

Doc. No. 010722

**State of Kansas**

**Department of Health  
and Environment**

**Notice 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 Pawnee County Highway Department (PC), Larned, to install and operate a portable asphalt concrete mixing plant to be initially located at Section 35, T21S, R16W, Pawnee County, Kansas.

Written materials, including the permit application and information relating to the application submitted by PC, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit are available for public inspection during normal business hours through July 8 by contacting Wayne Neese, KDHE, 302 W. McArtor Road, Dodge City 67801, (316) 225-0596.

This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L.C. Hinthner, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request 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 a 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 July 8.

Stanley C. Grant  
Acting Secretary of Health  
and Environment

Doc. No. 010711

**State of Kansas**

**Secretary of State**

**Usury Rate for June**

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1991, through June 30, 1991, is 11.03 percent.

Bill Graves  
Secretary of State

Doc. No. 010729

**State of Kansas**

**Department of Administration**

**Division of Purchases**

**Notice to Bidders**

Sealed bids for the purchase of 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 17, 1991**

- 26425
- Kansas Highway Patrol—Leather accessories for officers' uniforms
- 28259
- Parsons State Hospital and Training Center—Natural gas
- 28507
- Department of Administration, Division of Accounts and Reports—Statewide indirect cost allocation plan
- 88668
- University of Kansas—Paper, printing and binding
- 88702
- Wichita State University and Department of Transportation—Professional video equipment

**Tuesday, June 18, 1991**

- A-6647
- Wichita State University—Cooling tower lintel reinforcement
- 27223
- Kansas Correctional Industries—Various medium oil and alkyd modified resins
- 27547
- Kansas Correctional Industries—Alkyd resin for traffic paint
- 27642
- Kansas State University—Electric and electronic typewriter maintenance
- 28170
- Department of Health and Environment—EIA kits (chlamydia)
- 28181
- Kansas Correctional Industries—Acrylic polymer emulsion

(continued)

28344A

Department of Wildlife and Parks—Aggregate,  
Hillsdale State Park

28508

Kansas State University and University of Kansas  
Medical Center—Mongrel dogs (for research)

Wednesday, June 19, 1991

A-6446

Wichita State University—Reroof Wallace Hall

27417

Department of Health and Environment—Blood  
products for hemophilia treatment

27666

Department of Transportation—Bituminous plant  
mix

28036

Wichita State University—Direct mail contract

88704

Department of Health and Environment—Upgrade  
IBM AS/400 minicomputer

Thursday, June 20, 1991

A-6455

Kansas Neurological Institute—Wheatland  
ventilation improvements and AHU overhauling

A-6608

University of Kansas Medical Center—Fire code  
modifications for Hinch Hall

A-6635

Kansas State University—Parking Lot A-11 and  
A-12 repair

A-6645

Kansas State University—Bramlage parking lot  
resurfacing

27230

Kansas Correctional Industries—55-gallon steel  
drums

27235

Kansas Correctional Industries—Rutile titanium  
dioxide (W-5)

88669

Department of Transportation—Surface mount  
component repair station, various locations

88670

University of Kansas Medical Center and Emporia  
State University—Light fixtures

Friday, June 21, 1991

A-6430

Larned State Hospital—Reroof buildings and  
replace gutters

A-6594(A)

Kansas State University—Sprinkler irrigation  
system, Strong Complex parking lot

A-6616

Larned State Hospital—Reroof Meyer Building

A-6638

Department of Administration, Division of  
Facilities Management—Roof repair

27478

Kansas Correctional Industries—Silica and calcium  
carbonate

28400

Kansas Correctional Industries—Blended BC  
solvent

88122A

Department of Wildlife and Parks—Boat,  
Dodge City

88633

Department of Social and Rehabilitation Services—  
Augmentative speech communicators

88634

Department of Social and Rehabilitation Services—  
Closed-circuit television magnification systems

88665

Norton Correctional Facility—Furnish all labor and  
materials for pulling and setting of wells

88666

Department of Transportation—Weigh-in-motion  
system

88686

Kansas State School for the Deaf—Furnish and  
install energy conservation equipment

88687

University of Kansas—Mainframe (VAX9000) disk  
and tape upgrades

88699

El Dorado Correctional Facility—Ready-mix  
concrete and supplies

88700

Norton Correctional Facility and Kansas State  
University—Laundry equipment

88701

Kansas Bureau of Investigation and Department of  
Human Resources—Furnish and install LAN

88729

Department of Administration—Microfilm reader  
printer

88730

Department of Social and Rehabilitation Services—  
Notebook computers

Monday, June 24, 1991

88288

Department of Corrections—Furnish and install  
radio system, El Dorado

Tuesday, June 25, 1991

A-6439

Topeka State Hospital—Replace shower stalls and  
entrance doors

A-6548

Kansas Vocational Rehabilitation Center—Update  
smoke detectors and fire alarm system

A-6549

Kansas Vocational Rehabilitation Center—Roof  
repair and replacement

A-6560

Kansas Rehabilitation for the Blind—Remodel  
restrooms and baths

Leo E. Vogel  
Acting Director of Purchases

Doc. No. 010274



State of Kansas

## State Corporation Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, July 9, in the first floor hearing room of the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, to consider proposed changes in existing regulations of the commission.

All interested parties may submit written comments prior to the hearings to the executive director of the commission at the address above. All interested parties will be given a reasonable opportunity at the hearing to present their views orally in regard to adoption of the proposed amendments and revocations. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for making amendments to the proposed changes.

The following is a brief summary of the purpose of the proposed changes to the regulations and the anticipated fiscal impact of each proposed change:

**K.A.R. 82-4-1. Definitions.** The amendments to this regulation are being made to adopt the federal regulation definition of some terms to reduce confusion between state and federal rules. One other change was to define the term "transportation administrator" so the term was not defined each time it was referred to in the regulation. There is no fiscal impact associated with these changes.

**K.A.R. 82-4-2. General duty of carrier.** This regulation is being amended to clarify that only those carriers who must register with the commission must keep a current mailing address on file with the commission. There is no fiscal impact associated with this change.

**K.A.R. 82-4-3. Motor Carrier Safety Regulations.** The amendments to this regulation are intended to bring the safety regulations applicable to the vehicles operating under the jurisdiction of the commission into conformity with the federal regulations. The majority of the changes in this regulation were made to clarify definitions or to correct duplication or ambiguity. No fiscal impact is associated with this change.

**K.A.R. 82-4-6a. Minimum requirements of drivers.** The majority of this regulation is being revoked to allow adoption of the federal standards regarding driver requirements. This change clarifies and makes the state and federal requirements uniform. There is no fiscal impact associated with this amendment.

**K.A.R. 82-4-6b. Physical requirements.** This regulation is being revoked since the federal requirements are being adopted. There is no fiscal impact associated with this amendment.

**K.A.R. 82-4-6d. Waiver physical requirements.** This regulation was changed to adopt the federal physical requirements for drivers. Certain provisions are being kept in which a driver may seek a waiver. The remaining revisions are for grammatical and organizational changes. There is no fiscal impact associated with this amendment.

**K.A.R. 82-4-19a. Drivers exempt from daily log requirements.** This regulation is being revoked since these areas are covered by federal regulations that are being adopted. No fiscal impact is associated with this amendment.

**K.A.R. 82-4-20. Transportation of hazardous materials by motor vehicles.** The amendment cites the effective date of the federal hazardous materials regulations which are being adopted. The date is October 1, 1989. There is no fiscal impact associated with this amendment.

**K.A.R. 82-4-27. Applications for certificate of convenience and necessity.** This language clarifies that testimony is required to be filed with an application for a certificate of convenience and necessity. No fiscal impact is associated with this amendment.

**K.A.R. 82-4-27a. Applications for transfer of certificate of convenience and necessity and permits.** This regulation is being amended to remove a requirement from the regulation that the commission no longer requires. There is no fiscal impact associated with this amendment.

**K.A.R. 82-4-27c. Application for transfer for purposes of change in the form of business organization or name change of a motor carrier.** This amendment changes and simplifies the filing procedure for name changes of holders of certificates. There is no fiscal impact associated with the amendment.

Copies of the full text of the proposed changes and the economic impact statement may be obtained by writing to the executive director of the State Corporation Commission at the address above.

Judith McConnell  
Executive Director

Doc. No. 010719

State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Hearings

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for June 18, 1991

Application for Certificate of Convenience  
and Necessity:

Clarence and Dorothy ) Docket No. 176,379 M  
Blanton, dba ) (continued)

Auto Service & Salvage )  
106 S. Main )  
Attica, KS 67009 ) MC ID No. 140118

Applicant's Attorney: None  
Wrecked, disabled, repossessed and replacement vehicles,  
parts and accessories,  
Between all points and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Harveyville Seed Company, ) Docket No. 176,377 M  
Inc. )  
P.O. Box 8 )  
Harveyville, KS 66431 ) MC ID No. 141022

Applicant's Attorney: Robert Hiatt, 627 S. Topeka  
Blvd., Topeka, KS 66603-3294  
General commodities (except household goods, classes  
A and B explosives and hazardous materials as  
defined by 49 CFR 172.101),  
Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

John R. Kelty, dba ) Docket No. 176,375 M  
Kelty Trucking )  
819 Main )  
Jetmore, KS 67854 ) MC ID No. 139486

Applicant's Attorney: None  
Grain, hay and fertilizer,  
Between all points and places in Kearny, Grant, Fin-  
ney, Scott, Lane, Ness, Hodgeman, Gray, Ford,  
Meade, Clark, Comanche, Kiowa, Edwards, Pawnee,  
Rush, Trego, Ellis, Graham, Norton, Phillips, Rooks,  
Russell, Lincoln, Reno, Kingman, Pratt, Harper, Staf-  
ford, Barton, Sumner, Sedgwick, Butler, Cowley, Elk  
and Chautauqua counties, Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Skillett & Sons, Inc. ) Docket No. 176,376 M  
North Highway 183 )  
LaCrosse, KS 67548 ) MC ID No. 102223

Applicant's Attorney: William Barker, 3401 Harrison,  
Topeka, KS 66611  
General commodities (except classes A and B explosives and  
household goods),  
Between all points and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Larry Lee Martin, dba ) Docket No. 175,691 M  
Martin Trucking )  
900 Trindle )  
Hugoton, KS 67951 ) MC ID No. 126283

Applicant's Attorney: Clyde Christey, Southwest Plaza  
Building, Suite 202, 3601 W: 29th, Topeka, KS 66614  
Dry commodities in bulk, animal fats and tallow, livestock,  
liquid fertilizer solutions, liquid feed, liquid feed ingredients,  
hay, building and construction materials, fencing materials  
and machinery (restricted, however, to transport no  
hazardous materials),

Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Contract Carrier Permit:**

Terry W. Smith, dba ) Docket No. 176,383 M  
T & C Enterprises )  
1405 N. Grand )  
Pittsburg, KS 66762 ) MC ID No. 140121

Applicant's Attorney: None  
Newspapers (USA Today),  
Between all points and places in Douglas, Franklin,  
Allen, Bourbon and Crawford counties, Kansas. Under  
contract with USA Today, Kansas City, Missouri.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Valley Moving, Inc. ) Docket No. 175,690 M  
Highway 75 North )  
Holton, KS 66436 ) MC ID No. 140115

Applicant's Attorney: Clyde Christey, Southwest Plaza  
Building, Suite 202, 3601 W. 29th, Topeka, KS 66614  
Houses and buildings,  
Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

David S. Wheeler, dba ) Docket No. 176,378 M  
J & W Express )  
Route 1, Box 1050 )  
Basehor, KS 66007 ) MC ID No. 140117

Applicant's Attorney: None  
General commodities (except household goods, classes A and  
B explosives, hazardous materials and commodities in bulk),  
Between all points and places in Wyandotte, Leav-  
enworth, Johnson, Douglas, Atchison, Jefferson,  
Franklin and Miami counties, Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Ed Wilcox, dba ) Docket No. 175,692 M  
Ed's Truck Service )  
308 Broadway )  
Tribune, KS 67879 ) MC ID No. 140116

Applicant's Attorney: None  
Wrecked, disabled, repossessed and replacement vehicles,  
Between all points and places in Greeley, Wallace,  
Wichita and Hamilton counties, Kansas.

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**Applications set for June 25, 1991**

**Application for Certificate of Convenience and Necessity:**

David E. Crumbaker, dba ) Docket No. 176,380 M  
 Crumbaker Trucking )  
 Route 4, Box 3 )  
 Beloit, KS 67420 ) MC ID No. 140119

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

*Hay, livestock, grain, dry feed, dry feed ingredients, dry fertilizer, seeds, salt, building and construction materials, fencing materials and machinery (restricted, however, to provide no transportation of hazardous materials),*

Between all points and places in the state of Kansas.

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**Application for Abandonment of Certificate of Convenience and Necessity:**

King Grain Company ) Docket No. 154,853 M  
 Route 1, Box 252B )  
 Winfield, KS 67156 ) MC ID No. 118258

Applicant's Attorney: None

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**Application for Certificate of Convenience and Necessity**

W.W. Jones, dba ) Docket No. 176,381 M  
 W.W. Jones Trucking )  
 Route 1 )  
 Delphos, KS 67436 ) MC ID No. 141339

Applicant's Attorney: None

*Grain, hay, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, seed, salt, building and fencing materials and construction materials,*

Between all points and places in Kansas.

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**Application for Certificate of Convenience and Necessity**

Mike & Joy Transportation, ) Docket No. 176,382 M  
 Inc. )  
 1 Woodswether Road )  
 Kansas City, KS 66118 ) MC ID No. 140120

Applicant's Attorney: Tom Kretsinger, Jr., 20 E. Franklin, Liberty, MO 64068

*General commodities (except household goods, classes A and B explosives, hazardous materials and commodities in bulk),*

Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity**

Farmland Express, Inc. ) Docket No. 176,384 M  
 Route 2, Box 65 )  
 Walnut, KS 66780 ) MC ID No. 140418

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

*Livestock, hay, grain, feed, feed ingredients, salt, seeds, fertilizer and fertilizer ingredients (except anhydrous ammonia and ammonium nitrate), building and construction materials, fencing materials and machinery (restricted, however, to transport no hazardous materials),*

Between all points and places in the state of Kansas.

Don Carlile  
 Administrator  
 Transportation Division

Doc. No. 010715

**State of Kansas**

**Kansas Arts Commission**

**Notice of Meeting**

The Kansas Arts Commission will conduct its quarterly business meeting from 9 a.m. to 4 p.m. Friday, June 14, in the Fleming Room of the Topeka Performing Arts Center, 214 S.E. 8th, Topeka.

The commission is scheduled to award 116 grants worth a total of \$541,000 in four major grant categories to non-profit arts, cultural and community organizations across Kansas. The grants will support programs, events and activities during fiscal year 1992.

The amounts to be granted are based upon recommendations from funding advisory panels that met in April. The panelists were Kansans knowledgeable in the arts, education and administration.

The commission also will award 23 Arts in Education grants totalling \$112,915 and eight Arts in Schools Basic Education Grants totalling \$44,585 to schools and arts organizations across Kansas. Three grants of \$2,000 each will be awarded to schools for Planning Education in the Arts in Kansas.

Special grants will be awarded to support various programs, including the Travelling Visual Arts Program, KANSAS 11 juried visual arts competition and exhibition, Rural Arts Program, and Dance on Tour.

Guidelines are to be approved for fiscal year 1992 program initiatives and the fiscal year 1993 Kansas Touring Program. New program initiatives from the National Endowment for the Arts will be discussed, the long-range planning committee will report, and commissioners and citizens will be appointed to five panels and a task force.

Meetings of the Kansas Arts Commission, a state agency, and of its funding advisory panels are open to public observation.

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen  
 Executive Director

Doc. No. 010712

## State of Kansas

## Secretary of State

## Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officers are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office.

The following appointments were filed May 28-31:

## Kansas Corn Commission

Kenneth Taylor, Route 2, Girard 66743. Effective July 1, 1991. Term expires June 30, 1995. Reappointment.

## State Board of Cosmetology

Lloyd W. Houck, 214 S. Pine, P.O. Box 337, Moran 66755. Effective July 2, 1991. Term expires July 1, 1994. Succeeds Winifred Flowers.

## Governor's Residence Advisory Commission

Spencer Finney, Jr., Cedar Crest, Topeka 66606. Serves at the pleasure of the Governor. Succeeds Patti Hayden.

## State Board of Healing Arts

Dr. Howard D. Ellis, 5103 W. 112th Terrace, Leawood 66211. Effective July 1, 1991. Term expires June 30, 1995. Succeeds Dr. Joseph Philipp.

Advisory Committee on  
Hispanic Affairs

Raul R. Guevara, 3753 S.E. Evans Drive, Topeka 66609. Term expires July 31, 1994. Succeeds Ramon Gonzalez, Jr., resigned.

## Kansas Lottery Commission

C.W. "Pete" Klein, Route 1, Box 137A, Augusta 67010. Effective June 15, 1991. Subject to Senate confirmation. Term expires June 15, 1995. Reappointment.

## Military Disability Board

Col. Robert Dalton, 3509 S.E. 36th, Topeka 66605. Serves at the pleasure of the Governor. Succeeds Col. John White.

Col. Edward Gerhardt, Route 2, Box 115A, Emporia 66801. Serves at the pleasure of the governor. Succeeds Brig. Gen. Leo Tritsch.

Col. Eldon Johnson, 4544 S.E. 26th Terrace, Topeka 66605. Serves at the pleasure of the governor. Succeeds Col. Dennis Elliott.

## State Board of Nursing

Mary Jo Greenwood, 12854 Sagamore Road, Leawood 66209. Effective July 1, 1991. Term expires June 30, 1995. Succeeds William Goss.

## Kansas Parole Board

Joan R. Bengston, 12815 W. 118th, Overland Park 66210. Effective June 18, 1991. Subject to Senate confirmation. Term expires March 31, 1995. Succeeds Frank S. Henderson, Jr.

## State Board of Pharmacy

Margaret Young, P.O. Box 1602, Emporia 66801. Effective September 1, 1991. Term expires April 30, 1994. Succeeds Laurence Hendricks.

## Kansas Real Estate Commission

Patti M. Stull, 2312 Donald Drive, Hays 67601. Term expires April 30, 1995. Succeeds R.J. Metcalf.

Commission on Waste Reduction, Recycling and  
Market Development

Shaun L. McGrath, 503 Ohio, Lawrence 66044. Term expires July 1, 1992. Succeeds Jan Garton, resigned.

Bill Graves  
Secretary of State

(Published in the Kansas Register, June 6, 1991.)

## Notice of Bond Sale

\$780,000

## General Obligation Bonds

Series 1991A

City of Marysville

Marshall County, Kansas

The city of Marysville, Marshall County, Kansas, will receive sealed bids at Marysville City Hall until 7 p.m. C.D.T. June 24, 1991, for \$780,000 par value General Obligation Bonds, Series 1991A, of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered by the governing body.

## Terms of the Bonds

The bonds will be dated July 15, 1991, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as provided herein. The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing in the same year. Interest will be payable April 1, 1992, and thereafter semiannually on April 1 and October 1 of each year until their respective maturities.

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

The bonds will mature serially as follows:

Principal Amount	Maturity Date
\$15,000	October 1, 1993
15,000	October 1, 1994
20,000	October 1, 1995
20,000	October 1, 1996
25,000	October 1, 1997
25,000	October 1, 1998

30,000	October 1, 1999
30,000	October 1, 2000
35,000	October 1, 2001
35,000	October 1, 2002
40,000	October 1, 2003
40,000	October 1, 2004
45,000	October 1, 2005
50,000	October 1, 2006
50,000	October 1, 2007
55,000	October 1, 2008
60,000	October 1, 2009
60,000	October 1, 2010
65,000	October 1, 2011
65,000	October 1, 2012

### Redemption of Bonds

Bonds maturing in the years 1993 through 2002, inclusive, shall become due and payable on their respective maturity dates without option of prior call for redemption and payment. Bonds maturing in the year 2003, and thereafter, at the city's option may be called for redemption and payment prior to their respective maturities on and after October 1, 2002. Bonds called for redemption and payment may be called in whole or in part at any time on any interest payment date from and after the first date authorized for redemption. Bonds called for redemption and payment as described herein shall be redeemed at a price equal to the principal amount thereof, plus accrued interest to the date established for such redemption and payment.

If less than all of the bonds outstanding are called for redemption on a specified date, the method of selection of the bonds to be so called shall be designated by the city in such equitable manner as it may determine. If the city elects to call for redemption less than all of the bonds at the time outstanding, it shall, in the case of bonds registered in denominations greater than \$5,000, treat each \$5,000 of face value of a bond so registered as though it were a separate bond in the denomination of \$5,000.

Written notice of any call for redemption and payment of the bonds shall be given by United States registered or certified mail not less than 30 days prior to the date established for such redemption and payment. Such written notice shall be mailed to the paying agent and to the registered owners of the bonds as shown by the registration books maintained by the bond registrar. Prior to any date established for redemption and payment, the city shall deposit with the paying agent sufficient funds to pay the bonds so called for redemption and payment at the redemption price set forth above and all unpaid and accrued interest thereon to the date of such redemption and payment. Upon the deposit of said funds, and the giving of notice of such redemption and payment as aforesaid, bonds thus called for redemption shall cease to bear interest from and after the date of their redemption and payment.

### Conditions of bids

Bids will be received for the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be in an even multiple of  $\frac{1}{8}$  or  $\frac{1}{20}$  of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed 2.5 percent. No interest rate will

exceed the maximum interest rate allowed by Kansas law; said rate being the index of treasury bonds published in the weekly Muni Week, 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. No bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

### Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by and secured from the city clerk and will be addressed to the city at City Hall, 209 N. 8th, Marysville, KS 66508, Attention: City Clerk, Paula Holle, and will be plainly marked "Bond Bid." No changes to said form are authorized; changes or erasures thereon may cause rejection of any bid. Each bid will specify the total interest cost to the city on the basis of such bid and the average annual net interest rate on the basis of such bid. The net interest cost to the city will be determined by subtracting the amount of the premium, if any, from the total interest cost upon all the bonds from their date until their respective maturities and will be stated as a dollar amount in the bid. The city will be entitled to rely on such dollar amount as stated in the bid as the basis of determining the lowest net interest cost. If there is any discrepancy between the said net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

All bids must state: (1) the total interest cost of the bid; (2) the premium, if any; (3) the net interest cost of the bid; and (4) the average annual interest rate. All of said information shall be certified by the bidder to be correct, and the city will be entitled to rely on the certification of correctness by the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to "Treasurer, Marysville, Kansas." In the event a bidder whose bid is accepted shall fail to perform under the contract for the purchase of the bonds from the city, said deposit shall be retained by the city as liquidated damages. All checks of unsuccessful bids will be returned promptly. No interest will be paid upon the deposit made by the successful bidder.

### Award of Bids

The sealed bids for the bonds will be opened publicly and only at the time and place specified in this notice. The city reserves the right to reject any and all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city.

### Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the city. The bonds will be sold subject to the unqualified approving opinion of Jonathan P. Small, Chartered, bond counsel, of Topeka, Kansas, a copy of whose opinion will be printed on the reverse side of each bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the

(continued)

expense of printing the bonds will be paid by the city. Said legal opinion will contain a statement to the effect that the bonds constitute a general obligation of the city payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city. The opinion will also address the exclusion from federal and Kansas income taxation of the interest on the bonds.

The denomination of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners to be shown on the bonds initially delivered shall be submitted in writing by the successful bidder to the city and bond registrar not later than 4:30 p.m. C.D.T. on Tuesday, July 23, 1991. In the absence of such information, the city will deliver the bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by not later than the date of delivery of the bonds a certificate acceptable to city's bond counsel which sets forth the initial reoffering price of the bonds to the public.

The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of the delivery of the bonds affecting their validity. Payment for the bonds will be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before Thursday, August 1, 1991, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser. The purchase price, together with any premium and accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

#### Official Statement

The city has prepared a preliminary official statement, dated as of June 5, 1991, relating to the bonds, copies of which may be obtained from the city clerk. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense. Authorization is hereby given to redistribute this official notice of bond sale and the preliminary official statement, but this entire official notice of bond sale and the entire preliminary official statement, and not portions thereof, must be redistributed.

#### Tax Exemption and Qualified Tax-Exempt Obligations

It is the opinion of bond counsel that provided the city complies at all times with the bond ordinance and applicable existing law, the interest on the bonds is: (1) excludable from gross income for federal income tax purposes, and (2) is not an item of tax preference

for purposes of the federal alternative minimum tax imposed on individuals and corporations. However, such interest with respect to corporations as defined for federal income tax purposes, is taken into account in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31, 1989) for the purpose of computing the alternative minimum tax imposed on such corporations. The exclusion identified in the preceding clause (1) is subject to compliance by the city with all requirements of the Internal Revenue Code of 1986, as amended, which must be satisfied subsequent to issuance of the bonds in order for the interest on the bonds to qualify for such exclusion. Failure to comply with certain of such requirements could cause the interest on the bonds to be so included in federal gross income retroactive to the date of issuance of the bonds. The city will covenant to comply with all such requirements. Bond counsel expresses no opinion regarding other federal tax consequences arising with respect to the bonds.

Prospective bidders for the purchase of the bonds should be aware that: (1) Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the bonds, or, in the case of a financial institution within the meaning of Section 265(b)(5) of the code, that portion of a bondholder's interest expense allocable to the interest on the bonds; (2) with respect to insurance companies subject to the tax imposed by Section 831 of the code, for taxable years beginning after December 31, 1986, Section 832(b)(5)(B)(i) of the code reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the bonds; (3) for taxable years beginning after December 31, 1986 and prior to January 1, 1992, interest earned on the bonds by some corporations could be subject to the environmental tax imposed by Section 59A of the code; (4) for taxable years beginning after December 31, 1986, the interest earned on the bonds by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Section 884 of the code; (5) passive investment income, including interest on the bonds, may be subject to federal income taxation under section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year if more than 25 percent of the gross receipts of such Subchapter S corporation is passive investment income; and (6) Section 86 of the code requires recipients of certain Social Security and railroad retirement benefits to take into account in determining gross income, receipts or accruals of interest on the bonds. These categories of prospective bondowners should consult their own tax advisers as to the applicability of any of these consequences.

The bonds are exempt from intangible personal property taxes levied by Kansas counties, cities and townships. Interest on the bonds is excludable from the computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

The city will covenant to take such actions as are necessary to designate the bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions within the meaning of Section

(Published in the Kansas Register, June 6, 1991.)

Summary Notice of Bond Sale
\$1,400,000

City of El Dorado, Kansas
General Obligation Internal Improvement Bonds
(general obligation bonds payable from
unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale, dated as of May 21, 1991, of the city of El Dorado, Kansas, in connection with the bonds hereinafter described, sealed, written bids shall be received at the office of the director of finance/city clerk, City Hall, 220 E. 1st St., El Dorado, until 2 p.m. C.D.T. on Tuesday, June 18, 1991, for the purchase of General Obligation Internal Improvement Bonds, Series 1991, of the city, which are hereinafter described. All bids shall be publicly opened, read aloud and tabulated by city staff on said date and at said time and place, and all bids and the city staff's tabulations shall thereafter be presented to the city's governing body for consideration and the awarding of the bonds to the best bidder at the governing body's regularly scheduled meeting, which will be held in the city commission meeting room at city hall at 7:30 p.m. on June 18, 1991. Bids received after 2 p.m. on June 18, 1991, will be returned unopened.

The bonds to be sold are in the aggregate principal amount of \$1,400,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the director of finance/city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, but must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds shall be issued as fully registered bonds in the denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of July 1, 1991. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on May 1 and November 1 of each year, commencing May 1, 1992, and the bonds shall mature serially on November 1 in each of the years and principal amounts as follows:

(continued)

265(b)(5) of the code, a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds.

Purpose and Security for the Bonds

The bonds are being issued pursuant to K.S.A. 12-1736 et seq. and K.S.A. 10-101 et seq. as amended and supplemented thereto for the purpose of financing the cost of certain swimming pool improvements and certain improvements to city shop or maintenance buildings and additional appurtenances and improvements thereto, and certain repairs, remodeling and reconstruction of the city hall.

The bonds in part insofar as concerns the swimming pool improvements were approved by the city's electors at a special bond election held in the city on April 2, 1991. The bonds shall be authorized and issued under a bond ordinance which will be adopted by the city governing body subsequent to the award of the bonds to the successful bidder.

The bonds and the interest thereon shall constitute general obligations of the city and shall be payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of the city.

Assessed Valuation and Bonded Indebtedness

The city's equalized assessed valuation of the taxable tangible property within the city for the year 1991 for the computation of limits upon bonded indebtedness is:

Table with 2 columns: Description and Amount. Rows include Assessed valuation (\$8,996,838), Taxable value of motor vehicles (\$2,684,311), and Equalized assessed tangible valuation for computation of bonded debt limitation (\$11,681,149).

The total general obligation bonded indebtedness of the city as of this date, excluding this \$780,000 proposed issue of bonds, is \$585,000.

Official Information

Additional copies of this notice of bond sale, the city's preliminary official statement, the official bid form and further information may be received from the city clerk at the address provided below or from bond counsel, Jonathan P. Small, 400 S.W. 8th, Suite 304, Topeka, KS 66603, (913) 234-3686.

Dated June 5, 1991.

Paula Holle
City Clerk
209 N. 8th
Marysville, KS 66508
(913) 562-5331

Doc. No. 010726

Principal Amount	Maturity Date
\$ 80,000	1992
115,000	1993
120,000	1994
125,000	1995
135,000	1996
145,000	1997
155,000	1998
165,000	1999
175,000	2000
185,000	2001

**Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Security for the Bonds**

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Wednesday, July 31, 1991, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The city's 1990 assessed valuation is as follows:

Assessed valuation of taxable tangible property ...	\$34,695,612
Taxable value of motor vehicles .....	9,339,879
Equalized assessed tangible valuation for computation of bonded debt limitations.....	<u>\$44,035,491</u>

Exclusive of the bonds described herein and of outstanding temporary notes to be retired upon the issuance of such bonds, the city's outstanding general obligation bond and temporary note indebtedness on July 1, 1991, will be in the principal amount of \$3,995,000. The city will pay and redeem \$1,540,000

principal amount of temporary notes from the proceeds of the bonds described herein and other moneys available for such purpose.

**Official Statement**

The city has prepared a preliminary official statement, dated as of June 7, 1991, relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

**Bond Insurance**

AMBAC Indemnity Corporation and Financial Guaranty Insurance Company have each been requested to issue a commitment for municipal bond insurance for the bonds. The bonds may be purchased with or without this insurance at the option of the successful bidder. All expenses and premium associated with the purchase of such bond insurance will be paid by the successful bidder. The bond insurance, if purchased, will insure the timely payment of the principal of and the interest on the bonds. If the successful bidder elects to purchase the bond insurance for the bonds, Standard & Poor's Corporation and Moody's Investors Service, Inc. will assign their ratings of "AAA" and "Aaa," respectively, to the bonds with the understanding that upon delivery of the bonds, a policy insuring the payment when due of the principal of and the interest on the bonds will be issued by AMBAC Indemnity Corporation or Financial Guaranty Insurance Company, as the case may be. Additional information concerning the bond insurance policy may be obtained from the city's financial advisor identified in the following paragraph.

**Additional Information**

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, Charles M. Bouilly, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Adam R. Collins  
 Director of Finance/City Clerk  
 City Hall, 220 E. 1st  
 El Dorado, KS 67042  
 (316) 321-9100

Doc. No. 010727



(Published in the Kansas Register, June 6, 1991.)

**Notice of Bond Sale**  
**\$225,000**  
**City of Downs, Kansas**  
**Water System Revenue Bonds**  
**Series 1991-A**

**Sealed Bids**

Sealed bids for the purchase of \$225,000 principal amount of Water System Revenue Bonds, Series 1991-A, of the city hereinafter described, will be received by the undersigned, city clerk of the city of Downs, Kansas, on behalf of the governing body of the city at City Hall, 715 Railroad, Downs, until 2 p.m. C.D.T. on Monday, June 17, 1991. All bids will be publicly opened and read at said time and place and will be acted upon by the city's governing body at its meeting to be held at said time and place. 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, 1991, and will become due serially on December 1 in the years as follows:

Year	Principal Amount
1992	\$10,000
1993	20,000
1994	20,000
1995	25,000
1996	25,000
1997	25,000
1998	25,000
1999	25,000
2000	25,000
2001	25,000

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, 1991.

**Place of Payment and Bond Registration**

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

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

bond registrar, will be the responsibility of the bondholders.

**Redemption of Bonds Prior to Maturity**

At the option of the city, bonds maturing on December 1, 1997, 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 city in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

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

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States certified mail addressed to the paying agent and bond registrar and to the manager or managers of the underwriting account making the successful bid, at least 30 days prior to the redemption date. Upon its receipt of such notice, the paying agent shall give notice of such call by first class mail, postage prepaid, to the registered owners of said bonds. 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 city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

(continued)

### Basis of Award

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

### Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance various improvements to the water system of the city. The bonds are payable solely from and secured as to the payment of principal and interest by a pledge of the revenues derived by the city from the operation of the water system, including revenues derived from extensions and improvements to the water system hereafter constructed or acquired by the city. The bonds do not constitute a general obligation of the city, nor do they constitute an indebtedness of the city within the meaning of any constitutional, statutory or charter provisions, limitations or restrictions.

In the ordinance authorizing the issuance of the bonds, the city will covenant to fix, establish, maintain and collect such rates, fees and charges for the use and services furnished by or through the water system, including all extensions and improvements thereto hereafter constructed or acquired by the city, as will produce revenues sufficient to enable the city to have in each fiscal year net operating revenues from the water system in an amount that will be not less than 125% of maximum annual debt service on all water and sewage system revenue bonds of the city at the time outstanding.

In addition, the bonds will be secured by a bond reserve account to be initially funded in the amount of \$20,000 from legally available and unencumbered funds of the city, and thereafter by four equal annual payments of \$3,000 per year for a total bond reserve account of \$32,000 by June 1, 1995.

### Internal Revenue Code of 1986

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

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations for taxable years beginning after December 31, 1989, in the calculation of alternative minimum taxable income with certain other adjustments. Furthermore, Section 59A of the code, as added

by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

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

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

### Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is excludable from gross income for federal income tax purposes. Interest on the bonds may also be excludable from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

### Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about June 28, 1991, at such bank or trust company in the state of Kansas or the greater Kansas City, Missouri, metropolitan area. Delivery elsewhere will be at the expense of the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by

the successful bidder to the city and bond registrar not later than 1 p.m. C.D.T. on June 24, 1991. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 1 p.m. C.D.T. on June 24, 1991, a certificate acceptable to the city's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,500 payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city with the city reserving the right to pursue any consequential damages arising from such default.

#### 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 city.

#### Bid Forms

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

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of Water System Revenue Bonds." Bids may be submitted by mail or delivered in person to the undersigned at city hall and must be

received by the undersigned prior to 2 p.m. C.D.T. on Monday, June 17, 1991.

#### Date and Delivery of Preliminary and Final Official Statement

The city has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the underwriter and the price or yield at which the underwriter will re-offer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the city will provide without cost to the purchaser a reasonable number of printed copies of the final official statement and further copies, if desired, will be made available at the underwriter's expense. If the sale of the bonds are awarded to a syndicate, the city will designate the senior managing underwriter of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating underwriter. Any underwriter executing and delivering a bid form with respect to the bonds agrees thereby that if its bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating underwriters for the purpose of assuring the receipt and distribution by each such participating underwriter of the final official statement.

The city will deliver to the underwriter on the date of delivery of the bonds a certificate executed by the mayor and the city clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial advisor, Hanifen, Imhoff Inc., 250 S. Rock, Suite 213, Wichita, KS 67206, (316) 682-1001. Hanifen, Imhoff Inc. will not submit a bid on the bonds.

Dated June 1, 1991.

City of Downs, Kansas  
Vickie Oviatt  
City Clerk  
City Hall  
715 Railroad  
Downs, KS 67437  
(913) 454-6622

Doc. No. 010725

(Published in the Kansas Register, June 6, 1991.)

**Revised Summary Notice of Bond Sale  
\$200,000**

**Unified School District 366  
Woodson County, Kansas  
General Obligation  
Capital Outlay Levy Bonds  
Series 1991**

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

**Sealed Bids**

Subject to the notice of bond sale dated May 23, 1991, sealed bids will be received by the city clerk of the Board of Education of Unified School District 366, Woodson County, Kansas, on behalf of the Board of Education of said school district at the school district's office, P.O. Box 160, Yates Center, KS 66783, until 7:30 p.m. C.D.T. on Monday, June 17, 1991, for the purchase of \$200,000 principal amount of General Obligation Capital Outlay Levy Bonds, Series 1991. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The bonds will be dated June 1, 1991, and will become due serially on October 1 in the years as follows:

**Maturity Schedule**

Maturity Date	Principal Amount Maturing
October 1, 1992	\$50,000
October 1, 1993	50,000
October 1, 1994	50,000
October 1, 1995	50,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1992.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,000 (2 percent of the principal amount of the bonds).

**Delivery**

The school district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 15, 1991, at such bank or trust company in the state of Kansas or in Kansas City, Missouri, as may be specified by the successful bidder.

**Redemption Provisions**

Bonds maturing in 1994 and thereafter are subject to call and redemption at the option of the school district in inverse order of maturity on October 1, 1993,

or on any interest payment date thereafter, at par and accrued interest to date of redemption, without premium, in the manner described in the bond ordinance.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1990 is \$19,544,483. The total general obligation indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$200,000.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the school district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

**Bond Rating**

The school district has not applied for a rating on the bonds herein offered for sale and said bonds have not been assigned a rating by Moody's Investors Service or by Standard and Poor's or by any other rating agency.

**Additional Information**

Additional information regarding the bonds may be obtained from Doris Ryan, Clerk of the Board of Education, P.O. Box 160, Yates Center, KS 66783 (316) 625-3205; or from Bond Counsel, Suite 201, 220 S.W. 33rd, Topeka, KS 66611, (913) 267-3470.

Dated May 23, 1991.

Doris Ryan  
Clerk of the Board of Education  
Unified School District 366  
Woodson County, Kansas

Doc. No. 010683

**State of Kansas**

**Board of Accountancy**

**Permanent Administrative  
Regulations**

**Article 2.—APPLICATIONS**

**74-2-7. Concentration in accounting.** (a) Until June 30, 1997, the "concentration in accounting," as used in K.S.A. 1-302a(a)(1), required to qualify for admission to the certified public accountant examination shall include a level of understanding in each of the following areas and subdivisions:

(1) At least 12 semester credit hours in economics and legal environment of business including:

(A) Macro- and micro-economics plus one upper division economics course.

(B) legal aspects of business or business law.

(2) At least 12 semester credit hours in the area of quantitative methods for business including:

(A) college algebra or finite mathematics;

(B) statistics and probability theory; and

(C) computer systems and applications.

(3) At least 12 semester credit hours in general business functional areas including:

- (A) finance;
- (B) management and administration;
- (C) marketing; and
- (D) production, operations research, or applications of quantitative techniques to business problems.

(4) At least 21 semester credit hours in accounting theory and practice including:

- (A) financial accounting theory and practice;
- (B) cost control and analysis;
- (C) auditing theory and systems; and
- (D) tax theory and problems.

(5) Any portion of the above requirements may be waived by the board upon receipt of satisfactory verification that the applicant has otherwise met the requirements.

(b) Effective July 1, 1997, the "concentration in accounting" required to qualify for admission to the certified public accountant examination shall be as follows:

(1) At least 42 semester credit hours in business and general education courses including:

- (A) macro- and micro-economics plus one upper division economics course;
- (B) at least two courses in legal aspects of business or business law;
- (C) college algebra or higher level course;
- (D) statistics and probability theory;
- (E) computer systems and applications;
- (F) finance;
- (G) management and administration;
- (H) marketing; and
- (I) production, operations research, or applications of quantitative techniques to business problems.

(2) At least 11 semester credit hours in written and oral communications.

(3) At least 30 semester credit hours in accounting theory and practice including:

- (A) financial accounting;
- (B) managerial accounting beyond an introductory course;
- (C) auditing;
- (D) income tax; and
- (E) accounting systems beyond an introductory computer course.

(4) Any portion of the requirements may be waived by the board upon receipt of satisfactory verification that the applicant has otherwise met the requirement. (Authorized by and implementing K.S.A. 1990 Supp. 1-302a; effective Jan. 1, 1973; amended Feb. 15, 1977; amended May 1, 1978; amended May 1, 1979; amended July 22, 1991.)

#### Article 4.—PERMITS TO PRACTICE

**74-4-6. Concentration in accounting.** (a) Until June 30, 1997, "concentration in accounting," as used in K.S.A. 1-302b(b), shall include the requirements of K.A.R. 74-2-7 and:

(1) The applicant shall have earned a masters or higher academic degree including:

(A) At least 12 semester credit hours of accounting taken at the graduate level, 9 of which shall be in courses available exclusively to graduate students. Credit for a seminar, a special problems course, or a thesis shall satisfy these accounting requirements only if the primary research and study is in one of the areas specified in (2); and

(B) At least 10 semester credit hours shall be in business or accounting-related areas at the graduate level.

(2) The total accounting program of the applicant, both graduate and undergraduate, shall include second or advanced courses in each of the following accounting areas:

- (A) financial accounting theory and practice;
- (B) cost control and analysis;
- (C) auditing theory and systems; and
- (D) tax theory and problems.

(3) Any portion of the above requirements may be waived by the board upon receipt of satisfactory verification that the applicant has otherwise met the requirements.

(4) Effective July 1, 1997, the "concentration in accounting" requirements in addition to the requirements of K.A.R. 74-2-7 shall be as follows:

(1) The applicant shall have earned a masters or higher academic degree including:

(A) At least 12 semester credit hours of accounting taken at the graduate level, nine of which shall be in courses available exclusively to graduate students. Credit for a seminar, a special problems course, or a thesis shall satisfy these accounting requirements only if the primary research and study is in one of the areas specified in (2); and

(B) At least nine semester credit hours shall be in business or accounting-related areas taken at the graduate level.

(2) The total accounting program of the applicant shall include at least three semester credit hours of course work at the graduate level, beyond courses taken to fulfill the requirements of K.A.R. 74-2-7, in each of the following accounting areas:

- (A) financial accounting;
- (B) managerial accounting;
- (C) auditing; and
- (D) income tax.

(3) Any portion of the above requirements may be waived by the board upon receipt of satisfactory verification that the applicant has otherwise met the requirements. (Authorized by K.S.A. 1990 Supp. 1-202(a); implementing K.S.A. 1990 Supp. 1-302a(b); effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended July 22, 1991.)

#### Article 5.—CODE OF PROFESSIONAL CONDUCT

**74-5-2. Definitions.** The following definitions are applicable wherever such terminology is used in the rules of conduct: (a) "Board" means the Kansas state board of accountancy.

(b) "Certified public accountant" means a holder of a Kansas certificate as a certified public accountant and

(continued)

firms registered with the board to practice public accountancy.

(c) "Client" means any person or persons or any entity that retains a certified public accountant, or a registered firm for the performance of professional services.

(d) "Enterprise" means any person or persons or entity, whether organized for profit or not, for which a certified public accountant provides services.

(e) "Firm" means a proprietorship, partnership or professional corporation or association engaged in the practice of public accounting.

(f) "Financial statements" means:

(1) the statements and related footnotes that purport to show financial position at a particular point in time; or changes in financial position over a period of time;

(2) the statements which use a cash or other incomplete basis of accounting; and

(3) the balance sheets, statements of income, statements of retained earnings, statements of cash flow, and statements of changes in owners' equity. Incidental financial data included in management advisory services reports to support recommendations to a client and tax returns and supporting schedules do not, for this purpose, constitute financial statements. The required affidavit or signature on tax returns prepared by a certified public accountant shall not constitute an opinion regarding financial statements.

(g) "Practice of public accountancy" means offering to perform or performing for a client one or more types of services involving the use of accounting or auditing skills, or one or more types of management advisory or consulting services, including financial planning, preparation of tax returns or furnishing of advice on tax matters, while stating or implying that one is a certified public accountant. Use of the term "public accountant" shall not be interpreted as implying that one is a "certified" public accountant.

(h) "Professional services" means any services performed or offered to be performed by a certified public accountant in the course of the practice of public accountancy.

(i) "Public communication" means a communication made in identical form to multiple persons or to the world at large, as by television, radio, motion picture, newspaper, pamphlet, mass mailing, letterhead, business card or directory.

(j) "Licensed municipal public accountant" means a holder of a permit to practice as a municipal public accountant issued under the laws of Kansas. (Authorized by and implementing K.S.A. 1990 Supp. 1-202(c)(1), K.S.A. 75-1119(a); effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1979; amended May 1, 1985; amended July 22, 1991.)

**74-5-403. Advertising.** (a) A certified public accountant shall not use, or participate in the use of, any form of public communication that refers to such accountant's professional services that contains a false, fraudulent, misleading, deceptive or unfair statement or claim.

(b) Specialty designations approved by the American institute of certified public accountants specialization

accreditation board shall not be considered misleading when used in connection with the "CPA" designation on business cards, letterhead and in advertising. (Authorized by and implementing K.S.A. 1990 Supp. 1-202(c)(1); effective May 1, 1978; amended May 1, 1985; amended July 22, 1991.)

Glenda Sherman Moore  
Executive Secretary

Doc. No. 010708

State of Kansas

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

(Editor's Note: Certain sections of the following three bills contain line-item vetoes by the Governor. The Governor's message concerning the vetoes follows each bill.)

(Published in the Kansas Register, June 6, 1991.)

SENATE Substitute for HOUSE BILL No. 2640

AN ACT making and concerning appropriations for the fiscal years ending 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; amending section 5 of 1991 House Bill No. 2045, section 2 of 1991 House Bill No. 2046, section 12 of 1991 House Bill No. 2048, section 6 of 1991 Senate Bill No. 99 and sections 2 and 8 of 1991 Senate Bill No. 113 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, 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.

(c) This act shall be known and may be cited as the omnibus appropriation act of 1991.

Sec. 2.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

	Fiscal Year 1991	Fiscal Year 1992
Public assistance .....	\$150,000	
Income maintenance .....	34,477	
Disability determination services .....	870	
Medical assistance for pharmaceuticals .....		\$17,225,000
Any unencumbered balance in excess of \$100 as of June 30, 1991, in the foster care lawsuit account is hereby reappropriated for fiscal year 1992.		
Total .....	\$185,347	\$17,225,000

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

	Fiscal Year 1991	Fiscal Year 1992
Drug abuse treatment waiting list reduction—federal fund .....		\$90,417

(c) On the effective date of this act, of the \$30,644,218 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 3(a) of chapter 22 of the 1990 Session Laws of Kansas from the state general fund in the foster care account, the sum of \$875,507 is hereby lapsed.

(d) On July 1, 1991, of the \$96,799,399 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the medical assistance for long term care account, the sum of \$1,107,375 is hereby lapsed.

(e) On July 1, 1991, the director of accounts and reports shall transfer any unencumbered balance in the surplus food processing—federal fund to the charitable institutional commodity program fund.

(f) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the surplus food processing—federal fund is hereby decreased from \$223,751 to \$0.

(g) In addition to the purposes for which expenditures may be made from the social services clearing fund as authorized by section 2(b) of 1991 Senate Bill No. 162 for the fiscal year ending June 30, 1992, expenditures may be made by the above agency from the social services clearing fund for fiscal year 1992 to relieve stresses on the foster care system in an amount not to exceed \$1,000,000. *Provided*, That all such expenditures shall be in addition to any expenditure limitation imposed on the social services clearing fund or on any account thereof for fiscal year 1992.

(h) In addition to the purposes for which expenditures may be made from the cash assistance account of the state general fund as authorized by section 2(a) of 1991 Senate Bill No. 162 for the fiscal year ending June 30, 1992, expenditures may be made by the above agency for fiscal year 1992 from the cash assistance account of the state general fund for the purpose of providing basic grant increases, which are hereby declared to be necessary for energy assistance: *Provided*, That it has been demonstrated that increases in energy-related expenses of low-income Kansas residents have risen at a rate which is disproportionate to the rates of increase of the other expenses of such residents: *Provided further*, That expenditures made from the cash assistance account for such basic grant increases shall reinstate a portion of the energy supplement approved in prior years and shall be paid to public assistance recipients in the most administratively efficient manner in accordance with all applicable federal and state laws and rules and regulations.

(i) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the juvenile justice and delinquency act fund—federal is hereby decreased from \$628,250 to \$598,250.

(j) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the child abuse and neglect program fund—federal is hereby increased from \$150,556 to \$170,951.

(k) On the effective date of this act, the expenditure limitation established by section 2(i) of 1991 Senate Bill No. 340 on the community services block grant—federal fund is hereby increased from \$2,730,616 to \$2,797,116.

(l) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the community services block grant—federal fund is hereby increased from \$2,734,619 to \$2,941,652.

(m) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the emergency homeless—federal fund is hereby increased from \$182,819 to \$348,295.

(n) On the effective date of this act, the expenditure limitation established by section 2(v) of 1991 Senate Bill No. 340 on the state operations account of the social services clearing fund is hereby increased from \$160,876,200 to \$160,908,472.

(o) On the effective date of this act, the expenditure limitation established by section 2(w) of 1991 Senate Bill No. 340 on the salaries and wages account of the social services clearing fund is hereby increased from \$104,997,627 to \$105,039,975.

(p) On the effective date of this act, the expenditure limitation established by section 2(x) of 1991 Senate Bill No. 340 on the other operating expenditures account of the social services clearing fund is hereby decreased from \$55,878,573 to \$55,868,497.

(q) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the state operations

account of the social services clearing fund is hereby decreased from \$159,206,148 to \$158,375,321.

(r) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the salaries and wages account of the social services clearing fund is hereby decreased from \$106,104,064 to \$106,086,417.

(s) On July 1, 1991, the expenditure limitation established by section 2(b) of 1991 Senate Bill No. 162 on the other operating expenditures account of the social services clearing fund is hereby decreased from \$53,102,084 to \$52,288,904.

(t) On July 1, 1991, the position limitation established by section 10(a) of 1991 Senate Bill No. 162 for the department of social and rehabilitation services is hereby increased from 3,355.2 to 3,359.2.

(u) On July 1, 1991, of the \$105,713,078 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the other medical assistance account, the sum of \$17,919,016 is hereby lapsed.

(v) On July 1, 1991, of the \$65,665,850 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the cash assistance account, the sum of \$2,427,219 is hereby lapsed.

(w) On July 1, 1991, of the \$70,116,207 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the state operations account, the sum of \$1,265,143 is hereby lapsed.

(x) In addition to the purposes for which expenditures may be made from the above agency from the social services clearing fund as authorized by section 2(b) of 1991 Senate Bill No. 162 for the fiscal year ending June 30, 1992, expenditures may be made by the above agency for fiscal year 1992 from the social services clearing fund for a master planner and associated staff and operating expenditures for the purpose of developing a plan to close two state institutions, as defined by K.S.A. 76-12a01 and amendments thereto, one in fiscal year 1993 and one in fiscal year 1994. *Provided*, That recommendations made in such a plan selecting a specific mental health and a specific mental retardation institution shall include an analysis of the costs and savings associated with closure, including an analysis of the availability of community programs, an analysis of the community's economic ability to respond to the closure of the institution and future labor trends in each community; *Provided further*, That this plan shall be submitted to the 1992 regular session of the legislature by January 13, 1992. *And provided further*, That expenditures incurred for the development of this plan shall be in addition to any expenditure limitation imposed on the social services clearing fund or on any account thereof for fiscal year 1992.

Sec. 3.

STATE HISTORICAL SOCIETY

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

	Fiscal Year 1991	Fiscal Year 1992
State of Kansas sports hall of fame fund	No limit	No limit
Property sale proceeds fund		\$0

*Provided*, That the proceeds from the sale of property pursuant to 1991 Senate Bill No. 7 shall be credited to this fund.

(b) On the effective date of this act, the expenditure limitation established by section 6(b) of chapter 10 of the 1990 Session Laws of Kansas on the land survey fee fund is hereby increased from \$7,280 to \$9,780.

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures		\$77,000

(d) On July 1, 1991, the amount reappropriated for the above agency by section 6(a) of 1991 Senate Bill No. 87 for the fiscal year ending June 30, 1992, from the state general fund in each of the following accounts is hereby lapsed: Historic properties, preservation, restoration and development account; site improvements—

(continued)

Pawnee Rock account; sewer lift station electrical repairs account; Mine creek historical park account; historic properties maintenance and repairs account; rehabilitation and repairs projects account.

(e) On July 1, 1991, of the amount reappropriated for the above agency by section 6(a) of 1991 Senate Bill No. 87 for the fiscal year ending June 30, 1992, in the construct and equip center for historical research account, the sum of \$67,000 is hereby lapsed.

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

	Fiscal Year 1991	Fiscal Year 1992
Historic properties fund	No limit	
Fort Hays historical park capital improvements EDIF fund		\$80,000
Kansas committee for the humanities EDIF grant fund		65,000

(g) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$144,530 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.

(h) On March 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$80,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the Fort Hays historical park capital improvements EDIF fund of the state historical society.

(i) On January 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$65,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the Kansas committee for the humanities EDIF grant fund of the state historical society.

Sec. 4.

SECRETARY OF STATE

(a) On July 1, 1991, the \$1,200,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 9(a) of 1991 House Bill No. 2044 from the state general fund in the aid to counties for presidential primary account is hereby lapsed.

Sec. 5.

KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

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

	Fiscal Year 1991	Fiscal Year 1992
Kansas commission on governmental standards and conduct fee fund		\$0

(b) Whenever the Kansas public disclosure commission is referred to in 1991 House Bill No. 2049 or any other appropriation act of the 1991 regular session of the legislature with regard to any appropriation for the fiscal year ending June 30, 1992, such reference shall be deemed to be to the Kansas commission on governmental standards and conduct.

Sec. 6.

YOUTH CENTER AT TOPEKA

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures		\$57,494

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

	Fiscal Year 1991	Fiscal Year 1992
Oil overcharge—second stage refund program fund		No limit

Sec. 7.

YOUTH CENTER AT BELOIT

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures		\$30,168

(b) On the effective date of this act, the expenditure limitation established by section 47(a) of 1991 House Bill No. 2456 on the youth center at Beloit fee fund is hereby increased from \$115,126 to \$116,522.

(c) On the effective date of this act, the expenditure limitation established by section 47(b) of 1991 House Bill No. 2456 on the salaries and wages for an alcoholism unit director account of the youth center at Beloit fee fund is hereby increased from \$31,264 to \$32,660.

(d) On July 1, 1991, the expenditure limitation established by section 8(b) of 1991 House Bill No. 2048 on the youth center at Beloit fee fund is hereby increased from \$120,102 to \$121,626.

(e) On July 1, 1991, the expenditure limitation established by section 8(b) of 1991 House Bill No. 2048 on the salaries and wages for an alcoholism unit director account of the youth center at Beloit fee fund is hereby increased from \$31,545 to \$33,069.

(f) 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 1991	Fiscal Year 1992
Oil overcharge—second stage refund program fund		No limit

Sec. 8.

YOUTH CENTER AT ATCHISON

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures		\$30,063

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

	Fiscal Year 1991	Fiscal Year 1992
Oil overcharge—second stage refund program fund		No limit

Sec. 9.

KANSAS REAL ESTATE COMMISSION

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

	Fiscal Year 1991	Fiscal Year 1992
Federal registry clearing fund	No limit	No limit

Sec. 10.

KANSAS RACING COMMISSION

(a) On July 1, 1991, the position limitation established by section 9 of 1991 Senate Bill No. 99 for the Kansas racing commission is hereby increased from 33.0 to 40.5.

Sec. 11.

KANSAS LOTTERY

(a) No expenditures shall be made from the lottery operating fund during fiscal year 1991 or fiscal year 1992 for the purpose of acquiring any new data processing equipment or software programs, except that expenditures may be made from the lottery operating fund during fiscal year 1991 or fiscal year 1992 for repair or maintenance of existing equipment and software programs.

(b) The director of accounts and reports on July 1, 1991, on December 1, 1991, and on June 1, 1992, shall transfer \$500,000 on each such date from the lottery operating fund to the state general fund for the purpose of reimbursing the state general fund for costs of services provided by the department of administration for accounting, budgeting, payroll, personnel and purchasing services.



Sec. 12.

DEPARTMENT OF REVENUE

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures.....		\$130,785

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

	Fiscal Year 1991	Fiscal Year 1992
Rental motor vehicle excise tax clearing fund.....		No limit
Metropolitan culture district retailers' sales tax fund.....		No limit

(c) On July 1, 1991, the expenditure limitation established by section 3(b) of 1991 Senate Bill No. 99 for the division of vehicles operating fund is hereby increased from \$24,282,046 to \$24,473,158.

(d) On July 1, 1991, and quarterly thereafter, the director of accounts and reports shall transfer \$47,778 from the state highway fund to the division of vehicles operating fund for the purpose of financing the cost of operation and general expenses of the division of vehicles and related operations of the department of revenue.

(e) On July 1, 1991, the position limitation established by section 9 of 1991 Senate Bill No. 99 for the department of revenue is hereby increased from 1,237.5 to 1,249.5.

(f) On July 1, 1991, of the \$20,209,198 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of 1991 Senate Bill No. 99 from the state general fund in the salaries and wages account, the sum of \$66,258 is hereby lapsed.

Sec. 13.

DEPARTMENT OF REVENUE —  
HOMESTEAD PROPERTY TAX REFUNDS

(a) On July 1, 1991, of the \$7,238,774 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 House Bill No. 2045 from the state general fund in the homestead tax refunds account, the sum of \$500,000 is hereby lapsed.

Sec. 14.

KANSAS NEUROLOGICAL INSTITUTE

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures.....		\$72,280

(b) On July 1, 1991, the expenditure limitation established by section 3(b) of 1991 Senate Bill No. 162 on the title XIX fund of Kansas neurological institute is hereby decreased from \$12,473,950 to \$12,394,862.

(c) On July 1, 1991, the amount of \$12,473,950 authorized by section 3(c) of 1991 Senate Bill No. 162 to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Kansas neurological institute is hereby decreased to \$12,394,862.

(d) On June 30, 1992, the position limitation established by section 10 of 1991 Senate Bill No. 162, for Kansas neurological institute, is hereby decreased from 862.5 to 852.5.

Sec. 15.

PARSONS STATE HOSPITAL AND TRAINING CENTER

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures.....		\$133,538

Sec. 16.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

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

	Fiscal Year 1991	Fiscal Year 1992
Operating expenditures.....		\$304,473

(b) On July 1, 1991, the expenditure limitation established by section 9(b) of 1991 Senate Bill No. 162 on the title XIX fund of

Winfield state hospital and training center is hereby increased from \$14,970,124 to \$15,071,355.

(c) On July 1, 1991, the amount of \$14,970,124 authorized by section 9(c) of 1991 Senate Bill No. 162 to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Winfield state hospital and training center is hereby increased to \$15,071,355.

(d) On July 1, 1991, the expenditure limitation established by section 9(b) of 1991 Senate Bill No. 162 on the Winfield state hospital and training center fee fund is hereby decreased from \$1,473,768 to \$1,190,684.

Sec. 17.

DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 1991, the expenditure limitation established by section 9(b) of 1991 Senate Bill No. 113 on the wildlife fee fund is hereby increased from \$14,861,040 to \$15,206,480.

(b) In addition to the purposes for which expenditures may be made from the wildlife fee fund as authorized by section 9(b) of 1991 Senate Bill No. 113 for the fiscal year ending June 30, 1992, moneys may be expended by the above agency from the wildlife fee fund during fiscal year 1992 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Renovation of Marais des Cygnes wildlife area.....	\$345,440
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(c) On the effective date of this act, the expenditure limitation established by section 38(n) of chapter 29 of the 1990 Session Laws of Kansas on the parks fee fund is hereby decreased from \$2,680,212 to \$2,542,128.

(d) On the effective date of this act, the expenditure limitation established by section 20(b) of 1991 Senate Bill No. 340 on the state operations account of the parks fee fund is hereby increased from \$2,530,128 to \$2,542,128.

(e) On July 1, 1991, the expenditure limitation established by section 9(b) of 1991 Senate Bill No. 113 on the parks fee fund is hereby increased from \$2,421,869 to \$2,441,869.

(f) On July 1, 1991, the expenditure limitation established by section 9(b) of 1991 Senate Bill No. 113 on the state operations account of the parks fee fund is hereby increased from \$2,421,869 to \$2,441,869.

(g) On July 1, 1991, the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 4(l) of 1991 Senate Bill No. 112 from the state general fund in the rehabilitation and repair projects account, is hereby lapsed.

(h) 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 1991	Fiscal Year 1992
Economic development initiatives grant fund.....		\$650,000

*Provided*, That expenditures may be made from this fund for the fiscal year ending June 30, 1992, for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

Hillsdale state park development.....	\$410,000
Prairie Center acquisition.....	90,000
Rehabilitation and repair projects.....	150,000

*Provided further*, That expenditures may be made for fiscal year 1992 from the following capital improvement accounts of this fund: Hillsdale state park development; economic development initiatives grant fund: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1991: *And provided further*, That all expenditures from such accounts shall be in addition to any expenditure limitation imposed on this fund for fiscal year 1992.

(i) On September 15, 1991, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$450,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(continued)

(j) On March 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(k) On July 1, 1991, the expenditure limitation established by section 4(d) of 1991 Senate Bill No. 112 on the water plan special revenue fund is hereby decreased from \$1,375,000 to \$1,000,000.

(l) On July 1, 1991, the amount of \$1,375,000 authorized by section 4(e) of 1991 Senate Bill No. 112, to be transferred by the director of accounts and reports 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 is hereby decreased to \$1,000,000.

Sec. 18.

LARNED STATE HOSPITAL

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Operating expenditures, \$45,722.

(b) On the effective date of this act, the expenditure limitation established by section 3(b) of 1991 Senate Bill No. 340 on the title XIX fund of Larned state hospital is hereby decreased from \$11,504,824 to \$11,499,917.

(c) On the effective date of this act, the amount of \$7,402,988 authorized by section 3(c) of 1991 Senate Bill No. 340, to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Larned state hospital is hereby decreased to \$7,398,081.

(d) On the effective date of this act, the expenditure limitation established by section 3(d) of 1991 Senate Bill No. 340 on the Larned state hospital fee fund is hereby increased from \$1,646,138 to \$1,651,045.

Sec. 19.

OSAWATOMIE STATE HOSPITAL

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Operating expenditures, \$70,664.

Sec. 20.

RAINBOW MENTAL HEALTH FACILITY

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Operating expenditures, \$83,935.

Sec. 21.

TOPEKA STATE HOSPITAL

(a) On the effective date of this act, the expenditure limitation established by section 7(a) of 1991 Senate Bill No. 340 on the Topeka state hospital fee fund is hereby decreased from \$5,040,517 to \$4,940,517.

(b) On the effective date of this act, the expenditure limitation established by section 7(c) of 1991 Senate Bill No. 340 on the title XIX fund of Topeka state hospital is hereby increased from \$5,854,681 to \$5,867,571.

(c) On the effective date of this act, the amount of \$385,604 authorized by section 7(b) of 1991 Senate Bill No. 340, to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Topeka state hospital is hereby increased to \$398,494.

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Operating expenditures, \$99,358.

(e) Expenditures shall be made by the above agency for the clinical pastoral trainee program from any moneys appropriated for the above agency for the fiscal year ending June 30, 1992, by this

act or any other appropriation act of the 1991 regular session of the legislature.

Sec. 22.

DEPARTMENT OF HUMAN RESOURCES

(a) On July 1, 1991, the expenditure limitation established by section 3(b) of 1991 House Bill No. 2045 on the federal indirect cost offset fund is hereby increased from \$198,341 to \$258,341.

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Industrial safety and health conference and workshops, attendance, gift and donation fund, No limit.

Provided, That the secretary of human resources is hereby authorized to fix, charge and collect conference and workshop attendance fees for the industrial safety and health conferences and workshops sponsored by the department of human resources: Provided further, That the secretary of human resources is hereby authorized to receive gifts and donations of money for Kansas safety and health conferences and workshops sponsored by the department of human resources: And provided further, That such gifts and donations of money shall be deposited in the state treasury and credited to this fund: And provided further, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops, including official hospitality: And provided further, That expenditures from this fund of any such gifts and donations of money shall be made for the purposes specified by the donor or contributor, if any.

Sec. 23.

DEPARTMENT OF COMMERCE

(a) In addition to the purposes for which expenditures may be made from the state operations subaccount of the Kansas economic development endowment account of the state economic development initiatives fund as authorized by section 6(b) of chapter 17 of the 1990 Session Laws of Kansas for the fiscal year ending June 30, 1991, expenditures may be made from such subaccount by the above agency for official hospitality: Provided, however, That expenditures for official hospitality from the aforementioned subaccount shall not exceed \$25,000.

Sec. 24. On July 1, 1991, section 6 of 1991 Senate Bill No. 99, is hereby amended to read as follows: Sec. 6.

DEPARTMENT OF COMMERCE

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Row: Salaries and wages, \$3,135,340, \$2,130,845.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, in the state operations (including official hospitality) account, is hereby reappropriated to the salaries and wages account for fiscal year 1992: Provided, however, That expenditures from such reappropriated balance shall not exceed \$34,879 except upon approval of the state finance council.

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

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Rows: Publication and other sales fund, Conference registration and disbursement fund, Linger longer program fund, Low income housing tax credit fee fund, Trade show promotion fund, Kansas tourist attraction matching grant development fund, Conversion of materials and equipment fund, Oil overcharge—waste reduction, recycling and market development fund, Greyhound tourism fund, Housing assistance program—federal fund.

Provided, That expenditures from this fund for state operations shall not exceed \$67,246.

Table with 2 columns: Fiscal Year 1991, Fiscal Year 1992. Rows: Community development block grant—federal fund, Community development block grant administrative match—federal fund, HUD rental rehabilitation program—federal fund, Community development block grant—federal fund—revolving loan account.

Provided, That expenditures from this fund for state operations shall not exceed \$0.

Kansas partnership fund .....	No limit	
Kansas export loan guarantee fund .....	No limit	
HUD emergency shelter grants—federal fund .....	No limit	
National main street center fund .....	10,000	
Coal commission contribution fund .....	No limit	
State housing trust fund .....	No limit	
SKILL program services fund .....	No limit	
SKILL program repayment fund .....	No limit	
State economic development initiatives fund .....	8,020,504	7,760,504

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

Capital formation account .....	\$0	
Kansas economic development research and development account .....	0	
Kansas economic development endowment account .....	7,760,504	8,020,504

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

Other operating expenditures (including official hospitality) .....	\$3,565,504
State operations (including official hospitality) .....	\$4,325,504
Kansas industrial training program and Kansas industrial retraining program .....	2,250,000
Kansas partnership program .....	500,000
Grants to small business development centers .....	325,000
Grants to certified development companies .....	475,000
Trade show promotion program .....	200,000
Strategic planning grants .....	445,000

Provided, That no expenditures may be made from this subaccount of the Kansas economic development endowment account unless (1) service agreements have been entered into by the secretary of commerce with Kansas state university, Fort Hays state university and the university of Kansas to provide services pursuant to subsection (c) of K.S.A. 1990 Supp. 74-5097 and amendments thereto, (2) payments for such services under such agreements are to be made from the strategic planning grants subaccount of the Kansas economic development endowment account, and (3) the total amount of such payments under such agreements is equal to or greater than \$45,000.

(c) On July 1, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$41,890 from the energy grants management fund of the state corporation commission to the oil overcharge—waste reduction, recycling and market development fund of the department of commerce.

(d) On July 1, 1991, the position limitation established by section 9 of 1991 Senate Bill No. 99 for the department of commerce is hereby decreased from 106.0 to 99.0.

Sec. 25. On July 1, 1991, section 8 of 1991 Senate Bill No. 113 is hereby amended to read as follows: Sec. 8.

KANSAS WATER OFFICE

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

Water resources operating expenditures .....	\$1,546,549
Annual repayment on water storage costs on John Redmond reservoir .....	157,580
Annual repayment on water storage costs on Council Grove reservoir .....	52,200
Annual repayment on water storage costs on Elk City reservoir .....	77,272

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: Provided further, That expenditures from this account for official hospitality shall not exceed \$283.

Annual repayment on water storage costs on Marion reservoir .....	59,974
Annual repayment on water storage costs on Clinton reservoir .....	34,170
Annual repayment on water storage costs on Big Hill reservoir .....	119,390
Annual repayment on water storage costs on Hillsdale reservoir .....	14,548
Operation and maintenance charges on reservoirs in the state water plan .....	585,272
Total .....	\$2,646,056

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

State water plan fund .....	\$806,880
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Provided, That, except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, expenditures from this fund are hereby authorized only for the following purposes, subject to the expenditure limitations prescribed therefor:

Geographic information system database development .....	\$500,000
Geographic information system data access and support center .....	120,880
Water related studies .....	136,000
Geography resource center .....	50,000

Provided, That expenditures from this account shall require certification from the director of the Kansas water office to the director of accounts and reports that an equal amount of funding for support of the geography resource center has been received from nonstate sources by Fort Hays state university.

Conversion of materials and equipment fund .....	0
Water supply storage assurance fund .....	0

Provided, That any moneys deposited to the credit of this fund which are received from water assurance districts shall be credited to a separate subaccount: Provided further, That all expenditures from any such subaccount shall be in addition to any expenditure limitation established for this fund.

State conservation storage water supply fund .....	283,633	409,040
Halstead contingency fund .....		0
Water marketing fund .....		975,000

(c) On or before March 15, 1992, the director of accounts and reports shall transfer an amount certified by the director of the Kansas water office from the water marketing fund to the state general fund to reimburse the state general fund for costs attributable to the administration and enforcement of K.S.A. 82a-1301 et seq., and amendments thereto during calendar year 1991.

(d) On July 1, 1991, the director of accounts and reports shall transfer \$975,000 from the state water plan fund to the water marketing fund.

Sec. 26.

STATE CONSERVATION COMMISSION

(a) On July 1, 1991, the expenditure limitation established by section 7(b) of 1991 Senate Bill No. 113 on the water plan special revenue fund is hereby increased from \$9,089,427 to \$9,923,821.

(b) 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 1991 Senate Bill No. 113 for the fiscal year ending June 30, 1992, expenditures may be made by the above agency from the water plan special revenue fund for the following purpose, subject to the expenditure limitation prescribed therefor:

Bone Creek lake .....	\$500,000
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(c) On July 1, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer amounts which in the aggregate shall not exceed \$834,394 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the state conservation commission.

(d) There is hereby appropriated for the above agency for the fiscal year ending June 30, 1993, from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Water plan special revenue fund .....	\$500,000
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Provided, That, except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is

(continued)

hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, expenditures from this fund may be made only for the following purposes, subject to the expenditure limitations prescribed therefor:

Bone Creek lake ..... \$500,000

Provided further, That expenditures from this fund are hereby authorized to be made from the Bone Creek lake—FY 1991 account and the Bone Creek lake—FY 1992 account: And provided further, That expenditures from each such account shall not exceed the unencumbered balance in such account on June 30, 1992: And provided further, That any expenditures from any such account shall be in addition to any expenditure limitation imposed on the total expenditures from this fund for fiscal year 1993.

(e) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer amounts which in the aggregate shall not exceed \$500,000 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the state conservation commission.

(f) On July 1, 1991, the expenditure limitation established by section 7(b) of 1991 Senate Bill No. 113 on the soil conservation district aid account of the water plan special revenue fund is hereby increased from \$415,204 to \$749,598.

(g) On July 1, 1991, the \$359,394 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 7(a) of 1991 Senate Bill No. 113 from the state general fund in the state aid to soil conservation districts account is hereby lapsed.

Sec. 27.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On April 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$9,197 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development research and development fund of the Kansas technology enterprise corporation.

(b) On July 1, 1991, the expenditure limitation established by section 8(a) of 1991 Senate Bill No. 99 on the economic development research and development fund is hereby increased from \$7,807,962 to \$7,817,159.

(c) On July 1, 1991, the expenditure limitation established by section 8(a) of 1991 Senate Bill No. 99 on the operations, assistance and grants (including official hospitality) account of the economic development research and development fund is hereby increased from \$6,317,599 to \$7,169,394.

(d) On July 1, 1991, the expenditure limitation established by section 8(a) of 1991 Senate Bill No. 99 on the agricultural value-added processing center (including official hospitality) account of the economic development research and development fund is hereby increased from \$490,363 to \$647,765.

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

	Fiscal Year 1991	Fiscal Year 1992
MAMTC federal special revenue fund .....	No limit	No limit

Sec. 28.

DEPARTMENT OF CORRECTIONS

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

	Fiscal Year 1991	Fiscal Year 1992
Eisenhower science and mathematics act—federal fund ..	No limit	No limit
Agency special asset forfeiture fund .....	No limit	No limit

(b) On the effective date of this act, the expenditure limitation established by section 10(c) of 1991 Senate Bill No. 340 on the women's educational equity act—federal fund is hereby increased from \$24,689 to \$67,722.

(c) On the effective date of this act, of the \$11,183,892 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of chapter 12 of the 1990 Session Laws of Kansas

from the state general fund in the inmate programs account, the sum of \$18,531 is hereby lapsed.

(d) On July 1, 1991, of the \$650,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 141 from the state general fund in the salaries and wages pool account, the sum of \$200,000 is hereby lapsed.

(e) On July 1, 1991, of the \$10,296,208 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 141 from the state general fund in the community corrections account, the sum of \$500,000 is hereby lapsed.

(f) On July 1, 1991, the expenditure limitation established by section 2(a) of 1991 Senate Bill No. 141 on expenditures from the reappropriated balance in the community corrections account of the state general fund is hereby increased from \$62,398 to \$162,398.

(g) On the effective date of this act, of the \$1,121,982 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of chapter 12 of the 1990 Session Laws of Kansas from the state general fund in the community services—other operating expenditures account, the sum of \$25,000 is hereby lapsed.

(h) On the effective date of this act, of the \$8,706,851 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of chapter 12 of the 1990 Session Laws of Kansas from the state general fund in the community corrections account, the sum of \$25,000 is hereby lapsed.

(i) On July 1, 1991, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the secretary of corrections, which shall be the amount allocated to the department of corrections from second-stage oil overcharge funds to purchase one or more vehicles, from the energy grants management fund of the state corporation commission to the oil overcharge fund of the department of corrections.

Sec. 29.

ELLSWORTH CORRECTIONAL FACILITY

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

	Fiscal Year 1991	Fiscal Year 1992
Institutional library services grant fund .....	No limit	No limit

Sec. 30.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On July 1, 1991, of the \$6,999,550 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 6(a) of 1991 House Bill No. 2048 from the state general fund in the operating expenditures account, the sum of \$102,660 is hereby lapsed.

(b) On July 1, 1991, the \$5,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 15(a) of 1991 House Bill No. 2114 from the state general fund in the headquarters building repair and rehabilitation account is hereby lapsed.

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

	Fiscal Year 1991	Fiscal Year 1992
Agency special asset forfeiture fund .....	No limit	No limit

Provided, That expenditures of \$213,005 made from this fund shall be made for the purpose of matching federal funds for the narcotics strike force.

(d) On July 1, 1991, the position limitation established by section 14 of 1991 House Bill No. 2048 for the attorney general—Kansas bureau of investigation is hereby increased from 190.5 to 191.5.

(e) On July 1, 1991, the expenditure limitation established by section 6(a) of 1991 House Bill No. 2048 on the reappropriated balance in the operating expenditures for the attorney general—Kansas bureau of investigation account of the state general fund is hereby increased from \$245,726 to \$407,584.

Sec. 31.

DEPARTMENT OF ADMINISTRATION

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

	Fiscal Year 1991	Fiscal Year 1992
Central management systems operations .....		\$4,342,293
<p><i>Provided</i>, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: <i>Provided, however</i>, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: <i>Provided further</i>, That expenditures from this account for the UNISYS processing center shall not exceed \$1,665,928 except upon approval of the state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto and acting only upon a finding by the state finance council that certain existing data processing equipment of the UNISYS processing center must be replaced or upgraded to avoid a failure of the UNISYS system to process data under existing applications as a result of equipment failure: <i>And provided further</i>, That no expenditures may be made from this account during fiscal year 1992 to upgrade the UNISYS processing center other than in a case where the secretary of administration determines that a disastrous failure of the UNISYS processing center is imminent and will likely result if such expenditures are not made in a timely fashion.</p>		
Special maintenance, repairs and improvements—state-house, printing plant, judicial center and governor's residence .....		314,000
<p><i>Provided, however</i>, That no expenditures shall be made from this account for any project until the proposed project has been reviewed by the joint committee on state building construction.</p>		
Court costs—Wellman v. Wells, Osage County Case No. 90-CV-87 .....	\$1,351	
Total .....	\$1,351	\$4,656,293

(b) During the fiscal year ending June 30, 1992, the secretary of administration, with the governor's approval, may transfer any part of any item of appropriation for the fiscal year ending June 30, 1992, by this act or any other appropriation act of the 1991 regular session of the legislature from the state general fund to another item of appropriation for fiscal year 1992 from the state general fund. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(c) Of the total amount of moneys appropriated or reappropriated for the above agency for the fiscal year ending June 30, 1992, by this act or any other appropriation act of the 1991 regular session of the legislature from the state general fund in the accounts and in the amounts certified to the director of accounts and reports under subsection (d), the sum of \$207,730 is hereby lapsed.

(d) Prior to July 1, 1991, the secretary of administration shall certify to the director of accounts and reports the accounts of the state general fund and the amounts of moneys appropriated or reappropriated for fiscal year 1992 in such accounts which are to be reduced to achieve the amount lapsed by subsection (c).

(e) On July 1, 1991, the expenditure limitation established by section 6(b) of 1991 House Bill No. 2049 on the motor pool service fund is hereby increased from \$2,155,358 to \$2,222,019.

(f) On July 1, 1991, the \$314,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of 1991 House Bill No. 2114 from the state general fund in the state-house and judicial center—capital improvements account is hereby lapsed.

(g) On July 1, 1991, the expenditure limitation established by section 6(b) of 1991 House Bill No. 2049 on the property contingency fund is hereby increased from \$0 to No limit.

(h) On and after the effective date of this act, any reimbursement received by the department of administration during fiscal year 1991 or fiscal year 1992 for expenditures from the property contingency fund shall be deposited in the state treasury and credited to this fund.

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

	Fiscal Year 1991	Fiscal Year 1992
Central mail services fund .....		No limit
Information technology fund .....		No limit
Information technology reserve fund .....		No limit
Wichita office space consolidation study gift fund .....		No limit
Purchase of insurance department building fund .....	No limit	No limit

*Provided*, That expenditures may be made from this fund in accordance with agreements entered into by the secretary of administration to provide bond financing of a project to purchase the insurance department building property at 420 S.W. Ninth Street in the City of Topeka, Kansas, including the improvements thereon: *Provided further*, That no bonds shall be issued for such project unless such project has been approved for the department of administration for the purposes of subsection (b) of K.S.A. 1990 Supp. 74-8905 and amendments thereto by the state finance council under that statute.

(j) The total amount of expenditures for the fiscal year ending June 30, 1992, from the central mail services fund, information technology fund and information technology reserve fund shall not exceed \$34,804,040 except upon approval of the state finance council.

(k) In addition to the purposes for which expenditures may be made from the cafeteria benefits fund as authorized by section 6(b) of 1991 House Bill No. 2049 for the fiscal year ending June 30, 1992, expenditures may be made from such fund by the above agency for the request for proposals for health care services for calendar year 1992 for the Kansas state employees health care commission: *Provided*, That any such request for proposals shall request pricing options from the health maintenance organizations which will offer members of the state of Kansas employees health plan the option of being hospitalized in the state of Kansas.

Sec. 32.

STATE TREASURER

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

	Fiscal Year 1991	Fiscal Year 1992
Rental motor vehicle excise tax fund .....		No limit
Bond services fee fund .....		No limit

Sec. 33.

BOARD OF INDIGENTS' DEFENSE SERVICES

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

	Fiscal Year 1991	Fiscal Year 1992
Legal services for prisoners .....		\$8,811

Sec. 34.

JUDICIAL BRANCH

(a) On July 1, 1991, of the \$50,194,309 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 4(a) of 1991 Senate Bill No. 69 from the state general fund in the district court operations account, the sum of \$250,000 is hereby lapsed.

Sec. 35.

STATE BOARD OF AGRICULTURE

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

	Fiscal Year 1991	Fiscal Year 1992
Ceiling replacement .....	\$3,000	
Plumbing replacement .....	27,000	
Total .....	\$30,000	

(b) On the effective date of this act, of the \$42,609 appropriated, for the above agency for the fiscal year ending June 30, 1991, by section 2(b) of chapter 21 of the 1990 Session Laws of Kansas from the state general fund in the lighting fixture replacement account, the sum of \$27,000 is hereby lapsed.

(c) On the effective date of this act, of the \$1,933,542 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of chapter 8 of the 1990 Session Laws of Kansas from the state general fund in the other operating expenditures (including official hospitality) account, the sum of \$3,000 is hereby lapsed.

(continued)

Sec. 36. On July 1, 1991, section 2 of 1991 Senate Bill No. 113, is hereby amended to read as follows: Sec. 2.

STATE BOARD OF AGRICULTURE

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

Salaries and wages.....	\$7,270,920	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992. Provided, however, That expenditures from such reappropriated balance shall not exceed \$1,602 except upon approval of the state finance council.</i>		
Other Operating expenditures (including official hospitality).....	1,493,781	\$8,572,801
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991 is, in the salaries and wages account and any unencumbered balance in excess of \$100 as of June 30, 1991, in the other operating expenditures (including official hospitality) account are hereby reappropriated to the operating expenditures (including official hospitality) account for fiscal year 1992. Provided, however, That expenditures from such reappropriated balance shall not exceed \$120,012 \$130,614 except upon approval of the state finance council. Provided further, That expenditures may be made from this account for expenses incurred in holding the annual meeting. And provided further, That the above agency may negotiate and enter into contracts to carry out its functions at the annual meeting. And provided further, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.</i>		
Farmers' assistance, counseling and training service operating expenditures.....	165,110	425,661
Total.....	\$8,937,911	\$8,998,462

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

Dairy division fee fund.....	\$142,375
Market division fee fund.....	5,000
Meat and poultry inspection fee fund.....	61,248
Wheat quality survey fund.....	26,500
Entomology fee fund.....	67,713
Market development fund.....	No limit
Soil amendment fee fund.....	3,797
Agricultural liming materials fee fund.....	45,153
FACTS legal services co-pay fund.....	No limit

*Provided, That the state board of agriculture may make expenditures from this fund for the expenses of providing legal services under the FACTS program: Provided further, That the state board of agriculture is hereby authorized to fix, charge and collect fees on an hourly basis for legal services provided under the FACTS program after the first two hours of such services provided to each client: Provided, however, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing legal services under the FACTS program after the first two hours of such services provided to each client: And provided further, That all such fees shall be deposited in the state treasury and credited to this fund.*

Trademark fund.....	No limit
Weights and measures fee fund.....	122,779
Water appropriation certification fund.....	389,466
Water rights information system fees fund.....	No limit

*Provided, That the state board of agriculture is hereby authorized to fix, charge and collect fees for water data provided at the request of nonstate government agencies and the general public: Provided further, That such fees shall be fixed in order to recover all of the direct data processing expenses incurred in preparation of requested water data: And provided further, That such fees shall be deposited in the state treasury and credited to this fund: And provided further, That expenditures may be made from this fund to pay the costs incurred by the division of water resources for data processing services to prepare requested water data.*

Chemigation fee fund.....	87,313
Economic development fund.....	225,000
Oil overcharge—noxious weed fund.....	20,000

*Provided, That all expenditures from this fund shall be for grants to counties for a pilot program of biological control of noxious weeds in counties selected therefor in accordance with policies and guidelines adopted for such program by the state board of agriculture.*

Kansas corn commission fund.....	713,772
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*Provided, That expenditures from this fund for official hospitality shall not exceed \$3,000.*

Kansas grain sorghum commission fund.....	529,578
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*Provided, That expenditures from this fund for official hospitality shall not exceed \$3,000.*

Kansas soybean commission fund.....	982,660
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*Provided, That expenditures from this fund for official hospitality shall not exceed \$3,000.*

U.S. geological survey cooperative gage agreement fund.....	No limit
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*Provided, That the state board of agriculture is hereby authorized to enter into a cooperative gage agreement with the United States geological survey: Provided further, That all moneys collected for the construction or operation of river water intake gages shall be deposited in the state treasury and credited to this fund: And provided further, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gages.*

Water plan special revenue fund.....	150,000
Agricultural chemical fee fund.....	194,977
Feeding stuffs fee fund.....	400,659
Fertilizer fee fund.....	469,552
Livestock remedies fee fund.....	18,597
Pesticide use fee fund.....	366,730
Grade A milk fee fund.....	165,227
Seed examination fee fund.....	66,673
Egg fee fund.....	121,622
Meat and poultry inspection fund (federal).....	1,229,704
Certification of pesticide applicators program—federal fund.....	57,872
Federal pesticide enforcement fund.....	239,617
Pesticide use and endangered species—federal fund.....	11,500
Pesticide use and groundwater protection—federal fund.....	136,890
Pesticide use and worker protection—federal fund.....	31,650
Pesticide use and worker protection outreach—federal fund.....	23,416
Pesticide use enforcement incentive program—federal fund.....	30,108
Pest detection and survey—federal fund.....	25,000
Medicated feed mill inspection—federal fund.....	25,473
FACTS gifts and contributions fund.....	No limit
U.S. crop and livestock reporting service postage fund.....	15,300
Market study—federal.....	50,000
National floodplain insurance assistance program—federal.....	79,000
Alternative use marketing fund—federal.....	50,000
Agricultural chemical management program fund—federal.....	34,500
Official dam safety cooperative agreement—federal.....	18,000
Tissue residue investigation—federal.....	13,374
Agriculture statistics fund.....	No limit
Seed dealer registration fund.....	81,634
Oil overcharge—agricultural energy conservation fund.....	90,000
Agricultural seed fee fund.....	81,634
<del>Kansas sheep commission fund.....</del>	<del>No limit</del>
Soybean promotion and research fee fund.....	No limit
Water structures—state highway fund.....	119,100

(c) On July 1, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$14,648 from the energy grants management fund of the state corporation commission to the oil overcharge—noxious weed fund of the state board of agriculture for the purpose of increasing state efforts toward eradicating the musk thistle.

(d) On July 1, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$90,000 from the energy grants management fund of the state corporation commission to the oil overcharge—agricultural energy conservation fund of the state board of agriculture.

(e) On October 15, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$150,000 from the state water plan fund to the water plan special revenue fund of the state board of agriculture.

(f) On July 15, 1991, and on the 15th day of each month thereafter during the fiscal year ending June 30, 1992, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer on each such date \$18,750 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development fund of the state board of agriculture.

~~(g) On July 1, 1991, the director of accounts and reports shall transfer \$50,000 from the state general fund to the Kansas sheep commission fund. After receipt and crediting of sufficient funds to the Kansas sheep commission fund and at such times as funds are available, the director of accounts and reports shall transfer amounts specified by the secretary of the state board of agriculture from the Kansas sheep commission fund to the state general fund over a three-year period to reimburse the state general fund.~~

(h) On July 1, 1991, the director of accounts and reports shall transfer \$119,100 from the state highway fund of the department of transportation to the water structures—state highway fund of the state board of agriculture.

(i) On July 1, 1991, the position limitation established by section 10 of 1991 Senate Bill No. 113 for the state board of agriculture is hereby increased from 325.5 to 329.5.

Sec. 37.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established by section 7(a) of 1991 House Bill No. 2456 on the healing arts fee fund is hereby increased from \$1,143,601 to \$1,149,493.

Sec. 38.

INSURANCE DEPARTMENT

(a) On November 1, 1991, the director of accounts and reports shall transfer \$4,000,000 from the workers' compensation fund to the state general fund.

(b) On July 1, 1991, of the \$4,579,473 appropriated for the above agency by section 11(a) of 1991 House Bill No. 2044 from the state general fund in the operating expenditures account, the sum of \$20,000 is hereby lapsed.

Sec. 39.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 1991, the expenditure limitation established by section 6(a) of 1991 House Bill No. 2047 on the behavioral sciences regulatory board fee fund is hereby increased from \$243,497 to \$262,207.

Sec. 40.

ATTORNEY GENERAL

(a) On July 1, 1991, of the \$2,366,347 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of 1991 House Bill No. 2044 from the state general fund in the operating expenditures account, the sum of \$65,609 is hereby lapsed.

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

	Fiscal Year 1991	Fiscal Year 1992
State special asset forfeiture fund .....		No limit
Bond transcript review fee fund .....		\$45,000

Sec. 41.

DEPARTMENT OF EDUCATION

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

	Fiscal Year 1991	Fiscal Year 1992
Special education services aid .....	\$411,815	
Municipal university fund .....	36,054	
Total .....	\$447,869	

(b) On the effective date of this act, of the \$737,213 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of chapter 15 of the 1990 Session Laws of Kansas from the state general fund in the municipal university out-district state aid account, the sum of \$77,076 is hereby lapsed.

Sec. 42.

FORT HAYS STATE UNIVERSITY

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures (including official hospitality) .....	\$282,450	

(b) On the effective date of this act, the expenditure limitation established by section 28(a) of 1991 House Bill No. 2456 on the general fees fund is hereby decreased from \$5,114,356 to \$5,050,966.

Sec. 43.

KANSAS STATE UNIVERSITY

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

	Fiscal Year 1991	Fiscal Year 1992
Fertilizer research fund .....	No limit	No limit

(b) On the effective date of this act, the expenditure limitation established by section 29(a) of 1991 House Bill No. 2456 on the

general fees fund is hereby decreased from \$27,476,159 to \$27,276,419.

Sec. 44.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures (including official hospitality) .....	\$37,470	

(b) On the effective date of this act, the expenditure limitation established by section 30(d) of 1991 House Bill No. 2456 on the general fees fund is hereby decreased from \$3,385,937 to \$3,376,290.

Sec. 45.

EMPORIA STATE UNIVERSITY

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures (including official hospitality) .....	\$36,671	

(b) During the fiscal year ending June 30, 1991, the director of accounts and reports shall transfer, prior to July 1, 1991, an amount specified by the president of not to exceed \$227 from the general fees fund to the educational opportunity grants—federal fund, which amount shall be in addition to the amount authorized to be transferred by section 5(d) of chapter 24 of the 1990 Session Laws of Kansas.

Sec. 46.

UNIVERSITY OF KANSAS

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

	Fiscal Year 1991	Fiscal Year 1992
Sunflower research landfill remediation fund .....	\$30,000	\$525,000

*Provided*, That all expenditures from this fund for fiscal year 1991 shall be for pre-design investigation planning for remediation activities at the Sunflower research landfill near DeSoto, Kansas: *Provided further*, That all expenditures from this fund for fiscal year 1992 shall be for pre-design investigation and remedial action design activities at such landfill.

(b) On the effective date of this act, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$30,000 from the remediation projects fund of the department of health and environment to the Sunflower research landfill remediation fund of the university of Kansas.

(c) On July 1, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$525,000 from the remediation projects fund of the department of health and environment to the Sunflower research landfill remediation fund of the university of Kansas.

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures (including official hospitality) .....	\$149,500	

Sec. 47.

WICHITA STATE UNIVERSITY

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures (including official hospitality) .....	\$84,109	

(b) On the effective date of this act, the expenditure limitation established by section 50(c) of 1991 House Bill No. 2456 on the general fees fund is hereby increased from \$16,389,908 to \$16,401,927.

(continued)

Sec. 48.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

Table with 2 columns: Description, Fiscal Year (1991, 1992). Row: For employers' contributions, \$1,933,468.

(b) On July 1, 1991, of the \$51,641,054 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 House Bill No. 2049 from the state general fund in the for employers' contributions account, the sum of \$3,334,417 is hereby lapsed.

Sec. 49. On July 1, 1991, section 5 of 1991 House Bill No. 2045, is hereby amended to read as follows: Sec. 5.

DEPARTMENT OF HEALTH AND ENVIRONMENT

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

Salaries and wages.....\$12,716,492

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992. Provided, however, That expenditures from such reappropriated balance shall not exceed \$274,849 except upon approval of the state finance council.

Other Operating expenditures.....6,702,540 \$19,163,589

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is in the salaries and wages account and any unencumbered balance in excess of \$100 as of June 30, 1991, in the other operating expenditures account are hereby reappropriated to the operating expenditures account for fiscal year 1992. Provided, however, That expenditures from such reappropriated balance shall not exceed \$5,821,280,663 except upon approval of the state finance council: Provided further, That expenditures from this account by the secretary of health and environment shall not exceed \$1,000.

Prenatal care collaborative program.....1,417,300
Aid to local units—child care licensure inspections.....236,414

Provided, That expenditures from this account are hereby authorized to be made for contracts which are hereby authorized to be entered into by the secretary of health and environment with local health departments, private individuals and others for child care licensure activities.

Aid to local units—general public health programs.....1,988,708

Provided, That all expenditures from this account shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246 and amendments thereto.

Grant to Sedgwick county for infant mortality project.....50,746
Aid to local units—adolescent health promotion.....258,742

Provided, That expenditures may be made from this account for the purchase of vaccines for distribution to local health departments.

Aid to local units—home visitor/healthy start program.....428,866

Aid to local units—acquired immune deficiency testing.....271,000

Aid to local units—community-based teenage pregnancy reduction services.....100,000

Low level radioactive waste.....25,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Aid to local units—primary health projects.....1,000,000

Provided, That no expenditures shall be made from this account to disburse any amount to a local unit until the amount has been matched on a \$1 for \$1 basis by the local unit on a cash or in-kind basis, or some combination thereof, as approved by the secretary of health and environment: Provided further, That the secretary of health and environment shall prepare and present progress reports on the primary health projects to the joint committee on health care decisions for the 1990's.

Total.....\$24,195,808 \$25,169,328

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

Water plan special revenue fund.....\$4,236,287

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

Table with 2 columns: Description, Amount. Rows: Contamination remediation (\$2,000,000), Local environmental aid (1,670,000), Non-point source pollution (480,061), Private well protection (86,226).

Provided further, That expenditures may be made for fiscal year 1992 from the contamination remediation account of this fund of amounts in unexpended balances as of June 30, 1991, of amounts appropriated for prior fiscal years: Provided, however, That ex-

penditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on the contamination remediation account and on the water plan special revenue fund for fiscal year 1992.

Title XIX fund.....3,477,064

Provided, That any transfers of moneys from this fund to other state agencies shall be in addition to any expenditure limitation imposed on this fund: Provided further, That transfers of moneys from this fund to the state fire marshal may be made for a contract which is hereby authorized to be entered into by the secretary of health and environment with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Table with 2 columns: Description, Amount. Rows: Adult care licensing revolving fund (No limit), Power generating facility fee fund (104,384), Pollutant discharge clean-up fund (No limit), Health and environment training fee fund (No limit).

Provided, That expenditures may be made from this fund for acquisition and distribution of health and environment program literature and films and for participation in conducting training seminars: Provided further, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for such seminars: And provided further, That such fees may be fixed in order to recover all or part of such costs: And provided further, That all moneys received from such fees shall be deposited in the state treasury and credited to this fund.

Table with 2 columns: Description, Amount. Rows: Food service inspection reimbursement fund (No limit), Rural abandoned mined-land—federal fund (No limit), Radioactive hazardous waste perpetual care trust fund (No limit), Mined-land conservation and reclamation fee fund (148,355), Hazardous waste perpetual care trust fund (No limit), Waste tire management fund (No limit), Mined-land reclamation fund (No limit), Radiation site closure and reclamation fund (No limit), National surface mining control and reclamation act—federal fund (148,355), Radiation long-term care fund (No limit), Abandoned mined-land reclamation act—federal fund (No limit), Governor's council on fitness gift and donation fund (No limit).

Provided, That the department of health and environment is hereby authorized to receive gifts and donations of money for the governor's council on fitness: Provided further, That such gifts and donations of money shall be deposited in the state treasury and credited to this fund: And provided further, That expenditures shall be made from this fund for the purposes specified by the donor or contributor, if any.

Medicare fund—federal.....1,185,341 1,352,526

Provided, That any transfers of moneys from this fund to other state agencies shall be in addition to any expenditure limitation imposed on this fund: Provided further, That transfers of moneys from this fund to the state fire marshal may be made for a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Table with 2 columns: Description, Amount. Rows: National center for health statistics fund—federal (233,311), Federal migrant health program fund (No limit), Prevention of athletic injuries fund (No limit), Venereal disease control project fund—federal (No limit).

Provided, That expenditures from this fund for state operations shall not exceed \$292,401.

Table with 2 columns: Description, Amount. Rows: Federal air quality program fund (948,236), Federal women, infants and children health program fund (No limit).

Provided, That expenditures from this fund for state operations shall not exceed \$926,763.

Table with 2 columns: Description, Amount. Rows: Federal occupational health and safety statistics program fund (77,727), Water supply fund—federal (511,705), Maternal and child health services block grant fund (No limit).

Provided, That expenditures from this fund for state operations shall not exceed \$2,345,009: Provided further, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Table with 2 columns: Description, Amount. Rows: Immunization grant funds—federal fund (131,720), Diagnostic X-ray program—federal fund (23,235), Federal EPA underground injection control fund (174,971), Federal EPA 106 water pollution control fund (907,729), Federal EPA 208 water quality management planning fund (85,136), Federal EPA 205(g) construction grant program administration fund (239,350), Federal EPA 109(B) statewide operator training program fund (0).

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

Table with 2 columns: Description, Amount. Row: Federal title X family planning fund (No limit).

Provided, That expenditures from this fund for state operations shall not exceed \$260,088.

Table with 2 columns: Description, Amount. Rows: Resource conservation and recovery act—federal fund (741,749), Preventive health and health services block grant fund (No limit).



Provided, That expenditures from this fund for state operations shall not exceed \$473,148: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Physician vaccine supply—federal fund	21,254
Diabetes control program fund	154,228
Refugee health program grant—federal fund	No limit
State legalization impact assistance fund	88,000
Tuberculosis cooperative agreement—federal fund	No limit
Early childhood developmental services—federal fund	24,362
Pollution abatement gift fund	No limit

Provided, That the secretary of health and environment is hereby authorized to receive from APTUS Incorporated of Coffeyville, Kansas, an amount not to exceed \$250,000: *Provided further*, That such moneys shall be deposited in the state treasury and credited to this fund: *And provided further*, That expenditures from this fund shall be made only for permit review purposes: *And provided further*, That the unexpended balance in such fund on June 30, 1992, may be refunded to APTUS Incorporated of Coffeyville, Kansas.

Sewage disposal treatment—revenue bond fund	No limit
Sewage disposal treatment—bond and interest sinking fund	No limit
Debt service reserve fund	No limit
Special bequest fund	No limit
Local air quality regulation services fund	No limit
Radiological environmental cooperative monitoring—federal fund	20,139
Conversion of materials and equipment fund	No limit
Sponsored project overhead fund	518,569

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

Underground storage tank fund—federal	186,478
EPA—pre-NPL existing sites fund	288,273
EPA—core support fund	273,234
Commodity supplemental food program fund	No limit
Health facilities review fund	171,309
AIDS project—education and risk reduction—federal fund	No limit

Provided, That expenditures from this fund for state operations shall not exceed \$623,707 \$673,882.

Leaking underground storage tank trust—federal fund	1,468,400
104(6)(1) outreach operator training program—federal fund	No limit
EPA 205 j5—federal fund	85,136
Title I—P.L. 99-457	749,958
Highway safety—federal fund	36,000
PCB compliance inspections—federal fund	114,452
Capacity management—assistance fund	No limit
Environmental response fund	No limit
Make a difference information network—federal fund	19,954
Healthy families and young children fund	53,210
Petroleum storage tank release trust fund	No limit
Kansas water pollution control revolving fund	No limit

Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to this fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Surcharge fund for Kansas water pollution control revolving fund revenue bonds	No limit
Sanitarian services fund	No limit

Provided, That the secretary of health and environment is hereby authorized to fix, charge and collect fees for sanitation services: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing such services: *And provided further*, That such fees shall be deposited in the state treasury and shall be credited to this fund.

State indoor radon grant—federal fund	128,176
EPA non-point source implementation—federal fund	654,328
Exposure assessment—Galena subsite, Cherokee county—federal fund	165,287
Solid waste disposal research—federal fund	45,000
Clinical laboratory improvement amendments—federal fund	285,761
Toxic substances disease registry—federal fund	118,576
Clean air act—federal fund	32,265
RCRA—section 8001(A)(1) integrated solid waste management—federal fund	59,985
Child care and development block grant—federal fund	27,115
Environmental health education for physicians—federal fund	604,932
HIV clients home and community based health services—federal fund	34,550
Rural primary health care—federal fund	150,000
Office of rural health—federal fund	95,000
Licensure of alternative juvenile offender facilities fund	111,738
Environmental permit fund	50,000
	30,000
	0

(c) On July 1, 1991, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other

amounts received by the department for activities related to federal programs, from specified special revenue funds of the department of health and environment to the sponsored project overhead fund.

(d) On July 1, 1991, the director of accounts and reports shall transfer \$171,309 from the health care stabilization fund of the insurance department to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(e) On July 1, 1991, or as soon thereafter as funds are available therefor, the director of accounts and reports shall transfer \$4,236,287 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the department of health and environment.

(f) On July 1, 1991, the position limitation established by section 7 of 1991 House Bill No. 2045 for the department of health and environment is hereby increased from 725.5 to 733.5.

Sec. 50.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established by section 19(d) of 1991 House Bill No. 2456 on the operations account of the state highway fund is hereby increased from \$125,294,439 to \$126,094,439.

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

	Fiscal Year 1991	Fiscal Year 1992
Highway bond debt service fund	No limit	No limit

Provided, That any transfer of money during the fiscal year ending June 30, 1991, from the state highway fund to the highway bond debt service fund shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 1991.

Sec. 51. On July 1, 1991, section 2 of 1991 House Bill No. 2046, is hereby amended to read as follows: Sec. 2.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

State highway fund	No limit
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Provided, That no expenditures may be made from the state highway fund other than for the following specified purposes: *Provided, however*, That expenditures from the state highway fund may be made for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e and amendments thereto: *Provided further*, That expenditures from the state highway fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Administration	\$13,544,993
Salaries and wages	\$103,248,857
Other operating expenditures	54,892,470

Provided, That expenditures from this account for official hospitality by the secretary of transportation shall not exceed \$1,000: *Provided further*, That expenditures may be made from this account for awards for employee suggestions through a work improvement program: *And provided further*, That expenditures may be made from this account for state aircraft insurance.

Planning and development	4,306,790
Engineering and design	19,255,074
Operations	187,484,163
Aviation	328,278
Substantial maintenance	No limit
Claims	No limit
Payments for city connecting links	2,240,000
Federal local aid programs	No limit
Construction, remodeling and special maintenance projects for buildings	2,723,096 723,096

Provided, That expenditures may be made from this account of amounts in unexpended balances as of June 30, 1991, in capital improvement project accounts of projects approved for prior fiscal

(continued)

years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 1992.

Other capital improvements .....	No limit
Restricted fees fund .....	No limit
Special city and county highway fund .....	No limit
County equalization and adjustment fund .....	\$2,500,000
State freeway fund .....	No limit
State freeway construction fund .....	No limit
Railroad rehabilitation loan guarantee fund .....	No limit

*Provided*, That expenditures from this fund shall not exceed the amount which the secretary is obligated to pay during the fiscal year ending June 30, 1992, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into on April 21, 1989, by the secretary of transportation pursuant to chapter 275 of the 1989 Session Laws of Kansas.

Interagency motor vehicle fuel sales fund .....	No limit
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*Provided*, That expenditures may be made from this fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to this fund.

Elderly and handicapped coordinated public transportation assistance fund .....	No limit
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*Provided*, That all moneys received from local governments under the provisions of the Kansas elderly and handicapped coordinated public transportation assistance act shall be credited to this fund and expended in accordance with the provisions of such act.

Highway bond proceeds fund .....	No limit
Highway bond debt service fund .....	No limit

*Provided*, That any transfer of money during the fiscal year ending June 30, 1992, from the state highway fund to the highway bond debt service fund shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 1992.

Rail service assistance program loan guarantee fund .....	No limit
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(b) On April 1, 1992, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611 and amendments thereto.

(c) Upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(d) Any transfer of money during the fiscal year ending June 30, 1992, from the state highway fund to other state agencies, resulting from a contract for services shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 1992.

(e) On July 1, 1991, the director of accounts and reports shall transfer \$390,000 from the state highway fund to the elderly and handicapped coordinated public transportation assistance fund.

(f) On July 1, 1991, the director of accounts and reports shall transfer ~~\$1,796,300~~ \$3,796,300 from the state highway fund to the state general fund.

Sec. 52.

STATE CORPORATION COMMISSION

(a) On July 1, 1991, the expenditure limitation established by section 5(a) of 1991 House Bill No. 2049 on the public service regulation fund is hereby increased from \$4,618,568 to \$4,922,568.

Sec. 53.

KANSAS HIGHWAY PATROL

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

Agency special asset forfeiture fund .....	Fiscal Year 1991	Fiscal Year 1992
		No limit

(b) On July 1, 1991, the position limitation established by section 14 of 1991 House Bill No. 2048 on the Kansas highway patrol is hereby increased from 930.8 to 935.8.

(c) On July 1, 1991, the expenditure limitation established by section 5(b) of 1991 House Bill No. 2048 on the motor carrier inspection fund is hereby increased from \$5,012,061 to \$5,114,691.

(d) On July 1, 1991, the expenditure limitation established by section 5(b) of 1991 House Bill No. 2048 on the state operations account of the motor carrier inspection fund is hereby increased from \$5,012,061 to \$5,114,691.

(e) On July 1, 1991, the amount authorized by section 5(d) of 1991 House Bill No. 2048 to be transferred quarterly by the director of accounts and reports 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 the motor carrier inspection program of the Kansas highway patrol for the fiscal year ending on June 30, 1992, is hereby increased from \$1,166,111 to \$1,191,769.

(f) On July 1, 1991, of the \$22,424,260 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 5(a) of 1991 House Bill No. 2048 from the state general fund in the operating expenditures account, the sum of \$972,088 is hereby lapsed.

(g) On July 1, 1991, the expenditure limitation established by section 5(a) of 1991 House Bill No. 2048 on the expenditures from the reappropriated balance in the operating expenditures account of the state general fund is hereby increased from \$38,643 to \$134,555.

Sec. 54.

LEGISLATIVE COORDINATING COUNCIL

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

Legislative coordinating council—operating expenditures for joint committee on Kansas public employees retirement system (KPERs) investment practices .....	\$300,000
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*Provided*, That all expenditures from this account shall be for payment of expenses of the study and investigation of the Kansas public employees retirement system (KPERs) investment practices, including expenses incurred by the joint committee on Kansas public employees retirement system (KPERs) investment practices for such study and investigation or by the division of post audit for audit activities for such study and investigation in excess of resources of the division available therefor.

(b) On July 1, 1991, any unencumbered balance in excess of \$100 as of June 30, 1991, in the legislative coordinating council—operating expenditures for joint committee on Kansas public employees retirement system (KPERs) investment practices account of the state general fund is hereby reappropriated for the above agency for the fiscal year 1992.

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

NCSL grant fund .....	Fiscal Year 1991	Fiscal Year 1992
	No limit	No limit

Sec. 55. No moneys appropriated from the state general fund or from any special revenue fund for the fiscal years ending June 30, 1991, or June 30, 1992, by this act or any other appropriations act of the 1991 regular session of the legislature shall be expended for acquisition or lease of Marymount college campus property located in Salina, Kansas, unless prior to the acquisition or lease of such property specific approval therefor has been granted by the legislature.

Sec. 56.

KANSAS PUBLIC BROADCASTING COMMISSION

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

Operating grant to KOOD public television station at Bunker Hill .....	Fiscal Year 1991	Fiscal Year 1992
		\$40,429

(b) On July 1, 1991, of the \$132,137 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of 1991 Senate Bill No. 87 from the state general fund in the operating grant for KTWU television station at Topeka account, the sum of \$10,000 is hereby lapsed.

(c) On July 1, 1991, of the \$132,137 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of 1991 Senate Bill No. 87 from the state general fund in the operating grant for KPTS television station at Wichita account, the sum of \$10,000 is hereby lapsed.

(d) On July 1, 1991, of the \$114,581 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of 1991 Senate Bill No. 87 from the state general fund in the operating grant for KCPT television station at Kansas City account, the sum of \$10,000 is hereby lapsed.

(e) On July 1, 1991, of the \$32,341 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of 1991 Senate Bill No. 87 from the state general fund in the operating grant for KANZ at Pierceville account, the sum of \$10,000 is hereby lapsed.

(f) On July 1, 1991, the \$68,000 appropriated for the above agency by section 8(a) of 1991 Senate Bill No. 87 for the fiscal year ending June 30, 1992, in the grant to KHCC-FM (Hutchinson) to expand public radio into unserved area account is hereby lapsed.

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

	Fiscal Year 1991	Fiscal Year 1992
EDIF grant to KHCC-FM (Hutchinson) to expand public radio into unserved areas fund.....		\$68,000

*Provided*, That all expenditures from this fund shall be matched with moneys received from nongovernment sources: *Provided further*, That no expenditures may be made from this fund unless moneys are received from the federal government for this project: *And provided further*, That no expenditures shall be made from this fund until an interim study has been conducted by a special committee established by the legislative coordinating council: *And provided further*, That expenditures may be made from this fund only upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after (1) the state finance council has received the recommendations of the special committee studying this project, and (2) the state finance council has determined that the areas to be served by the expansion are not currently being served by another public radio station.

(h) On October 15, 1991, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$68,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the EDIF grant to KHCC-FM (Hutchinson) to expand public radio into unserved areas fund of the public broadcasting commission.

Sec. 57.

(a) No moneys appropriated for the fiscal years ending June 30, 1991, or June 30, 1992, by this act or any other appropriation act of the 1990 or 1991 regular session of the legislature for the state corporation commission or any other state agency, as defined by K.S.A. 75-3701 and amendments thereto, shall be expended to purchase or finance the purchase of a building for use in whole or in part by the state corporation commission. No action of the state finance council shall be effective to approve or authorize any expenditure prohibited by this section.

Sec. 58.

(a) No moneys appropriated for the fiscal years ending June 30, 1991, or June 30, 1992, by this act or any other appropriation act of the 1990 or 1991 regular session of the legislature for the department of social and rehabilitation services or any other state agency, as defined by K.S.A. 75-3701 and amendments thereto, shall be expended to purchase or finance the purchase of the building located at 235 South Kansas Avenue in Topeka, Kansas, for use in whole or in part by the department of social and rehabilitation services or any state agency under the jurisdiction of the department. No action of the state finance council shall be effective to approve or authorize any expenditure prohibited by this section.

Sec. 59.

LEGISLATURE

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

	Fiscal Year 1991	Fiscal Year 1992
Operations (including official hospitality).....	\$40,000	\$194,215

Sec. 60.

DEPARTMENT ON AGING

(a) On July 1, 1991, the expenditure limitation established by section 6(a) of 1991 House Bill No. 2045 on the reappropriated balance in the administration account of the state general fund is hereby increased from \$17,697 to \$30,447.

(b) On July 1, 1991, of the \$732,641 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 6(a) of 1991 House Bill No. 2045 from the state general fund in the administration account, the sum of \$12,750 is hereby lapsed.

~~Sec. 61.~~

~~KANSAS COMMISSION ON THE FUTURE OF HEALTH CARE, INC.~~

~~(a) On July 1, 1991, the director of accounts and reports shall transfer \$50,000 from the state general fund to the future of health care fund of the Kansas commission on the future of health care, inc.~~

Sec. 62.

KANSAS ARTS COMMISSION

(a) On July 1, 1991, of the \$343,734 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of 1991 Senate Bill No. 87 from the state general fund in the arts programming grants and challenge grants account, the sum of \$170,734 is hereby lapsed.

(b) On November 15, 1991, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$170,734 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 Kansas arts commission.

Sec. 63.

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

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

	Fiscal Year 1991	Fiscal Year 1992
Other operating expenditures.....		\$20,000
Arts for the handicapped.....		70,000
Total.....		\$90,000

Sec. 64.

KANSAS STATE SCHOOL FOR THE DEAF

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

	Fiscal Year 1991	Fiscal Year 1992
Salaries and wages.....		\$30,000

(b) On July 1, 1991, the position limitation established by section 10 of 1991 Senate Bill No. 87 for the Kansas state school for the deaf is hereby increased from 176.5 to 177.5.

Sec. 65.

KANSAS BOARD OF BARBERING

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

Barber examiner fee fund.....	\$87,500
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(b) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the Kansas board of barbering that are financed by appropriations made by this section for the above agency shall not exceed 2.0.

Sec. 66.

KANSAS ANIMAL HEALTH DEPARTMENT

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

(continued)

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 1991	Fiscal Year 1992
EDIF—companion animal program—grant fund .....		\$50,000

(b) On July 15, 1991, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the EDIF—companion animal program—grant fund of the Kansas animal health department.

Sec. 67.

KANSAS, INC.

(a) On July 1, 1991, of the \$281,988 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 7(a) of 1991 Senate Bill No. 99 from the state general fund in the Kansas, Inc. account, the sum of \$99,462 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 shall not exceed the following:

	Fiscal Year 1991	Fiscal Year 1992
EDIF fund .....		No limit

(c) On August 15, 1991, and October 15, 1991, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$49,731 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the EDIF fund of Kansas, Inc.

Sec. 68.

ADJUTANT GENERAL

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

	Fiscal Year 1991	Fiscal Year 1992
State military service operations .....	\$25,000	
State match for federal disaster relief aid .....	643,125	
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1991 is hereby reappropriated for fiscal year 1992.		
Administrative expenses for IFG relief .....	25,000	
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.		
Total .....	\$693,125	

(b) On July 1, 1991, of the \$206,686 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(b) of 1991 House Bill No. 2114 from the state general fund in the rehabilitation and repair projects account, the sum of \$103,343 is hereby lapsed.

Sec. 69.

KANSAS SENTENCING COMMISSION

(a) On July 1, 1991, of the \$220,024 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 13(a) of 1991 House Bill No. 2048 from the state general fund in the operating expenditures account, the sum of \$32,268 is hereby lapsed.

(b) In addition to the purposes for which expenditures may be made from the operating expenditures account of the state general fund of the Kansas sentencing commission as authorized by section 13(a) of 1991 House Bill No. 2048 for the fiscal year ending June 30, 1992, expenditures shall be made to conduct a study of consolidating the field services of court services officers, community corrections and parole services, including an analysis of the caseloads of the field service personnel.

Sec. 70.

LANSING CORRECTIONAL FACILITY

(a) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:

Wastewater treatment system improvements .....	\$236,884
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(b) On July 1, 1991, the \$236,884 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 10(b) of 1991 Senate Bill No. 112 from the correctional institutions building fund in the wastewater treatment system improvements account, is hereby lapsed.

Sec. 71.

KANSAS STATE UNIVERSITY—SALINA, COLLEGE OF TECHNOLOGY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, the following: Lease payment—aeronautical center (including aeronautical laboratory addition) .....

\$189,050

(b) During the fiscal years ending June 30, 1991, and June 30, 1992, the above agency is hereby authorized to make expenditures of moneys appropriated for such fiscal years to raze the Neely building (building #749), civil technology laboratory (building #843), Tullis building (building #849), administration building (building #860) and student union (building #942).

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

	Fiscal Year 1991	Fiscal Year 1992
New dormitory construction fund .....	No limit	No limit

*Provided*, That expenditures may be made from this fund to construct and equip a student dormitory for the above agency on the campus at Salina, Kansas. *Provided further*, That the capital improvement project to construct and equip a dormitory at the Kansas state university—Salina, college of technology is hereby approved for the purposes of subsection (b) of K.S.A. 1990 Supp. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That the proceeds of such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That all moneys received from local sales tax proceeds and any other source to construct and equip such dormitory shall be deposited in the state treasury to the credit of this fund.

Sec. 72. On July 1, 1991, section 12 of 1991 House Bill No. 2048, is hereby amended to read as follows: Sec. 12.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

State operations .....	\$663,146
Operating expenditures .....	\$748,054

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$6,975 except upon approval of the state finance council.

Aid to local units — EMS administrative grants .....	108,250
Total .....	\$771,405

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, 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:

EMS—federal fund .....	No limit
Emergency medical service fee fund .....	\$32,444

(c) On July 1, 1991, the director of accounts and reports shall transfer all moneys in the emergency medical service attendant testing fund to the emergency medical service fee fund. On July 1, 1991, all liabilities of the emergency medical service attendant testing fund are hereby imposed on the emergency medical service fee fund and the emergency medical service attendant testing fund is hereby abolished.

Sec. 73.

STATE FAIR BOARD

(a) On July 1, 1991, the \$100,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of 1991 Senate Bill No. 112 from the state general fund in the rehabilitation and repair projects account, 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 shall not exceed the following:

	Fiscal Year 1991	Fiscal Year 1992
Economic development fund—rehabilitation and repair projects .....		\$100,000

(c) On September 15, 1991, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development fund—rehabilitation and repair projects of the state fair board.

Sec. 74. *Appeals to exceed position limitations.* The limitations imposed by this act on the full-time equivalent number of full-time and regular part-time positions, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriation act of the 1990 regular session of the legislature or in any other appropriation act of the 1991 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 75. *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 amounts specified in this act.

Sec. 76. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or any other appropriation act of the 1991 regular session of the legislature and having an unencumbered balance as of June 30, 1991, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1992, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 77. Any Kansas educational building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1991 regular session of the legislature, and having an unencumbered balance as of June 30, 1991, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1992, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 78. *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 1991 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1992, for the same use and purpose as the same was heretofore appropriated.

Sec. 79. Any transfers of money during the fiscal year ending June 30, 1992, from any special revenue fund of any state agency named in this act or in any other appropriation act of the 1991 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, 1992.

Sec. 80. On July 1, 1991, section 5 of 1991 House Bill No. 2045, section 2 of 1991 House Bill No. 2046, section 12 of 1991 House Bill No. 2048, section 6 of 1991 Senate Bill No. 99 and sections 2 and 8 of 1991 Senate Bill No. 113 are hereby repealed.

Sec. 81. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

## State of Kansas

## Office of the Governor

## Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Substitute for House Bill No. 2640 with my signature approving the bill, except for the items enumerated below.

Section 2(d) that reads as follows has been vetoed:

"(d) On July 1, 1991, of the \$86,799,389 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the medical assistance for long-term care account, the sum of \$1,197,375 is hereby lapsed."

Sections 2(v) and (w) that read as follows have been vetoed:

"(v) On July 1, 1991, of the \$65,665,859 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the cash assistance account, the sum of \$2,427,219 is hereby lapsed.

(w) On July 1, 1991, of the \$70,116,207 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of 1991 Senate Bill No. 162 from the state general fund in the state operations account, the sum of \$1,265,143 is hereby lapsed."

I am vetoing the above sections, which restore \$4.9 million in appropriations that the Legislature lapsed, to provide the Secretary of Social and Rehabilitation Services with the funding necessary to continue services to most existing clients. This veto also will minimize the impact of an across-the-board cut on the services provided to clients by the Department of Social and Rehabilitation Services.

Section 2(x) that reads as follows has been vetoed:

"(x) In addition to the purposes for which expenditures may be made for the above agency from the social services clearing fund as authorized by section 2(b) of 1991 Senate Bill No. 162 for the fiscal year ending June 30, 1992, expenditures may be made by the above agency for fiscal year 1992 from the social services clearing fund for a master planner and associated staff and operating expenditures for the purpose of developing a plan to close two state institutions, as defined by K.S.A. 76-12a01 and amendments thereto, one in fiscal year 1993 and one in fiscal year 1994: *Provided*, That recommendations made in such a plan selecting a specific mental health and a specific mental retardation institution shall include an analysis of the costs and savings associated with closure, including an analysis of the availability of community programs, an analysis of the community's economic ability to respond to the closure of the institution and future labor trends in each community: *Provided further*, That this plan

(continued)

shall be submitted to the 1992 regular session of the legislature by January 13, 1992: *And provided further*, That expenditures incurred for the development of this plan shall be in addition to any expenditure limitation imposed on the social services clearing fund, or on any account thereof for fiscal year 1992."

I am vetoing this proviso because it authorizes additional spending from the Social Services Clearing Fund to develop a plan to close two state institutions. In addition, I do not believe an appropriations bill is the proper place for the Legislature to provide detailed instructions to executive branch agencies. This type of detailed expression of legislative intent has typically been placed in subcommittee reports or bill explanations.

Although I am vetoing this section of the bill, I concur with the intent of the proviso. I am directing the Secretary of Social and Rehabilitation Services to develop a detailed plan to close a state mental health institution and a state mental retardation institution by the end of FY 1994. The secretary will submit this plan to the Division of the Budget and the Kansas Legislative Research Department in conjunction with the submission of the FY 1993 budgets for the Department of Social and Rehabilitation Services, the mental health hospitals, the mental retardation institutions, and the youth centers.

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

"Kansas sheep commission fund ..... No limit"

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

"(g) On July 1, 1991, the director of accounts and reports shall transfer \$50,000 from the state general fund to the Kansas sheep commission fund. After receipt and crediting of sufficient funds to the Kansas sheep commission fund and at such times as funds are available, the director of accounts and reports shall transfer amounts specified by the secretary of the state board of agriculture from the Kansas sheep commission fund to the state general fund over a three-year period to reimburse the state general fund."

I have previously vetoed Senate Bill No. 77, which would have created the Kansas Sheep Commission. I believe promotion of this industry should be undertaken through non-governmental organizations in the private sector, rather than a state commission. Second, the state's current fiscal condition prohibits using state general funds as start-up money for this new program. Finally, the process for selecting members of the Kansas Sheep Commission established in Senate Bill No. 77 would place undue restraint on my authority as Governor to make appointments to the new commission.

Sections 53(b) through (e) that read as follows have been line-item vetoed:

"(b) On July 1, 1991, the position limitation established by section 14 of 1991 House Bill No. 2048 on

the Kansas highway patrol is hereby increased from 830.8 to 835.8.

(c) On July 1, 1991, the expenditure limitation established by section 5(b) of 1991 House Bill No. 2048 on the motor carrier inspection fund is hereby increased from \$5,012,061 to \$5,114,691.

(d) On July 1, 1991, the expenditure limitation established by section 5(b) of 1991 House Bill No. 2048 on the state operations account of the motor carrier inspection fund is hereby increased from \$5,012,061 to \$5,114,691.

(e) On July 1, 1991, the amount authorized by section 5(d) of 1991 House Bill No. 2048 to be transferred quarterly by the director of accounts and reports 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 the motor carrier inspection program of the Kansas highway patrol for the fiscal year ending on June 30, 1992, is hereby increased from \$1,166,111 to \$1,191,769."

I veto the expenditure limitation increase on the Motor Carrier Inspection Fund, in conjunction with these five positions added by the Legislature, because they impose an unwarranted burden on the State Highway Fund.

Section 61(a) that reads as follows has been vetoed:

"(a) On July 1, 1991, the director of accounts and reports shall transfer \$50,000 from the state general fund to the future of health care fund of the Kansas commission on the future of health care, inc."

I am vetoing this transfer from the State General Fund to the Kansas Commission on the Future of Health Care, Inc., created by Senate Bill No. 403, because the state cannot afford to reduce the available receipts to the State General Fund by \$50,000 for this purpose. This veto will not preclude the commission from operating if donations from private, public, or non-profit organizations are received.

In addition to the items I have vetoed above, I raise objections to a number of the items the Legislature has included in this legislation.

With respect to Section 11(a), the prohibition against the acquisition of computer equipment and software programs over a span of two fiscal years is excessive in light of the rapidly changing computer industry and actual problems with the existing computer at the Lottery. The Lottery must be able to update or change software to address its needs. Similarly, in Section 31(a), the proviso attached to the appropriation for Central Management Systems Operations in the Department of Administration could have the effect of placing the Secretary of Administration in an untenable situation concerning operation of the UNISYS mainframe computer. This type of restriction limits the effectiveness of executive branch managers in their administrative and financial responsibilities. "Crisis" management is virtually guaranteed when a "disastrous failure" must be imminent before a department head is authorized to act. Micro-managing state gov-

ernment to this extent oversteps the boundaries of legislative oversight.

Regarding Section 30(d), it is not necessary to add an additional position to implement Senate Bill No. 329. Although Senate Bill No. 329 should increase activity within the agency's DNA section, funds were included in House Bill No. 2048, which I have signed, for position upgrades to provide two additional criminalists in the laboratory.

I take exception with a portion of Section 36(b) and Section 36(h). These sections fund 2.0 FTE positions at the Division of Water Resources of the Board of Agriculture from a transfer of \$119,100 from the State Highway Fund. Only a portion of the Division of Water Resources' increased workload in the Water Structures subprogram is related to the State Highway Fund. In addition, transferring funds from one agency to support the statutory responsibilities of another is a bad practice, which sets a precedent for additional future transfers to cover many similar relationships that currently exist within state government. Because of the Division of Water Resources' backlog of water structure permits, I have chosen not to veto this item. However, I expect the Legislature to cooperate in a re-examination of the establishment of a fee structure which will collect fees from those who specifically receive the services in order to avoid these transfers in the future.

Sections 55, 57, and 58 would not allow the state to keep its options open, if it should become financially advantageous to acquire or lease Marymount College, the building occupied by the Kansas Corporation Commission, or the SRS building at 235 South Kansas Avenue in Topeka. As a result of the passage of 1991 Senate Bill No. 345, which increases revenues to the Highway Patrol Training Center Fund, there may be funds available to finance the acquisition of Marymount. If such funding becomes available, the state should have the option of purchasing or leasing the college. Likewise, if savings can be realized by purchasing the KCC building or the SRS building, the state needs to be in a position to take advantage of the opportunity. The Legislature's prohibition concerning acquisition of these three facilities is financially irresponsible.

Dated May 23, 1991.

Joan Finney  
Governor

(Published in the Kansas Register, June 6, 1991.)

HOUSE BILL No. 2044

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1991, and June 30, 1992, for the Kansas commission on interstate cooperation, legislative coordinating council, legislature, division of post audit, governor's department, lieutenant governor, attorney general, secretary of state, state treasurer and insurance department; 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, 1991, and June 30, 1992, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

KANSAS COMMISSION ON INTERSTATE COOPERATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

National memberships and other operating expenditures (including official hospitality)..... \$182,738

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Sec. 3.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Legislative coordinating council—operations..... \$369,082

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Legislative research department—operations..... 1,742,959

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Office of revisor of statutes—operations..... 2,024,337

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Legislative research department for the legislative educational planning committee—operations (including official hospitality)..... 26,401

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Any unencumbered balance in excess of \$100 as of June 30, 1991, in the block boundary suggestion project account is hereby reappropriated for fiscal year 1992.

Total..... \$4,162,779

Sec. 4.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operations (including official hospitality)..... \$9,038,002

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Sec. 5.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operations (including legislative post audit committee)..... \$1,316,087

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Audit services fund..... No limit  
Conversion of materials and equipment fund..... No limit

Sec. 6.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Governor's department..... \$1,561,513

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992. Provided further, That expenditures may be made from this account for contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 1992, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Special revenue programs fund..... No limit

(d) On July 1, 1991, the director of accounts and reports shall transfer \$18,116 from the state highway fund to the special revenue programs fund of the governor's department.

(continued)

Kansas Register

(e) On July 1, 1991, the director of accounts and reports shall transfer \$18,116 from the employment security fund to the special revenue programs fund of the governor's department.

(f) On July 1, 1991, the director of accounts and reports shall transfer any unencumbered balance in the federal and state liaison clearing fund of the department of administration to the special revenue programs fund of the governor's department.

Sec. 7.

LIUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operations \$106,167

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

(b) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 1992, in the operations account.

(c) Expenditures may be made by the above agency for official hospitality from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 1992, in the operations account, except that such expenditures shall not exceed \$1,000.

Sec. 8.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operating expenditures \$2,366,347

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: Provided further, That expenditures from this account for official hospitality shall not exceed \$600.

Litigation costs 21,494

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Additional operating expenditures for investigation and litigation regarding interstate water rights 488,500

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Total \$2,876,341

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, 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:

Kansas bureau of investigation and Kansas highway patrol special asset forfeiture fund \$50,000

Court cost fund No limit

Conversion of materials and equipment fund No limit

Attorney general's antitrust special revenue fund 152,178

Private gifts fund No limit

Attorney general's antitrust suspense fund No limit

Attorney general's consumer protection clearing fund No limit

Attorney general's committee on crime prevention fee fund No limit

Provided, That expenditures may be made from this fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: Provided further, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: And provided further, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: And provided further, That all fees received for conducting such seminars shall be deposited in the state treasury and credited to this fund.

Tort claims fund No limit

Criminal justice block grant—federal fund No limit

Work-study reimbursement fund No limit

Crime victims compensation fund No limit

Provided, That expenditures from this fund for state operations shall not exceed \$197,752: Provided further, That any expenditures for payment of compensation to crime victims are authorized to be made from this account regardless of when the claim was awarded.

Federal preventive health and health services block grant fund No limit

Provided, That all expenditures from this fund shall be to provide services to rape victims and for rape prevention in accordance with a contract that is hereby authorized to be entered into between the secretary of health and environment and the crime victims reparations board which may require not more than one report from the crime victims reparations board on such expenditures for the entire fiscal year 1992.

Crime victims assistance fund No limit
Protection from abuse fund No limit
Victims of crime assistance act—federal fund No limit
Family violence prevention and services fund—federal No limit
Crime victims grants and gifts fund No limit

Provided, That all private grants and gifts received by the crime victims reparations board shall be deposited to the credit of this fund.

Sec. 9.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operating expenditures \$1,514,052

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Official hospitality 2,500

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992.

Aid to counties for presidential primary 1,200,000

Total \$2,716,552

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

State flag and banner fund No limit

Secretary of state fee refund fund No limit

Conversion of materials and equipment fund No limit

Information and copy service fee fund \$382,383

State register fee fund No limit

Prepaid services fund No limit

Uniform commercial code fee fund 793,761

Electronic voting machine examination fund No limit

Cemetery and funeral audit fee fund No limit

Sec. 10.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Operating expenditures \$4,579,473

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: Provided further, That expenditures from this account for official hospitality shall not exceed \$750.

Building rent—property taxes 21,658

Total \$4,601,131

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, 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:

Insurance company examination fund No limit

Insurance company annual statement examination fund \$53,806

Insurance company examiner training fund No limit

Conversion of materials and equipment fund No limit

Commissioner's travel reimbursement fund No limit

Provided, That expenditures may be made from this fund only to reimburse the commissioner of insurance for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: Provided further, That all moneys received by the commissioner of insurance for such travel from any nonstate agency source shall be deposited in the state treasury to the credit of this fund.

Health care stabilization fund No limit

Workers' compensation fund No limit

Provided, That expenditures from this fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made: Provided further, That expenditures from this fund for administration shall not exceed \$262,740.

State firefighters relief fund No limit

Provided, That expenditures from this fund for administration shall not exceed \$58,404.

Suspense fund No limit

Insurance company tax and fee refund fund No limit



Operating expenditures ..... \$1,847,644

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 1991, is hereby reappropriated for fiscal year 1992: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$750.

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

State treasurer investment clearing fund .....	No limit
Fiscal agency fund .....	No limit
Fiscal agency clearing fund .....	No limit
Taylor grazing fees fund .....	No limit
Local ad valorem tax reduction fund .....	No limit
County and city revenue sharing fund .....	No limit
Stormont library permanent fund .....	No limit
Suspense fund .....	No limit
County and city retailers' sales tax fund .....	No limit
County and city compensating use tax fund .....	No limit
Local alcoholic liquor fund .....	No limit
Local alcoholic liquor equalization fund .....	No limit
Unclaimed properties suspense fund .....	No limit
Unclaimed properties contracts fund .....	No limit
University of Kansas—humanities building bond and interest sinking fund .....	No limit
University of Kansas—student union addition bond and interest sinking fund .....	No limit
University of Kansas—health services facilities bond and interest sinking fund .....	No limit
University of Kansas—student union annex—bond and interest sinking fund .....	No limit
University of Kansas—satellite student union bond and interest sinking fund .....	No limit
Road and schools—10 U.S.C. 2655 federal fund .....	No limit
Racing admissions tax fund .....	No limit

Sec. 11.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1992, the following:

Group-funded workers' compensation pools fee fund .....	No limit
Municipal group-funded pools fee fund .....	No limit

(c) On July 1, 1991, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the workers' compensation fund in accordance with K.S.A. 44-566a and amendments thereto.

~~Sec. 12.~~

~~LEGISLATIVE COORDINATING COUNCIL~~

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

<del>Legislative coordinating council—operating expenditures for joint committee on Kansas public employees retirement system (KPERS) investment practices .....</del>	<del>\$500,000</del>
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~~(b) On July 1, 1991, any unencumbered balance in excess of \$100 as of June 30, 1991, in the legislative coordinating council operating expenditures for joint committee on Kansas public employees retirement system (KPERS) investment practices account of the state general fund is hereby reappropriated for the above agency for the fiscal year 1992.~~

Sec. 13. *Position limitations.* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1992 made in this or other appropriation act of the 1991 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:

Agency	Number of Positions Equated To Full-Time
Attorney General .....	70.3
Secretary of State .....	61.0
State Treasurer .....	52.0
Insurance Department .....	156.2

*Provided*, That any positions established for the Kansas state census shall be in addition to this position limitation.

*Provided*, That any attorney positions established for the purpose of defense of the workers' compensation fund shall be in addition to this position limitation.

Sec. 14. *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. 15. *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 1991 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1992, for the same use and purpose as the same was heretofore appropriated.

Sec. 16. *Federal grants.* Each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated for the fiscal year ending June 30, 1992, to that state agency by this or other appropriation act of the 1991 regular session of the legislature, is hereby appropriated for that state agency for the purpose set forth in such federal grant or receipt.

Sec. 17. Any transfers of money during the fiscal year ending June 30, 1992, 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, 1992.

Sec. 18. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Bill 2044 with my signature, approving the bill, except for the item enumerated below.

Section 12 has been vetoed in its entirety.

Section 12 appropriates \$500,000 from the State General Fund for FY 1991 to finance a study of the Kansas Public Employees Retirement System. This amount is appropriated to the Legislative Coordinating Council.

A study of the system is needed but funding for such a study should be provided to KPERS, where it can be supervised by the current KPERS board. An appropriation to KPERS for an investigation of the system is the proper way to determine the financial health of the system and to arrive at a thorough understanding of past and current investment practices. I also believe the \$500,000 appropriated for the study is excessive. An appropriation of \$350,000 should be sufficient to finance a thorough study. For these reasons, I veto this section.

Dated April 25, 1991.

Joan Finney  
Governor

(Published in the Kansas Register, June 6, 1991.)

SENATE BILL No. 95

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

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

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

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

Table listing claimants and amounts. Includes entries like 'A. A. Doerr Mercantile Co., Inc., 602 Broadway, Larned, KS 67550' for \$18.00, 'Adams, Douglas, Rt. 2, Box 178, Clay Center, KS 67432' for \$129.65, and 'Fountain, Duane, Rt. 1, Box 24, Edmond, KS 67636' for \$398.38.

Table listing claimants and amounts. Includes entries like 'Franke, Louis J., Rt. 3, Box 182, Paola, KS 66071' for \$16.90, 'Fred Beckman, Inc., Rt. 1, Box 361, Athol, KS 66932' for \$344.92, and 'Murphy, Virginia, Rt. 1, Box 122, Leavenworth, KS 66048' for \$114.58.

Nace, Robert F., Box 194, Alta Vista, KS 66834	6.12
Nelson, Vernon, 10657 S. Muir Road, Falon, KS 67442	83.50
Neu, Charles William, Denton, KS 66017	65.30
Northgen Farms, HC 39, Box 206, Hays, KS 67601	41.25
Nuss, J. D., Rt. 2, Jetmore, KS 67854	93.02
Nutter, Charles H., Rt. 2, Box 56, Belleville, KS 66935	36.59
Orr, Nelson, P. O. Box 205, Neodesha, KS 66757	66.79
Otte, Kenneth B., Rt. 2, Box 18, Cawker City, KS 67430	176.12
Overmiller, Roger, Rt. 2, Box 153, Smith Center, KS 66967	58.70
Pachta, Carol, Rt. 1, Box 40, Belleville, KS 66935	83.89
Peery, Marvin, Rt. 2, Kincaid, KS 66039	55.62
Perkins Bros., Rt. 1, Box 50, Howard, KS 67349	349.27
Peterson, V. E., Box 41, Salina, KS 67402	16.02
Pianalto, Lester, Route 1, Box 29, Atwood, KS 67730	41.70
Puetz, Dwayne, Rt. 1, Box 39, Garden Plain, KS 67050	72.01
Quarter Circle Farms, Rt. 1, Box 87, St. John, KS 67576	43.30
Quinn, Stanley J., Route 1, Box 85, Bennington, KS 67422	90.00
Ragan, Maurice E., Jr., Rt. 2, Oskaloosa, KS 66066	62.66
Raine, Harold E., Route 2, Box 291, Wamego, KS 66547	26.70
Rash, Glen L., Rt. 1, Circleville, KS 66416	23.50
Rausch, Francis, Rt. 1, Box 77, Cheney, KS 67025	18.00
Redington, Owen J., Rt. 1, Box 81, Towanda, KS 67144	45.50
Rees, George R., Route 1, Box 41, Delia, KS 66418	253.45
Reese, Dean, Rt. 1, Box 19, Fowler, KS 67844	22.40
Rehmer, Joe, Rt. 1, Box 57, Grinnell, KS 67738	30.32
Reid, David A., Rt. 4, Box 84, Atchison, KS 66002	18.00
Reif, Dorothy, Rt. 1, Box 84, Hoisington, KS 67544	10.74
Renken, Floyd, Rt. 1, Box 58, Downs, KS 67437	219.09
Rice, Raymond E., Rt. 1, Box 5, Melvern, KS 66510	5.13
Richard Carr Masonry, 7619 Parallel, Suite 1, Kansas City, KS 66112	363.83
Riggs, Glenn, Rt. 3, Waverly, KS 66871	29.00
Ritter, E. L., 301 North Kansas, Anthony, KS 67003	97.00
Robbins, Richard W., Jr., Belvidere, KS 67015	52.98
Ronnebaum, Werner, Rt. 2, Box 37, Seneca, KS 66538	66.84
Roth, Phil, Route 3, Box 120, Columbus, KS 66725	12.50
Rutherford, Donald, Rt. 1, Mulberry, KS 66756	69.81
Sand, Ivan, Box 96, Riley, KS 66531	186.91
Schaller, Jerome H., Rt. 2, Box 114, Nashville, KS 67112	41.10
Scheetz, Harold W., Rt. 2, Box 239, Burlingame, KS 66413	17.12
Scheid, Lloyd H., Whiting, KS 66552	63.75
Schmelzle, Leo, Route 1, Box 124, Seneca, KS 66538	51.00
Schmidt, Carl, Rt. 1, Box 71, Esbon, KS 66941	296.21
Schmidt, Daniel, Rt. 1, Box 50, Olpe, KS 66865	42.64
Schrag, Norvin, Route 2, Box 156, Moundridge, KS 67107	40.00
Sheldon, Harry R., 15675 W. 75th, Olathe, KS 66062	16.90
The Sherwin-Williams Company, P. O. Box 6027, Tax Dept., Cleveland, Ohio 44101	87.00
Shump, James E., Rt. 3, Box 42, Seneca, KS 66538	18.00
Smiley, William E., Route 2, Box 175, Inman, KS 67546	31.75
Smith, Dale A., HCR 1, Box 46, Oakley, KS 67748	96.76
Smith, Patricia A., Rt. 1, Box 361, Holton, KS 66436	15.80
Sommerhauser, Earl, Rt. 1, Box 191, Mulvane, KS 67110	63.98
Southfork Enterprises, Ltd., Rt. 1, Box 23, Wallace, KS 67761	305.91
Soyez, William L., Rt. 1, Florence, KS 66851	13.16
Sramek, Ivan J., Route 1, Box 44, Stratton, NE 69043	91.70
Stacy, Louise, Rt. 1, Fort Scott, KS 66701	198.00
Stainbrook, Wilbur, Rt. 2, Box 124, LaCygne, KS 66040	94.45
Stauffer, Marshall, Rt. 1, Box 63, Hamilton, KS 66853	519.85
Stevenson, Paul N., Route 1, Box 546, St. George, KS 66535	95.32
Stockstill, Harry, Rt. 1, Box 119A, Uniontown, KS 66779	16.02
Stone, Ellis, Jr., Rt. 1, Galena, KS 66739	531.14
Stowers, Iona, Route 1, Box 173, El Dorado, KS 67042	21.30
Sunderland, Jack, P. O. Box 128, Greeley, KS 66033	60.90
Symms, Charles I., Route 1, Box 91, St. John, KS 67576	412.10
Teasley, Richard J., Rt. 1, Box 122, Glasco, KS 67445	58.26
Tebben, Everett G., Route 1, Humboldt, KS 66748	18.33
Templeman, Bill, HCR 1, Box 163, Minneola, KS 67865	18.00
Thiel, Earl G., Route 1, Arlington, KS 67514	18.00
Thompson, John, Route 2, Box 9, Burdett, KS 67523	25.95
Thorne Bros., Lancaster, KS 66041	16.90
Thurlow, Stanley E., Rt. 1, Wakefield, KS 67487	192.75
Thyer, David, Rt. 5, Box 141, Fort Scott, KS 66701	11.40
Tichenor, Allen, Rt. 1, Box 100, Hoyt, KS 66440	18.66
Tri State Antique Engine & Thresher Assn., Inc., Box 9, Bird City, KS 67731	248.13
Triple R Enterprises d/b/a Diamond R Ranch, Route 1, Box 180, Fall River, KS 67047	1,535.08
Tucker, Dale O., Rt. 1, Box 113, Mound Valley, KS 67354	16.24
Unger, Ralph D., Rt. 2, Box 114, Oberlin, KS 67749	42.75
United Construction Co., Inc., P. O. Box 14986, Lenexa, KS 66215	1,570.74
Vannocker, Charles, Route 4, Yates Center, KS 66783	18.00
Vering, Ferdinand, Rt. 3, Marysville, KS 66508	248.49
Waco Land & Cattle, Rt. 1, Box 2A, Weskan, KS 67762	26.80
Walker, Merle, Route 1, Box 17, Waldron, KS 67150	100.39
Wallisch, Jack L., Rt. 1, Denison, KS 66419	251.66
Wendel, Darwin, Rt. 2, Alma, KS 67622	197.50
Wendelburg, Albert, Rt. 3, Box 12, Stafford, KS 67578	395.01
Wendt, Francis, Route 2, Box 60, Osawatomie, KS 66064	53.99
Wenzel, Harold, Rt. 1, Box 60D, Burlington, OK 73722	245.52

Wenzl, Ernest, Rt. 1, Box 77, Vermillion, KS 66544	7.00
Werth, George, Rt. 1, Box 108, Quinter, KS 67752	74.98
Wertz, William P., Route 1, Box 257, Neodesha, KS 66757	24.30
Weyer Bros., Rt. 1, Box 25, Centralia, KS 66415	50.56
Wickstrum Farms, Inc., Rt. 1, Box 69, Westmoreland, KS 66549	62.00
Wiesdeppe, Clarence, Route 1, Box 46, Seneca, KS 66538	83.50
Willems, John D., Route 1, Box 51, Goodland, KS 67735	122.17
Wilroads Feed Yard, Rt. 3, Dodge City, KS 67801	128.55
Wilson Farm Account, c/o Lawrence A. Wilson, Rt. 4, Abilene, KS 67410	128.11
Winkel, Francis, Route 1, Box 54, Glen Elder, KS 67446	44.55
Winkleman, Harold A., Rt. 2, Box 70, Cherryvale, KS 67335	18.00
Winkler Farms, Inc., Rt. 1, Box 46, Oneida, KS 66522	18.00
Wohler, Lee, Route 1, Waterville, KS 66548	115.02
Wright, Dale R., Route 1, Box 115, Blue Mound, KS 66010	54.30
Yenne, Raymond W., Box 365, Smith Center, KS 66967	43.19
Zeeb, Elmer D., 11221 E. 32nd Terrace, Independence, MO 64052	9.20
Total	\$38,990.24

Sec. 3. (a) The Lansing Correctional Facility is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement for loss of or damage to the claimants' personal property which was in the custody and control of personnel of such facility, to the following claimants:

Michael Fellows, 333 W. 21st Street #233, Wichita, KS 67203	\$30.00
Ferlandus C. Batchelor, #35821, P. O. Box 1568, Hutchinson, KS 67504-1568	20.80
Calvin L. Strong, #31810, P. O. Box 2, Lansing, KS 66043	5.61
Ewert F. Davis, Jr., 816 North H Street, Fort Smith, AR 72901	20.80
John Peresic, 428 Thompson, Kansas City, KS 66101	11.80
Maurice Harris, #38060, P. O. Box 2, Lansing, KS 66043	41.11
Charles Cole, #7733, P. O. Box 2, Lansing, KS 66043	180.00
George Carter, Jr., #6934, P. O. Box 2, Lansing, KS 66043	64.99
Floyd D. Sanders, #7119, P. O. Box 2, Lansing, KS 66043	35.00
Marcus Goodwin, #30352, P. O. Box 2, Lansing, KS 66043	20.10
Richard A. Donald, #50195, P. O. Box 2, Lansing, KS 66043	22.94
Thomas H. Porter, #22390, P. O. Box 2, Lansing, KS 66043	18.75
Gary L. Walker, 5505 Bellemere Rd., Blue Springs, MO 64015	45.00
Total	\$516.90

(b) The Lansing Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:

Chester Norton, 1419 1/2 South Eldorado, Stockton, CA 95202, c/o Bernard J. Dunn, Attorney at Law, 3240 S.W. College Avenue, Topeka, KS 66611-2052	\$15,119.78
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(c) The Lansing Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for services the invoice for which was submitted in an untimely manner, to the following claimant:

Steve's Precision Dental Laboratories, Inc., 5818 Outlook, Mission, KS 66202	\$128.30
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Sec. 4. (a) The Hutchinson Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for lost compensation resulting from being incarcerated past claimant's release date, to the following claimant:

Steven K. Hill, c/o Thomas D. Arnold, Attorney at Law, P. O. Box 1224, Hutchinson, KS 67504-1224	\$250.00
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(b) The Hutchinson Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:

Jeffrey True, the Secretary of Corrections, Landon State Office Building, 900 SW Jackson, Topeka, KS 66612	\$1,463.40
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(c) The Hutchinson Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement for loss of claimant's personal property, to the following claimant:

Tyrone Kates, 1131 W. Martin Luther King Blvd., Los Angeles, CA 90037	\$251.00
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Sec. 5. The Norton Correctional Facility is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement

(continued)

for loss of or damage to claimants' personal property, to the following claimants:

Tyrone E. Nelson, #47136, P. O. Box 546, Norton, KS 67654.....	\$42.50
Raymond Fowler, 1324 N.E. 16th, Oklahoma City, OK 73117.....	15.30
Jimmy E. Hamby, #6686, P. O. Box 1568, Hutchinson, KS 67504-1568.....	37.27
Richard D. Henry, #25181, P. O. Box 546, Norton, KS 67654.....	41.00
Total.....	\$136.07

Sec. 6. The Ellsworth Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement for the loss of claimant's personal property, to the following claimant:  
Rodger A. Magee, #44021, P. O. Box 2, Lansing, KS 66043..... \$9.62

Sec. 7. The Topeka Correctional Facility — West is hereby authorized and directed to pay the following amount from the operating expenditures for the Topeka Correctional Facility — West account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:  
Dale L. Grunwald, 2608 Tutbury, Topeka, KS 66604, c/o Donald R. Hoffman, Attorney at Law, 1324 Topeka Blvd., Topeka, KS 66612..... \$3,815.86

Sec. 8. The Topeka Correctional Facility — East is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement for the loss of claimant's personal property, to the following claimant:  
Randy Schoenberger, 1601 S. 49th Terr., Kansas City, KS 66102..... \$72.50

Sec. 9. The Winfield Correctional Facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:  
Harold Glenn Inscho, Jr., 2124 E. 6th, Topeka, KS 66607, c/o Dale F. Kelso, Attorney at Law, 1307 S.W. Harrison, #19, Topeka, KS 66612..... \$6,801.85

Sec. 10. The department of corrections is hereby authorized and directed to pay the following amounts from the inmate medical and mental health account of the state general fund for payment for services the invoice for which was submitted in an untimely manner, to the following claimants:  
Memorial Hospital, c/o Medical Professional Management, Inc., 1421 N. St. Paul, Wichita, KS 67203..... \$512.48  
Internal Medicine, P.A., 901 Garfield, Topeka, KS 66606..... 53.99  
Total..... \$566.47

Sec. 11. (a) The department of revenue is hereby authorized and directed to pay the following amounts from the sales tax refund fund for sales tax paid for materials for a tax exempt project, to the following claimants:  
Sunrise Bible Academy, c/o Robert Lindsted, 5500 East 45 Street North, Bel Aire, KS 67220..... \$5,655.20  
Salina Airport Authority, 3237 Arnold, Salina, KS 67401..... 1,440.27  
St. Mary's School, 702 South Eddy Street, Fort Scott, KS 66701..... 1,214.94  
Burlington USD #244, 200 South Sixth Street, Burlington, KS 66839..... 1,374.06  
Brown County, Kansas, Brown County Courthouse, Hiawatha, KS 66434..... 446.03  
Remington USD #206, Route 1, Whitewater, KS 67154..... 327.50  
City of Kinsley, P. O. Box 7, 721 Marsh, Kinsley, KS 67547..... 773.04  
Hutchinson Hospital Corporation, 1701 East 23rd, Hutchinson, KS 67502..... 446.97  
Total..... \$11,678.01

~~(b) The department of revenue is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for the refund of personal property tax paid upon a motor vehicle, to the following claimants:  
Steven A. and Kristy L. Robinson, 5124 Worth Street, Dallas, TX 75014..... \$249.27~~

(c) The department of revenue is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for the refund of interest paid upon an assessment of additional income tax, to the following claimants:  
James W. and Patsy J. Hickman, 830 Toh-N-Hah, Wichita, KS 67212..... \$74.11

(d) The department of revenue is hereby authorized and directed to pay the following amount from the other operating expenditures

account of the state general fund for damages arising from a wrongful arrest for driving on a suspended license, to the following claimant:  
Andrew M. Herrera, 204 Wilson, Topeka, KS 66616, c/o Mark Works, Attorney at Law, #118 S.E. 7th, Suite 100, Topeka, KS 66603..... \$750.00

Sec. 12. (a) The department of administration is hereby authorized and directed to pay the following amount from the cancelled warrants payment fund for payment of an expired warrant, to the following claimant:  
Carolyn Atherton Roberts, 3573 Kerry, Topeka, KS 66611..... \$257.87

(b) There is appropriated from the state general fund the following amount which shall be to repay amounts erroneously deducted from the wages of the claimant and which shall be deemed to be wages for income tax purposes, to the following claimant:  
Nancy Seemann, 1024 Santa Fe, Larned KS 67550, c/o Brad E. Avery, 400 W. 8th, Topeka, KS 66603..... \$670.96

(c) Subject to the assignment to the state of any rights which may accrue to the claimants pursuant to a bankruptcy action regarding its hereinafter specified claims against Braniff airlines, there is appropriated from the state general fund the following amounts for reimbursement for airline tickets purchased on behalf of the state but not used because of the bankruptcy of the airline, to the following claimants:  
Waconda Travel, 209 E. Main, Beloit, KS 67420..... \$2,020.01  
King Travel Service, 217 East 8th, Topeka, KS 66612, c/o Lucky DeFries, Attorney at Law, 400 S.W. 8th Ave., Suite 408, Topeka, KS 66603-3956..... 5,654.45  
Total..... \$7,674.46

Sec. 13. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amounts from the social services clearing fund for services rendered and materials purchased invoices for which were either untimely filed or misplaced, to the following claimants:  
Children's Rehabilitation Unit—University of Kansas Medical Center, 39th and Rainbow Blvd., Kansas City, KS 66103..... \$694.90  
Clifford M. Horseman, 11608 Burch Street, Olathe, KS 66061..... 1,000.00  
Ed Bozarth Chevrolet, 3731 S.W. Topeka, Topeka, KS 66609..... 24.58  
Total..... \$1,719.48

(b) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the social services clearing fund for payment for legal services provided, to the following claimant:  
Gehrt & Roberts, Chartered, Attorneys at Law, 5601 S.W. Barrington Court South, P. O. Box 4306, Topeka, KS 66604..... \$4,963.31

Sec. 14. (a) The department of transportation is hereby authorized and directed to pay the following amount from the claims account of the state highway fund for materials purchased moneys for the payment of which were not incumbered in the proper fiscal year, to the following claimant:  
Baxter Healthcare, 1430 Waukegan Road, McGaw Park, IL 60085..... \$486.00

(b) The department of transportation is hereby authorized and directed to pay the following amount from the claims account of the state highway fund for payment for damages to pasture land and fence resulting from a fire, to the following claimant:  
Tom Williard, Box 194, Burden, KS 67019, c/o J. Dennis Herlocker, Attorney at Law, P. O. Box 754, Winfield, KS 67156..... \$1,500.00

(c) The department of transportation is hereby authorized and directed to pay the following amount from the claims account of the state highway fund for reimbursement of an insurance deductible amount incurred as a result of automobile damage caused by a sign being in a roadway, to the following claimant:  
Pamela M. Kuester, 7575 W. 106th, #200, Overland Park, KS 66212..... \$250.00

Sec. 15. (a) The university of Kansas is hereby authorized and directed to pay the following amount from the service clearing fund for computer software invoices which were submitted in an untimely manner, to the following claimant:  
Watcom Products, 415 Phillip Street, Waterloo, Ontario, Canada N2L 3X2..... \$1,845.00

(b) The university of Kansas is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for medical service costs incurred for personal injury caused by a fall on campus, to the following claimant:

Martha Penaherrera, 427 N. Rutland, Wichita, KS 67206..... \$5,152.33

(c) The university of Kansas is hereby authorized and directed to pay the following amount from the other operating expenditures (including official hospitality) account of the state general fund for payment of property taxes, to the following claimant:

Sedgwick County Treasurer, 525 N. Main, P. O. Box 2909, Wichita, KS 67201-2909..... \$2,086.00

Sec. 16. (a) The university of Kansas medical center is hereby authorized and directed to pay the following amount from the hospital revenue fund for medical service costs incurred for personal injury caused by a fall on the center's premises, to the following claimant:

Dorothy V. Precht, 2910 S. 38th Street, Kansas City, KS 66106, c/o Donald T. Taylor, Attorney at Law, 819 Gateway Centre II, Fourth and State, Kansas City, KS 66101..... \$2,000.00

(b) The university of Kansas medical center is hereby authorized and directed to pay the following amount from the hospital revenue fund for payment of costs of a patient to replace dentures lost during surgery, to the following claimant:

Jon M. Finley, DDS, 4650 West 90th Terrace, Prairie Village, KS 66208..... \$640.00

(c) The university of Kansas medical center is hereby authorized and directed to pay the following amount from the hospital revenue fund for payment of costs to replace a wheelchair lost while claimant was a patient, to the following claimant:

William E. Payne, 2505 Maverick Lane, Lawrence, KS 66046..... \$517.00

Sec. 17. (a) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the nongame wildlife improvement fund for the refund of a donation made thereto due to error in completing the Kansas income tax return, to the following claimant:

Malinda K. Britton, 1500 Collins, Topeka, KS 66604..... \$272.34

(b) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund for reimbursement of an insurance deductible amount incurred as a result of an automobile accident on a road maintained by the department, to the following claimant:

Curtis W. Allen, 1007 Willow Street, Valley Falls, KS 66088, c/o Rick Johnson, Attorney at Law, P. O. Box 10, Valley Falls, KS 66088..... \$250.00

Sec. 18. The Kansas state university is hereby authorized and directed to pay the following amount from the restricted fees fund for payment for maintenance service charges invoices which were submitted in an untimely manner, to the following claimant:

Xerox Corporation, 222 W. Los Colinas Blvd., Dallas, TX 75039..... \$549.68

Sec. 19. The Adjutant General is hereby authorized and directed to pay the following amount from the military fees fund for payment for construction costs in replacing a faulty concrete slab at the National Guard Armory at Salina, to the following claimant:

Harbin Construction, Inc., 2200 Centennial Road, P. O. Box 534, Salina, KS 67402..... \$1,000.00

Sec. 20. The Larned state hospital is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for personal damage caused by harassment by an inmate of such hospital, to the following claimant:

Laurie Lagomarcino McNeely, 1013 Michael, Lawrence, KS 66046, c/o Lance W. Burr, 16 E. 13th Street, Lawrence, KS 66044..... \$3,000.00

Sec. 21. (a) The Kansas School for the Visually Handicapped is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for telephone services rendered, to the following claimant:

Division of Information Systems and Communications, 900 S.W. Jackson, Room 751, Topeka, KS 66612..... \$1,592.15

(b) The Kansas School for the Visually Handicapped is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for copier services invoices for which were submitted in an untimely manner, to the following claimant:

Savin Corporation, 9 West Broadway Street, Stamford, CT 06904..... \$94.00

Sec. 22. The Attorney General—Kansas Bureau of Investigation is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund

for work-related stress not compensable under the workers compensation act, to the following claimant:

Donald Gene Grow, 606 S.E. 42nd, Topeka, KS 66609, c/o Brad E. Avery, Attorney at Law, 400 S.W. 8th, Suite 103, Topeka, KS 66603..... \$2,587.85

Sec. 23. The state board of indigents' defense services is hereby authorized and directed to pay the following amount from the state operations account of the state general fund for payment of translator and interpreter services rendered, to the following claimant:

Bradley A. Shaw, 2917 Roma Terrace, Manhattan, KS 66502..... \$52.50

Sec. 24. The university of Kansas medical center is hereby authorized and directed to pay the following amount from the operating expenditures (including official hospitality) account of the state general fund for payment for maintenance and repair services performed upon a postage meter, to the following claimant:

Thom Alcazar-Alcazar Ltd., 425 Greenwood, Wichita, KS 67211..... \$1,437.50

Sec. 25. The division of legislative administrative services is hereby authorized and directed to pay the following amount from the operations (including official hospitality) account of the state general fund for reimbursement for travel expenses incurred on official legislative business vouchers for which were submitted in an untimely manner, to the following claimant:

Phil Kline, 7505 W. 93rd Street, Overland Park, KS 66212..... \$1,092.00

~~Sec. 26. (a) The Kansas lottery is hereby authorized and directed to pay the following amount from the lottery operating fund for payment for the July 20, 1988, cash lotto drawing, to the following claimant:~~

~~Owin J. Fowles, 1415 Fifth Street, Clay Center, KS 67420..... \$117,687.00~~

~~(b) The expenditure authorized and directed to be made by this section from the lottery operating fund shall be in addition to any expenditure limitation imposed on the lottery operating fund or any account thereof for fiscal year 1991.~~

Sec. 27. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

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

State of Kansas  
Office of the Governor

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill 95 with my signature approving the bill, except for the items enumerated below.

Section 11(b) that reads as follows has been line-item vetoed:

"The Department of Revenue is hereby authorized and directed to pay the following amount from the other operating expenditures account of the State General Fund for the refund of personal property tax paid upon a motor vehicle, to the following claimants:

Steven A. and Kristy L. Robinson, 5124 Worth Street, Dallas, TX 75214..... \$243.27"

(continued)

I find it necessary to veto the refund because under existing Kansas law, the claimants are not entitled to a refund of the motor vehicle property tax paid on a motor vehicle removed from the state and required to be registered in another state. In addition, motor vehicle property taxes are collected and distributed at the local level and not by the Department of Revenue.

Section 26 is vetoed in its entirety.

Section 26 would require the payment of a lottery prize without the recipient having to provide the winning ticket. I am very concerned that such an action establishes a precedent which could initiate other claims in the future that would not be possible to substantiate.

Dated April 25, 1991.

Joan Finney  
Governor

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 1990 Index Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-5-30 through 1-18-1a.

AGENCY 4: BOARD OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-4-900 through 4-7-802.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-7-802 through 4-20-14.

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulations 5-1-1 through 5-23-3.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-23-4 through 7-33-2.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 9-2-1 and 9-13-4.

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 11-7-1 through 11-7-10.

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 14-5-4 through 14-6-4.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 14-7-4 through 14-23-14.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 22-1-1 through 22-20-1.

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Reg. No., Action, Register. Lists regulations 23-1-8 through 23-2-18.

Table with 3 columns: Regulation Number, Action, Register. Includes entries 23-2-19, 23-3-9, 23-3-13, etc.

Table with 3 columns: Regulation Number, Action, Register. Includes entries 28-59-1 through 28-59-8.

Table with 3 columns: Regulation Number, Action, Register. Includes entries 30-6-108, 30-6-109, 30-6-109, etc.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with 3 columns: Reg. No., Action, Register. Detailed list of regulations for Agency 30 from 30-2-16 to 30-6-108.

Table with 3 columns: Regulation Number, Action, Register. Continued list of regulations from 23-2-19 to 23-20-1.

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Includes entries 25-4-1, 25-4-4.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Detailed list of regulations for Agency 28 from 28-1-2 to 28-53-5.

Table with 3 columns: Regulation Number, Action, Register. Continued list of regulations from 30-6-108 to 30-51-5.

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Reg. No., Action, Register. Includes entries 33-1-21, 33-2-2, 33-3-2, 33-3-4.

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Table with 3 columns: Reg. No., Action, Register. Includes entries 36-1-1, 36-1-28 through 36-26-1.

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Includes entries 40-2-20, 40-3-35, 40-3-46.

(continued)





82-9-14	Amended	V. 9, p. 1361
82-9-16	Amended	V. 9, p. 1361
82-9-24	Amended	V. 9, p. 1362
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 84: PUBLIC EMPLOYEES RELATIONS BOARD**

Reg. No.	Action	Register
84-1-1	Amended	V. 9, p. 943
84-1-2	Amended	V. 9, p. 943
84-1-3	New	V. 9, p. 943
84-1-4	New	V. 9, p. 943
84-2-1 through 84-2-7	Amended	V. 9, p. 943-945
84-2-9	Amended	V. 9, p. 945
84-2-11 through 84-2-15	Amended	V. 9, p. 945-947
84-3-1 through 84-3-6	Amended	V. 9, p. 948
84-4-1 through 84-4-5	Amended	V. 9, p. 948, 949
84-4-7	Amended	V. 9, p. 949
84-5-1	Amended	V. 9, p. 950

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-5	Amended	V. 10, p. 531
86-1-10	Amended	V. 9, p. 835

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-20-1 through 88-20-11	New	V. 9, p. 165-167

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-27b	Amended	V. 9, p. 1099
91-1-27c	New	V. 9, p. 1099
91-1-32	Amended	V. 9, p. 1857
91-1-34	Amended	V. 9, p. 1817
91-1-58	Amended	V. 9, p. 1099
91-1-62	Revoked	V. 9, p. 1817
91-1-80	Amended	V. 9, p. 1100
91-1-82	Amended	V. 9, p. 1100
91-1-101	Revoked	V. 9, p. 1101
91-1-106a through 91-1-106m	New	V. 9, p. 1101-1103
91-1-110	Revoked	V. 9, p. 1103
91-1-123a	New	V. 9, p. 1103
91-1-128b	New	V. 9, p. 1857
91-1-132a	Amended	V. 9, p. 1103
91-1-153	New	V. 9, p. 1817
91-12-48	Amended	V. 9, p. 1674
91-12-63	Amended	V. 9, p. 1674
91-12-70	Revoked	V. 9, p. 1674
91-31-7	Amended	V. 10, p. 686

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-23-40	Amended	V. 9, p. 1076
92-55-2a	Amended	V. 10, p. 531, 587

**AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-26-1	Amended	V. 9, p. 1706, 1753
99-40-1	New	V. 9, p. 1753
99-40-3	New	V. 9, p. 1753

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 10, p. 653
100-46-5	Amended	V. 9, p. 1841
100-47-1	Amended	V. 9, p. 1841
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-13	Amended	V. 9, p. 1789, 1810
102-2-1a	Amended	V. 10, p. 32
102-2-2a	Amended	V. 10, p. 33
102-2-3	Amended	V. 9, p. 1789, 1810
102-2-4a	Amended	V. 10, p. 34
102-2-7	Amended	V. 10, p. 34
102-2-8	Amended	V. 10, p. 36
102-2-12	Amended	V. 10, p. 36
102-3-1	New	V. 10, p. 37
102-3-2	Amended	V. 9, p. 1790, 1811
102-3-3	New	V. 10, p. 37
102-3-4	New	V. 10, p. 38
102-3-5	New	V. 10, p. 38
102-3-6	New	V. 10, p. 39
102-3-10	New	V. 10, p. 40
102-3-11	New	V. 10, p. 41
102-4-2	Amended	V. 9, p. 1790, 1811
102-4-4	Amended	V. 10, p. 41
102-4-10	New	V. 9, p. 1024

**AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD**

Reg. No.	Action	Register
109-2-5	Amended	V. 9, p. 1076
109-2-7	Amended	V. 9, p. 1077
109-8-1	Amended	V. 9, p. 1077
109-9-1	Amended	V. 9, p. 1077
109-10-1	Amended	V. 9, p. 1078
109-12-1	Amended	V. 9, p. 1078

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-40-1 through 110-40-8	New	V. 9, p. 1282-1284

**AGENCY 111: THE KANSAS LOTTERY**

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-2-15	New	V. 9, p. 1812
111-2-16	New	V. 10, p. 199
111-2-17	New	V. 10, p. 529
111-3-1	Amended	V. 10, p. 11
111-3-9	Amended	V. 8, p. 1085
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
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
111-3-25	New	V. 7, p. 1310
111-3-27	New	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
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111-4-2	Amended	V. 7, p. 1063
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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
111-4-66 through 111-4-77	New	V. 7, p. 207-209

111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 9, p. 1364
111-4-101	Amended	V. 9, p. 1364
111-4-102	Amended	V. 9, p. 1364
111-4-104	Amended	V. 9, p. 1364
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111-4-106	Amended	V. 9, p. 1365
111-4-106a	New	V. 9, p. 1365
111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 9, p. 1366
111-4-111	Amended	V. 9, p. 1366
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220	New	V. 9, p. 728, 729
111-4-217	Amended	V. 9, p. 986
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111-4-225 through 111-4-228	New	V. 9, p. 1366, 1367
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111-4-245 through 111-4-248	New	V. 10, p. 200
111-4-249 through 111-4-252	New	V. 9, p. 1813
111-4-253 through 111-4-256	New	V. 10, p. 530
111-4-257 through 111-4-280	New	V. 10, p. 755-759
111-4-282 through 111-4-286	New	V. 10, p. 759
111-5-1 through 111-5-23	New	V. 7, p. 209-213
111-5-9 through 111-5-15	Amended	V. 8, p. 210, 211
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111-5-17	Amended	V. 8, p. 211
111-5-18	Amended	V. 10, p. 13
111-5-19	Amended	V. 8, p. 212
111-6-1 through 111-6-15	New	V. 7, p. 213-217
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111-6-3	Amended	V. 9, p. 200
111-6-5	Amended	V. 10, p. 14
111-6-6	Amended	V. 9, p. 200
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111-6-13	Amended	V. 8, p. 299
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. 986
111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 9, p. 1569
111-7-11	Amended	V. 9, p. 987

(continued)

111-7-12 through		
111-7-32	New	V. 7, p. 1194-1196
111-7-33 through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44 through		
111-7-54	New	V. 9, p. 1367-1370
111-7-55 through		
111-7-63	New	V. 10, p. 201, 202
111-7-58	Amended	V. 10, p. 261
111-7-60	Amended	V. 10, p. 262
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
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111-9-12	New	V. 7, p. 1714-1716
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111-9-25 through		
111-9-30	New	V. 9, p. 699, 700
111-9-31 through		
111-9-36	New	V. 10, p. 262
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
112-4-14b	New	V. 10, p. 162
112-4-21	New	V. 10, p. 162
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		
112-6-5	Amended	V. 10, p. 163-165
112-6-6	Amended	V. 9, p. 155

112-6-8	Amended	V. 10, p. 165
112-7-6	Amended	V. 10, p. 165
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
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
112-10-4	Amended	V. 9, p. 160
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 10, p. 170
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	Amended	V. 10, p. 263, 531
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170
112-13-4	New	V. 10, p. 171
112-13-5	New	V. 10, p. 171
112-15-1 through		
112-15-7	New	V. 9, p. 1074, 1075
112-15-1 through		
112-15-7	New	V. 9, p. 1346, 1347

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 9, p. 1564
115-2-3	Amended	V. 9, p. 1815
115-2-4	New	V. 9, p. 951
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 10, p. 458
115-4-5	Amended	V. 10, p. 782
115-4-6	New	V. 9, p. 388
115-4-7	Amended	V. 10, p. 460
115-4-9	New	V. 9, p. 1135
115-4-10	Amended	V. 9, p. 1135

115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-3	New	V. 9, p. 1135
115-7-5	Amended	V. 9, p. 951
115-7-6	New	V. 9, p. 1135
115-8-2	New	V. 9, p. 391
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169
115-10-1 through		
115-10-8	New	V. 9, p. 391, 392
115-16-1 through		
115-16-4	New	V. 9, p. 1135-1137
115-17-1 through		
115-17-5	New	V. 9, p. 1137-1139
115-17-6 through		
115-17-9	New	V. 9, p. 1564, 1565
115-17-10 through		
115-17-13	New	V. 10, p. 461, 462
115-20-1	New	V. 9, p. 951
115-20-2	New	V. 9, p. 1139
115-20-3	New	V. 9, p. 1140
115-21-1	New	V. 9, p. 1815
115-21-2	New	V. 9, p. 1816
115-30-2 through		
115-30-8	New	V. 9, p. 1344, 1345
115-30-9	New	V. 9, p. 1816

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-2-1	Amended	V. 9, p. 1022

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	New	V. 9, p. 1786
117-2-1	New	V. 9, p. 1786
117-2-2	New	V. 9, p. 1787
117-3-1	New	V. 9, p. 1787
117-3-2	New	V. 9, p. 1787
117-6-1	New	V. 9, p. 1788
117-6-2	New	V. 9, p. 1788
117-6-3	New	V. 9, p. 1788
117-7-1	New	V. 9, p. 1789

AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

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