



Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 23

June 4, 1992

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State of Kansas

Kansas Insurance Department

Notice of Hearing

A formal hearing will be conducted at 9 a.m. Friday, June 12, in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the application for the proposed acquisition of control of Alliance Life Insurance Company, Wichita, and its ultimate parent, Commonwealth Industries Corporation, a Delaware corporation, by United Trust Group, Inc., an Illinois subsidiary of United Trust, Inc., an Illinois corporation, and United Income, Inc., an Ohio corporation, should be approved by the Commissioner of Insurance in accordance with the provisions of K.S.A. 40-3301 et seq. All interested parties may attend and will be given the opportunity to hear the details of the proposed acquisition and to present either oral or written testimony in favor of or in opposition to the transaction.

Ron Todd
Commissioner of Insurance

Doc. No. 012082

State of Kansas

Kansas Technology Enterprise Corporation

Notice of Meeting

The Kansas Technology Enterprise Corporation Board of Directors will meet at 11 a.m. Thursday, June 11, in the Adams Alumni Center, Bruckmiller Room, University of Kansas, Lawrence.

Lloyd Silver, Jr.
Chairman

Doc. No. 012096

State of Kansas

Speech-Language Pathology and
Audiology Board

Notice of Meeting

The Speech-Language Pathology and Audiology Board will meet at 9:30 a.m. Wednesday, June 17, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka.

Cathy Rooney, Director
Health Occupations Credentialing

Doc. No. 012072

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PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

Kansas Insurance Department**Notice of Hearing**

A formal hearing will be conducted at 9 a.m. Thursday, June 18, in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the proposed merger of Armed Forces Cooperative Insuring Association, an unincorporated cooperative association operating within the federal enclave of Fort Leavenworth, Kansas, into Armed Forces Insurance Exchange, an unincorporated reciprocal exchange operating under the laws of the state of Kansas, should be approved by the Commissioner of Insurance in accordance with the provisions of 1992 Senate Bill No. 679. All interested parties may attend and will be given the opportunity to hear the details of the proposed merger and to present either oral or written testimony in favor of or in opposition to the transaction.

Ron Todd
Commissioner of Insurance

Doc. No. 012089

State of Kansas

Consumer Credit Commissioner**Notice of Hearing on Proposed
Administrative Regulations**

The office of the Consumer Credit Commissioner will conduct a public hearing at 10 a.m. Tuesday, July 7, in Room 352, Landon State Office Building, 900 S.W. Jackson, Topeka, concerning permanent regulation 75-6-11. All interested parties may present oral or written comments and shall be given reasonable opportunity to present their views or arguments on adoption of this regulation at the hearing.

Regulation 75-6-11 is being amended to reflect a correction in the statutory reference. Subsection 4 of K.S.A. 16a-2-502 was eliminated in 1988 and K.S.A. 16a-2-511 was created. In 1992, subsection 4 of K.S.A. 16a-2-502 was reinstated and K.S.A. 16a-2-511 was repealed. These changes reflect no fiscal impact on either the state of Kansas or the consuming public.

Copies of the proposed regulation and the economic impact statement can be obtained from the office of the Consumer Credit Commissioner at the address above, (913) 296-3151.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed permanent regulation. Written comments may be submitted to the Consumer Credit Commissioner at the address above.

William F. Caton
Consumer Credit Commissioner

Doc. No. 012091

State of Kansas

Consumer Credit Commissioner**Notice of Hearing on Proposed
Administrative Regulations**

The office of the Consumer Credit Commissioner will conduct a public hearing at 10:30 a.m. Tuesday, July 7, in Room 352-S, Landon State Office Building, 900 S.W. Jackson, Topeka, concerning permanent regulation 75-6-26. All interested parties may present oral or written comments and shall be given reasonable opportunity to present their views or arguments on adoption of this regulation at the hearing.

The proposed change in the regulation will discontinue specific reference to only Regulation Z. Regulation Z is only part of the Federal Truth-in-Lending Act, which includes other regulations.

The 1992 Legislature has passed legislation that amends provisions of K.S.A. 16a-3-201 regarding consumer leases. Federal Regulation M addresses disclosure of consumer leases. The amended provisions of 16a-3-201 refer to regulations as do 16a-3-206, 16a-5-203 and 16a-5-302. This proposed change in Regulation 75-6-26 now includes Regulation M by reference. There is no economic impact to the industry, state or consumers.

Copies of the proposed regulation and the economic impact statement can be obtained from the office of the Consumer Credit Commissioner at the address above, (913) 296-3151.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed permanent regulation. Written comments may be submitted to the Consumer Credit Commissioner at the address above.

William F. Caton
Consumer Credit Commissioner

Doc. No. 012090

State of Kansas

**Department of Health
and Environment****Notice Concerning Proposed
Permit Action**

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Marathon Oil Company, Oklahoma City, Oklahoma, to install and operate a gas compressor in Barber County, S31, T33S, R13W.

Written materials, including the permit application and information relating to the application submitted by Marathon Oil, 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 6 by contacting David Butler, KDHE, 1919 N. Amidon, Wichita, (316) 838-1071. This material also can be reviewed at the

(continued)

KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Eugene Sallee, KDHE, (913) 296-1575.

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 6.

Azzie Young
Secretary of Health
and Environment

Doc. No. 012094

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 25-29:

Agricultural Value-Added Processing Center Leadership Council

Roxanne Armstrong, White Cloud 66094. Term expires June 30, 1993. Succeeds Dale Rodman.

Bernie Hansen, Box 435, Alma 66401. Term expires June 30, 1993. Reappointment.

Shirley Voran, Cimarron 67835. Term expires June 30, 1993. Succeeds Karen Pendleton.

Kansas Animal Health Board

Dale Holterman, Veterinarian Appointee, Route 1, Box 170, Scott City 67871. Term expires July 1, 1994. Reappointment.

Tim Meyer, Livestock Dealer Appointee, P.O. Box 126, Sylvan Grove 67481. Term expires July 1, 1994. Reappointment.

Capitol Area Plaza Authority

Susan M. Seltsam, Chairperson, Secretary of Administration, Room 263-E, State Capitol, Topeka 66612. Serves at the pleasure of the Governor. Succeeds James Cobler.

Kansas Commission for the Deaf and Hard of Hearing

(Created by 1992 Senate Bill 474. Formerly the Kansas Commission for the Deaf and Hearing Impaired.)

Kenneth E. Clark, 18610 W. 170th Terrace, Olathe 66062. Term expires April 29, 1995.

William R. Fansler, 1940 Bowman, Topeka 66604. Term expires April 29, 1993.

Marsha A. Gladhart, 5927 E. 47th St. North, Wichita 67220. Term expires April 29, 1995.

Carolyn J. Grame, 1528 Mulvane, Topeka 66604. Term expires April 29, 1994.

E. Basil Kessler, 917 Chestnut, Emporia 66801. Term expires April 29, 1994.

Ronald Malcolm, 2785 Harvey, Colby 67701. Term expires April 29, 1993.

Alan R. Post, 1803 N. Siefkin St., Wichita 67208. Term expires April 29, 1993.

Roberta Mog, Rural Route, Box 119A, Wilson 67490. Term expires April 29, 1993.

Sara H. Sack, Bureau of Child Research, 2601 Gabriel, Parsons 67357. Term expires April 29, 1994.

Deborah J. Walker, 3008 W. 28th, Lawrence 66047. Term expires April 29, 1995.

James A. Wise, 11609 W. 100th, Overland Park 66214. Term expires April 29, 1994.

Kansas Commission on Human Rights

Alyce Hayes Brown, Industry Representative, 1831 S.E. 43rd, Topeka 66609. Effective July 2, 1992. Term expires July 1, 1996. Reappointment.

Kansas, Inc.

Dan L. Meisinger, 1501 Westover Road, Topeka 66604. Effective July 1, 1992. Subject to Senate confirmation. Term expires June 30, 1996. Reappointment.

Kansas Lottery Commission

Bernard F. Wiltz, Sabetha Seed Company, Box 247, Sabetha 66534. Effective June 16, 1992. Subject to Senate confirmation. Term expires June 15, 1996. Succeeds Duane Nightingale.

Occupational Therapist Council

Sharon Gallivan, 2104 Greenbrier, Lawrence 66047. Term expires July 1, 1993. Succeeds Orlene Fisher.

David Kemp, 406 S. Chautauqua, Wichita 67211. Term expires July 1, 1993. Succeeds Dave B. Greenberg.

Sandra Ward, 128 Jewell, Salina 67401. Term expires July 1, 1993. Reappointment.

Kansas Racing Commission

Denise E. Kobuszewski, Route 2, Box 79, Valley Falls 66088. Effective July 1, 1992. Subject to Senate confirmation. Term expires June 30, 1995. Succeeds Dr. Harry D. Anthony.

Real Estate Appraisal Board

Richard A. Pinaire, Public Member, 623 S. Adams, Junction City 66441. Effective July 1, 1992. Term expires June 30, 1995. Succeeds Carol Pendleton.

Bill Graves
Secretary of State

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, 1992, through June 30, 1992, is 10.03 percent.

Bill Graves
Secretary of State

Doc. No. 012079

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 1:30 p.m. Tuesday, July 14, in the auditorium of the Topeka-Shawnee County Health Department, 1615 S.W. 8th, Topeka, to consider adoption of proposed permanent regulations K.A.R. 28-15-11, 28-15-13, 28-15-14, 28-15-15a, and 28-15-20, and revocation of K.A.R. 28-15-15. These proposals will update the Kansas public water supply regulations to agree with national requirements for public notification, coliform monitoring, and volatile organic chemical (VOC) and unregulated organic chemical monitoring.

K.A.R. 28-15-11, Definitions. This regulation adds seven new definitions to clarify terms used in the public water supply regulations. There is no economic impact from this regulation.

K.A.R. 28-15-13, Standards for bacteriological, chemical, physical and radiological quality. This regulation increases the maximum contaminant level (MCL) for fluoride from 1.8 mg/L to 4.0 mg/L; changes the monthly MCL for coliform bacteria from a limitation on the average number of coliform bacteria found in samples to a limitation on the number of samples which are allowed to test positive for coliform bacteria; adds an acute MCL for coliform bacteria; and adds MCL's for eight volatile organic chemicals. The economic impact is controlled by the number of public water supplies which exceed the standards.

K.A.R. 28-15-14, Monitoring requirements for laboratory tests. Section (a) of this regulation changes the bacteriological monitoring requirements. The number of monitoring periods per year is reduced from 13 to 12, and the number of population categories used to determine the number of samples required each period has been condensed from 52 to 23. Samples which are unusable for coliform determination because of interference from heterotrophic bacteria or because the sample was not received in the laboratory soon enough for analysis must be replaced. Changes have been made to repeat monitoring requirements which must be performed when the sample tests positive for co-

liform bacteria. An increase (to five) in the number of routine samples required in the month following any month which contains a positive coliform sample is required for any water supply system which is not already collecting five samples. The economic impact from this regulation is estimated at \$27,500 annually. Section (b) of this regulation adds monitoring requirements for the eight new VOC standards proposed in K.A.R. 28-13-13 and contains monitoring requirements for several unregulated compounds. The initial monitoring required by these regulations has already occurred. Repeat monitoring is required on a quarterly basis for those systems which detect any of the eight VOC's. The estimated cost of repeat monitoring is \$45,000 annually.

K.A.R. 28-15-15a, Public notice requirements. This regulation replaces K.A.R. 28-15-15, which is being revoked, and specifies requirements for public water suppliers to notify their customers when they fail to monitor as required, fail to comply with a drinking water standard, receive a variance or exemption, or fail to comply with a schedule contained in a variance or exemption. The regulation also adopts from federal regulations specific language concerning health effects which must be included in any notice. This regulation will result in a cost savings to water suppliers.

K.A.R. 28-15-20, Exemptions and variances. This regulation updates the references to federal requirements for issuance of variances and exemptions. There is no economic impact.

Copies of the regulations as well as the complete economic impact statement pertaining to this rule-making action may be obtained by contacting Linda White, Kansas Department of Health and Environment, Bureau of Water, Forbes Field, Topeka 66620, (913) 296-5506. Questions pertaining to the proposed rule-making action should be directed to David Waldo, (913) 296-5503.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written comments on the proposed new regulations. All interested parties may submit written comments prior to the hearing to David F. Waldo, Hearing Officer, Kansas Department of Health and Environment, Forbes Field, Topeka 66620. All interested parties will be given reasonable opportunity during the hearing to present their views, orally or in writing, concerning the adoption of the regulations. Following the hearing, all written and oral comments submitted will be considered as the basis for making changes to the proposed new regulations.

Azzie Young
Secretary of Health
and Environment

Doc. No. 012093

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 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 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 staff review, applying the appropriate standards, regulations, and effluent 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.

Public Notice No. KS-92-110/119

| | | |
|---|---|---|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Cessna Aircraft Company Mid-Continent Facility P.O. Box 7704 Wichita, KS 67277 | Arkansas River via Wichita Valley Center Floodway, Arkansas River Basin | Cooling water stormwater and treated contaminated groundwater |

Sedgwick County, Kansas
Kansas Permit No. I-AR94-P009 Fed. Permit No. KS-0000485

Description of Facility: Cooling water and stormwater are directed to a cooling impoundment and a decorative pond prior to discharge. Contaminated groundwater is treated with an air stripping tower prior to discharge. This is an existing permit and the requirements have been modified. 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 |
| Fogle Quarry Company, Inc. 800 E. 23rd Route 1, Box 44 Ottawa, KS 66067 | Marais des Cygnes River via Rock Creek, Marais des Cygnes River Basin | Quarry pit dewatering and discharge from a settling pond used to treat rock washwater |

Franklin County, Kansas
Kansas Permit No. I-MC31-P002 Fed. Permit No. KS-0115983

Description of Facility: This facility is engaged in a limestone crushing operation with washing. Washwater is recycled to a settling pond. A discharge only occurs during heavy rainfall. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

| | | |
|--|------------------------------------|---|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Kansas City Plant #3 c/o City of Kansas City 701 N. 7th Kansas City, KS 66101 | Missouri River via Sortor Creek | Secondary wastewater treatment facility |

Wyandotte County, Kansas
Kansas Permit No. M-KS27-0024 Fed. Permit No. KS-0085600

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

| | | |
|---|-----------------------------------|---|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Midwest, Werner and Pfleiderer, Inc. 1701 N. Topeka Blvd. Topeka, KS 66608 Shawnee County, Kansas | Kansas River via Soldier Creek | Groundwater remediation for VOC's |

Kansas Permit No. I-KS72-P014 Fed. Permit No. KS-0086479

Description of Facility: This facility is engaged in a remedial groundwater cleanup project. Treatment consists of chemical pH adjustment followed by a packed-tower air stripping unit designed to remove volatile organic chemicals (VOC's). This is an existing facility and the previous limits have been modified. 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. North Lawrence Quarry P.O. Box 17 Perry, KS 66073 | Kansas River via Buck Creek, Kansas River Basin | Limestone washwater, quarry pit dewatering and uncontaminated stormwater runoff |

Douglas and Jefferson County, Kansas
Kansas Permit No. I-KS85-P001 Fed. Permit No. KS-0117455

Description of Facility: This facility is engaged in a limestone crushing operation with washing. Washwater is directed to a settling pond via an underground pipeline. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

| | | |
|--|---|---|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Oak Hill Mobile Home Park c/o Norma and Chet Hiatt Route 3, Box 61 Pittsburg, KS 66762 | Spring River via Cow Creek, Neosho River Basin | Secondary wastewater treatment facility |

Crawford County, Kansas
Kansas Permit No. C-NE57-0002 Fed. Permit No. KS-0085782

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

| | | |
|--|--|--|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Walker Stone Company, Inc. Junction City/Fort Riley Plant Box 563 Chapman, KS 67431 | Lower Republican River via Four Mile Creek, Lower Republican River Basin | Quarry pit dewatering and uncontaminated stormwater runoff |

Geary County, Kansas
Kansas Permit No. I-LR15-P001 Fed. Permit No. KS-0001821

Description of Facility: This facility is engaged in a limestone crushing operation with no washing. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

| | | |
|--|--|--|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Walker Stone Company, Inc. Grandview Plaza Plant Box 563 Chapman, KS 67431 Geary County, Kansas | Smoky Hill River via unnamed tributary Smoky Hill River Basin | Quarry pit dewatering and uncontaminated stormwater runoff |

Kansas Permit No. I-SH13-P001 Fed. Permit No. KS-0088510

Description of Facility: This facility is engaged in a limestone 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).

| | | |
|---|--|--|
| <p>Name and Address of Applicant Walker Stone Company, Inc. Kansas Falls Plant Box 563 Chapman, KS 67431 Geary County, Kansas Kansas Permit No. I-SH04-P002</p> | <p>Waterway Smoky Hill River via Old River Oxbow, Smoky Hill River Basin</p> | <p>Type of Discharge Washwater from settling ponds</p> |
| | | <p>Fed. Permit No. KS-0001813</p> |

Description of Facility: This facility is engaged in a limestone crushing and washing operation. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

| | | |
|---|--|--|
| <p>Name and Address of Applicant Walker Stone Company, Inc. PW Plant Box 563 Chapman, KS 67431 Dickinson County, Kansas Kansas Permit No. I-SH04-P003</p> | <p>Waterway Smoky Hill River via unnamed tributary, Smoky Hill River Basin</p> | <p>Type of Discharge Quarry pit dewatering</p> |
| | | <p>Fed. Permit No. KS-0001311</p> |

Description of Facility: This facility is a limestone crushing operation with no washing. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to July 4 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-92-110/119) and the name of applicant as listed when preparing comments.

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

Azzie Young
Secretary of Health
and Environment

Doc. No. 012095

State of Kansas

Department of Administration

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Monday, July 6, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Division of Personnel Services and the Division of Facilities Management.

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 rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, Topeka 66612. 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.

Summaries of the proposed regulations and of their economic impact follow.

Division of Personnel Services

K.A.R. 1-9-23; Shared leave. This new regulation is proposed for adoption on both a temporary and a permanent basis. K.A.R. 1-9-23 establishes a shared leave program to allow state employees to donate annual and sick leave to a qualifying employee who has received approval to use shared leave from the employee's appointing authority. Under this program, shared leave may be granted to an employee who is prevented from performing regular work duties because the employee or one of the employee's relatives or household members is suffering from a catastrophic illness or injury. Such an employee must have at least six months of service and must have exhausted all forms of paid leave.

The Department of Administration and other state agencies will incur additional administrative responsibilities. However, the shared leave program can be administered with current staff levels, and therefore, there is no identifiable economic impact on state agencies related to administration of the program. Shared leave will involve transfer of leave credits only; there is no additional cost for wages or benefits for the agencies of employees donating leave credits. However, additional costs for wages and benefits will be incurred by any state agency granting shared leave to its employees as these employees will remain on paid leave during times they would otherwise have taken leave without pay. It is not possible to ascertain these costs to state agencies as they are dependent upon a number of variables, such as the duration of a qualifying catastrophic illness or injury and the number of hours donated by employees to qualifying employees.

State employees who donate leave and who use shared leave will be affected by this regulation. Do-

(continued)

nating employees will have reduced leave balances available for personal use or will receive lower payouts of vacation and sick leave on termination or retirement. However, the regulation precludes employees from donating leave if doing so would reduce their leave balances below certain minimum levels. Employees receiving shared leave will benefit because they may be able to remain in pay status and receive compensation for more of the time they must be away from work due to a catastrophic illness or injury. Similar situations in the past have forced employees to take leave without pay. Private citizens and consumers will not be affected by this regulation.

Copies of these regulations and of the associated economic impact statements can be obtained from the Division of Personnel Services, 9th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-4278.

Division of Facilities Management

The following regulations are proposed for adoption on a permanent basis.

K.A.R. 1-45-14; Motor vehicle parking on certain state-owned or operated property in Shawnee County; violations. This regulation establishes criteria for repeat violations of state property parking regulations. Currently, a subsequent ticket for the same violation at the same location can be issued no sooner than four hours after the previous ticket. The amendment would decrease that period for issuing a subsequent ticket to two hours in order to respond to repeat violators. No substantial increase in the number of tickets written is anticipated, and therefore no fiscal impact is likely on the Department of Administration, Capitol Area Security Patrol, individuals using state parking facilities or the general public.

K.A.R. 1-46-1; Applicability and K.A.R. 1-46-3; Additional parking restrictions. These regulations regarding parking on the Statehouse grounds are proposed for amendment to expand the time in which Statehouse parking regulations are in effect. K.A.R. 1-46-1 defines when the parking regulations apply generally. Currently, the regulations apply between 8 a.m. and 5 p.m. Monday through Friday and 8 a.m. until noon on Saturday, holidays excepted. The amendments would include any additional hours during which either legislative chamber is meeting in session. An exception to this provision is to be inserted in K.A.R. 1-46-3, which defines five specific parking prohibitions. Amendments to this regulation would make those prohibitions continuously effective. These amendments are intended to respond to parking violations on Statehouse grounds which create safety problems and parking problems for individuals with valid Statehouse parking permits. Although some increase in the number of tickets issued may occur, there is no fiscal impact association with the regulation with respect to the Department of Administration, the Capitol Area Security Patrol, individuals using Statehouse parking or the general public.

Copies of these regulations and of the associated economic impact statements can be obtained from the

Division of Facilities Management, 6th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-1318.

Susan M. Seltsam
Secretary of Administration

Doc. No. 012088

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural/Engineering Services

Notice is hereby given of the commencement of negotiations for architectural or engineering services for the following projects located throughout the state of Kansas. Interested firms will be required to submit separate responses on each project for which they desire to be considered. It should also be noted that many of these projects have different due dates for receipt in the office of the Division of Architectural Services. The projects and their due dates are as follows:

Responses due by June 19

| | Total Project Costs |
|---|---------------------|
| Architectural | |
| University of Kansas—Lawrence | |
| Reconstruct Hoch Auditorium | \$18,000,000 |
| Kansas State University—Manhattan | |
| Addition to the Chester E. Peters Recreation Center | \$ 7,920,000 |
| School for the Blind—Kansas City, Kansas | |
| Irwin Building renovation | \$ 1,631,200 |
| Engineering | |
| Kansas State University—Manhattan | |
| Replacement of power plant boilers | \$ 850,000 |

Responses due by June 26

| | Total Project Costs |
|---|---------------------|
| Architectural | |
| Pittsburg State University—Pittsburg | |
| Kansas Technology Center | \$25,700,000 |
| School for the Deaf—Olathe | |
| Emery Hall | \$ 6,240,000 |
| Department of Corrections—Topeka | |
| Housing unit for maximum custody female offenders | \$ 2,700,000 |

Responses due by July 2

| | Total Project Costs |
|--|---------------------|
| Architectural | |
| Kansas State University—Manhattan | |
| Addition/renovation to Farrell Library | \$28,000,000 |

A brief summary scope of work/program information is available upon request. Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Deputy Director of Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman
Director, Division of
Architectural Services

Doc. No. 012087

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, 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.

Tuesday, June 16, 1992

27458A

Statewide—Linens

29000

Kansas State University—July (1992) meat products

Wednesday, June 17, 1992

A-6185(f)

Pittsburg State University—Lightning protection, Axe Library

A-6687

Parsons State Hospital and Training Center—Gasoline and diesel underground storage tank

Thursday, June 18, 1992

A-6654(a)

University of Kansas—Pavement patching, parking lots 36 and 39

A-6815

Kansas School for the Deaf—Remove architectural barriers, Phase II—Roberts Academic Building

29002

Department of Transportation—Glass beads for traffic paint

92596

Department of Transportation—Grader and snowplow blades, Garden City

92597

Department of Transportation—Snow plows, various locations

92671

Kansas Bureau of Investigations—Video telemetry system

92672

Kansas State University—Furnish and install color film recorder

Friday, June 19, 1992

91999 Rebid

Wichita State University—Furnish and set up hazardous waste storage building

92598

Department of Transportation—Portable conveyor belt

92599

Department of Transportation—Pugmill, Chanute

92600

Department of Transportation—Aggregate, various locations

92601

Department of Commerce—Furnish video production and A/B roll edit system

92602

Adjutant General's Department—Furnish and install suspended ceiling

92608

Kansas Highway Patrol—Aircraft painting

92609

Department of Transportation—Tank removal, various locations

92629

Winfield State Hospital—Manual wheelchairs

92630

Fort Hays State University—Furnish and install door operators

92631

Kansas Bureau of Investigation—Tracking system

92632

Board of Agriculture and Department of Wildlife and Parks—Global positioning systems (GPS), Topeka

92633

Emporia State University—Furnish and repair musical equipment

92638

Wichita State University—Furnish and install video projector system

92639

Topeka Correctional Facility—Laundry equipment

92670

Kansas State University—Video projector

Wednesday, June 24, 1992

A-6716

Department of Transportation—Renovate, insulate and weatherproof area shop, Marion

A-6849

State Historical Society—Cottonwood Ranch, state historic site

Thursday, June 25, 1992

A-6800

University of Kansas Medical Center—5th floor renovation, student center

Request for Proposals

Monday, June 15, 1992

29003

Dental consultant services for Topeka State Hospital

Jack R. Shipman
Director of Purchases

Doc. No. 012092

State of Kansas

Consumer Credit Commissioner

Permanent Administrative
Regulations

Article 6.—UNIFORM CONSUMER CREDIT CODE

75-6-24. Adjustment in dollar amounts. (a) The dollar amounts of \$300 and \$1,000 in K.S.A. 16a-2-401(2) and any amendments thereto shall be changed to \$780 and \$2,600.

(b) This regulation shall be effective on and after July 1, 1992. (Authorized by and implementing K.S.A. 16a-2-401a; effective, E-79-9, April 20, 1978; effective May 1, 1979; amended, E-81-15, June 25, 1980; amended May 1, 1981; amended, T-83-16, July 1, 1982; amended May 1, 1983; amended, T-85-18, July 1, 1984; amended May 1, 1985; amended, T-87-14, June 6, 1986; amended May 1, 1987; amended, T-89-22, May 27, 1988; amended Oct. 1, 1988; amended July 23, 1990; amended _____)

William F. Caton
Consumer Credit Commissioner

Doc. No. 012081

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 16, 1992

Application for Abandonment of Certificate of
Convenience and Necessity:

Robert G. Allen, dba) Docket No. 159,450 M
Allen Trucking)
6020 N.W. Westbrooke)
Topeka, KS 66617-1365) MC ID No. 130386

Applicant's Attorney: None

Application for Extension of Certificate of
Convenience and Necessity:

Banks Companies, Inc.) Docket No. 146,319 M
1515 W. 6th)
El Dorado, KS 67042) MC ID No. 119143

Applicant's Attorney: William Barker, 3401 Harrison,
Topeka, KS 66611

Commodities in bulk,

Between all points and places in Kansas.

Application for Certificate of Convenience
and Necessity:

Harold Jamison, dba) Docket No. 180,771 M
H-J Trucking)
P.O. Box 128)
Nekoma, KS 67559) MC ID No. 144089

Applicant's Attorney: None

*Grain, feed, feed ingredients, dry fertilizer (except
ammonium nitrate), hay, salt, seeds,*

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Jefferson Partners, dba) Docket No. 180,770 M
Jefferson Lines)
1206 Currie Avenue)
Minneapolis, MN 55043) MC ID No. 144088

Applicant's Attorney: Linda Sherman, P.O. Box 280,
Harrisonville, MO 64701

Passengers and baggage (in charter party service),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Jones Motor Co., Inc.) Docket No. 180,769 M
900 W. Bridge St.)
Spring City, PA 19475) MC ID No. 144087

Applicant's Attorney: John Chenoweth, 435 N. 6th,
P.O. Box 478, Fredonia, KS 66736

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

Between all points and places in Kansas.

Application for Certificate of Convenience
and Necessity:

Leiszler Transport Service, Inc.) Docket No. 180,766 M
635 W. Crawford)
Clay Center, KS 67432) MC ID No. 115216

Applicant's Attorney: Joseph Weiler, 2101 S.W. 21st,
P.O. Box 237, Topeka, KS 66601-0237

Petroleum and petroleum products,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

DeWayne E. Schoepflin) Docket No. 180,772 M
Route 1, Box 23)
Quenemo, KS 66528) MC ID No. 133488

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

Grain, hay, dry feed, dry feed ingredients, salt, seeds, dry fertilizer (except ammonium nitrate), building and construction materials, prestressed concrete articles, iron and steel articles, fencing materials, machinery, junk (restricted, however, to transport no hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Kevin J. Smith, dba) Docket No. 180,767 M
Kevin J. Smith Trucking)
P.O. Box 301)
Wray, CO 80758) MC ID No. 144357

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

Livestock, grain, hay, feed, feed ingredients, salt, seeds, fertilizer, fertilizer ingredients, 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 Transfer of Certificate of Convenience and Necessity:

Jerry Lee Starcher, dba) Docket No. 103,517 M
S & S Body Shop)
Route 2)
Tonganoxie, KS 66086) MC ID No. 101488

To:
S & S of Tonganoxie, Inc.
922 E. 4th
Tonganoxie, KS 66086

Applicant's Attorney: Janice Hayes, P.O. Box 367, Oskaloosa, KS 66066

Wrecked and disabled vehicles,

Between all points and places in the following counties east of Kansas Highways 13, 99, 177: Atchison, Jackson, Pottawatomie, Riley, Geary, Wabaunsee, Shawnee, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Franklin, Osage and Miami.

Application for Extension of Certificate of Convenience and Necessity:

S & S of Tonganoxie, Inc.) Docket No. 103,517 M
922 E. 4th)
Tonganoxie, KS 66086) MC ID No. 101488

Applicant's Attorney: Janice Hayes, P.O. Box 367, Oskaloosa, KS 66066

Wrecked and disabled vehicles,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Starr Enterprises Company) Docket No. 180,768 M
of Salina, Kansas)
P.O. Box 30576)
Amarillo, TX 79120) MC ID No. 128145

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, grain products, feed, feed ingredients, fertilizer, fertilizer ingredients, building and construction materials, farm and construction equipment and salt (restricted against the transportation of hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Jack Whitehorn, dba) Docket No. 180,753 M
Hot 'N Trot)
307 S. Smith)
Fairland, OK 74343) MC ID No. 144230

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

Liquid edible food products, livestock, hay, liquid feed, liquid feed ingredients, animal fats, oilfield equipment, materials, supplies and machinery, road building equipment, materials, vehicles and machinery, heavy and cumbersome commodities, aircraft components and petroleum products (except anhydrous ammonia, propane, butane or other products requiring use of pressure vessel trailers),

Between all points and places in the state of Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Park Hetzel, Jr.) Docket No. 31,446 M
R.F.D. 6, P.O. Box 119)
Lawrence, KS 66046-8932) MC ID No. 100292

Applicant's Attorney: None

Application for Abandonment of Contract Carrier Permit:

Park Hetzel, Jr.) Docket No. 47,931 M
R.F.D. 6, P.O. Box 119)
Lawrence, KS 66046-8932) MC ID No. 100292

Applicant's Attorney: None

Don Carlike
Administrator
Transportation Division

Doc. No. 012086

(Published in the Kansas Register, June 4, 1992.)

CORRECT NOTICE OF REDEMPTION

LABETTE COUNTY, KANSAS

Single Family Mortgage Revenue Bonds, 1980 Series A

The Notice of Redemption that was originally published on May 28, 1992 incorrectly stated that the maturity date of CUSIP 505395AW3 was January 1, 2004. The correct maturity date for CUSIP 505395AW3 is January 1, 2011.

All other information contained in the May 28, 1992 Notice of Redemption was correct.



SECURITY BANK OF KANSAS CITY
Kansas City, Kansas, Trustee

Doc. No. 012097

(Published in the Kansas Register, June 4, 1992.)

Summary Notice of Sale

City of Lenexa, Kansas

**General Obligation Bonds, Series 1992-A
and**

Temporary Notes, Series 1992-A

(general obligations payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of sale and preliminary official statement dated June 5, 1992, sealed bids will be received by the city clerk of the city of Lenexa, Kansas, on behalf of the governing body at the City Hall, 12350 W. 87th Street Parkway, Lenexa, KS 66215, until 11 a.m. Central Time on Thursday, June 18, 1992, for the purchase of \$5,735,000 principal amount of General Obligation Bonds, Series 1992-A, and \$1,290,000 principal amount of Temporary Notes, Series 1992-A. No bid of less than 100 percent of the principal amount of the bonds or 99.75 percent of the principal amount of the notes, as applicable, and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 1992, and will become due serially on September 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1993 | \$ 200,000 |
| 1994 | 200,000 |
| 1995 | 200,000 |
| 1996 | 700,000 |
| 1997 | 700,000 |
| 1998 | 1,300,000 |
| 1999 | 900,000 |
| 2000 | 500,000 |
| 2001 | 285,000 |
| 2002 | 750,000 |

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 March 1 and September 1 in each year, beginning on March 1, 1993.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof, dated July 1, 1992. The 1992-A Notes will become due on July 1, 1993. Interest on the notes will be payable at their maturity.

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 2 percent of the principal amount of the bonds, if the bid is for the bonds, and 2 percent of the principal amount of the notes, if the bid is for the notes.

Delivery

The city will pay for printing the bonds and notes and will deliver the same properly prepared, executed and registered without cost to the successful bidder(s) within 30 days after the date of sale in the Kansas City, Missouri, metropolitan area.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 was \$398,211,410. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and the notes being sold, is \$57,125,000. Temporary notes in the amount of \$3,750,000 will be redeemed using the proceeds of the bonds and the notes and other available funds.

Approval of Bonds and Notes

The bonds and notes will be sold subject to the legal opinion of Gilmore & Bell, Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds and notes will be furnished and paid for by the city, printed on the bonds and notes and delivered to the successful bidder(s) as and when the bonds or notes, as applicable, are delivered.

Additional Information

Additional information regarding the bonds and notes may be obtained from the city clerk or from the financial advisor, Investment Bankers of Kansas City, Inc., 1101 Walnut, Suite 900, Kansas City, MO 64106, (816) 421-4440.

Dated June 5, 1992.

City of Lenexa, Kansas
By Sandra Howell
City Clerk/Finance Director
City Hall
12350 W. 87th Street Parkway
P.O. Box 14888
Lenexa, KS 66215
(913) 492-8800

Doc. No. 012083

(Published in the Kansas Register, June 4, 1992.)

**Summary Notice of Bond Sale
City of Atchison, Kansas
\$1,550,000**

**Sewer Utility System Revenue Bonds
Series 1992A**

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated June 1, 1992, sealed bids will be received by the finance director of the city of Atchison, Kansas, on behalf of the governing body at City Hall, 515 Kansas Ave., Atchison, KS 66002, until 3 p.m. C.D.T. on June 15, 1992, for the purchase of \$1,550,000 principal amount of Sewer Utility System Revenue Bonds, Series 1992A.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 1992, and will become due on September 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1994 | \$ 30,000 |
| 1995 | 30,000 |
| 1996 | 35,000 |
| 1997 | 35,000 |
| 1998 | 40,000 |
| 1999 | 55,000 |
| 2000 | 60,000 |
| 2001 | 60,000 |
| 2002 | 65,000 |
| 2003 | 70,000 |
| 2004 | 75,000 |
| 2005 | 80,000 |
| 2006 | 90,000 |
| 2007 | 95,000 |
| 2008 | 100,000 |
| 2009 | 110,000 |
| 2010 | 115,000 |
| 2011 | 125,000 |
| 2012 | 135,000 |
| 2013 | 145,000 |

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 March 1 and September 1 in each year, beginning on March 1, 1993.

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 \$31,000 (2 percent of the principal amount of the bonds).

Delivery

The city 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 16, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the finance director, (913) 367-5081, or from the financial advisor, George K. Baum & Company, 12 Wyandotte Plaza, 120 W. 12th, Kansas City, MO, 1-800-821-7195.

Dated June 1, 1992.

City of Atchison, Kansas

Doc. No. 012084

(Published in the Kansas Register, June 4, 1992.)

**Summary Notice of Bond Sale
City of Goddard, Kansas
\$1,465,000
General Obligation Bonds
Series 1992**

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated May 18, 1992, and preliminary official statement dated June 3, 1992, sealed bids will be received by the city clerk of Goddard, Kansas (the issuer), on behalf of the governing body at City Hall, 122 N. Main, Goddard, until 6 p.m. C.D.T. on June 15, 1992, for the purchase of \$1,465,000 principal amount of General Obligation Bonds, Series 1992. 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 or any integral multiple thereof. The bonds will be dated July 1, 1992, and will become due on October 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1993 | \$130,000 |
| 1994 | 130,000 |
| 1995 | 130,000 |
| 1996 | 130,000 |
| 1997 | 130,000 |
| 1998 | 130,000 |
| 1999 | 130,000 |
| 2000 | 130,000 |
| 2001 | 135,000 |
| 2002 | 140,000 |

(continued)

| | |
|------|--------|
| 2003 | 30,000 |
| 2004 | 30,000 |
| 2005 | 30,000 |
| 2006 | 30,000 |
| 2007 | 30,000 |

(Published in the Kansas Register, June 4, 1992.)

Summary Notice of Bond Sale
City of Atchison, Kansas
\$1,430,000

Water Utility System Revenue Bonds
Series 1992A

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, 1993.

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 \$29,300 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before July 24, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 is \$11,399,488. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$2,286,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 794-2441, or from the financial advisor, George K. Baum & Company, One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated May 18, 1992.

City of Goddard, Kansas

Doc. No. 012080

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated June 1, 1992, sealed bids will be received by the finance director of the city of Atchison, Kansas, on behalf of the governing body at City Hall, 515 Kansas Ave., Atchison, KS 66002, until 3 p.m. C.D.T. on June 15, 1992, for the purchase of \$1,430,000 principal amount of Water Utility System Revenue Bonds, Series 1992A.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 1992, and will become due on September 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1994 | \$ 35,000 |
| 1995 | 40,000 |
| 1996 | 40,000 |
| 1997 | 45,000 |
| 1998 | 45,000 |
| 1999 | 50,000 |
| 2000 | 50,000 |
| 2001 | 55,000 |
| 2002 | 60,000 |
| 2003 | 65,000 |
| 2004 | 70,000 |
| 2005 | 75,000 |
| 2006 | 80,000 |
| 2007 | 85,000 |
| 2008 | 90,000 |
| 2009 | 95,000 |
| 2010 | 100,000 |
| 2011 | 110,000 |
| 2012 | 115,000 |
| 2013 | 125,000 |

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 March 1 and September 1 in each year, beginning on March 1, 1993.

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 \$28,600 (2 percent of the principal amount of the bonds).

Delivery

The city 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 16, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the finance director, (913) 367-5081, or from the financial advisor, George K. Baum & Company, 12 Wyandotte Plaza, 120 W. 12th, Kansas City, MO, 1-800-821-7195.

Dated June 1, 1992.

City of Atchison, Kansas

Doc. No. 012085

(Published in the Kansas Register, June 4, 1992.)

Notice of Bond Sale
\$198,460
Riley County, Kansas
General Obligation Bonds
Series 1992-2
(Street Improvements)

Sealed Bids

Sealed bids for the purchase of \$198,460 principal amount of General Obligation Bonds, Series 1992-2 (street improvements), of the county hereinafter described, will be received by the undersigned, county clerk of Riley County, Kansas, on behalf of the governing body of the county at Riley County Courthouse, Riley County, Kansas, until 11 a.m. C.D.T. on June 18, 1992. All bids will be publicly opened and read at said time and place and will be acted upon by the county immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof (except one bond in the denomination of \$3,460). The bonds will be dated July 1, 1992, and will become due serially on September 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1993 | \$18,460 |
| 1994 | \$20,000 |
| 1995 | \$20,000 |
| 1996 | \$20,000 |
| 1997 | \$20,000 |
| 1998 | \$20,000 |

| | |
|------|----------|
| 1999 | \$20,000 |
| 2000 | \$20,000 |
| 2001 | \$20,000 |
| 2002 | \$20,000 |

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1993.

Place of Payment and Bond Registration

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

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

Redemption of Bonds Prior to Maturity

The bonds will not be subject to redemption and payment prior to maturity.

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

(continued)

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

Basis of Award

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

Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance street improvements to the county pursuant to K.S.A. 68-728 *et seq.* The bonds will be general obligations of the county payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the county. The balance of the principal of and interest on the bonds is payable from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the county.

Internal Revenue Code of 1986

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

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations 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 environ-

mental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. 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. The county does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the county with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income.

Delivery and Payment

The county will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about July 2, 1992, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the county. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the county and bond registrar not later than 3 p.m. C.D.T. on June 23, 1992. In the absence of such information, the county will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the county by 3 p.m. C.D.T. on June 23, 1992, a certificate acceptable to the county's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and

belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$3,969.20, payable to the order of the county to secure the county from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the county until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the county, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the county shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the county, and the county reserves the right to pursue any consequential damages as a result of 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 county.

Bid Forms

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

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned county clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at Riley County Courthouse and must be received by the undersigned prior to 11 a.m. C.D.T. on June 18, 1992.

Date and Delivery of Preliminary and Final Official Statement

The county 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 purchaser(s) and the price or yield at which the purchaser(s) 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 county will provide without cost to the purchaser(s) such reasonable number of printed copies of the final official statement as such purchaser(s) may request, and, further copies, if desired, will be made available at the expense of the purchaser(s). If the sale of the bonds is awarded to a syndicate, the county will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The county will deliver to the purchaser(s) on the date of delivery of the bonds a certificate executed by the chairman and the county 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 county's preliminary official statement relating to the bonds may be obtained from the county clerk.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1991 is \$191,541,011. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$4,306,460, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$553,000, of which \$215,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated May 21, 1992.

Riley County, Kansas
Ilene Colbert, County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
(913) 537-0700

Doc. No. 012076

Kansas Register

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and re-vo- ked 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 1991 Supplement to the Kansas Administrative Regulations.

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Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-2-30 to 1-49-1.

AGENCY 4: BOARD OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-3-47 to 4-33-2.

AGENCY 5: BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-23-3 to 5-42-3.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-44-1 through 5-45-17.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 7-30-1 to 7-32-2.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 9-13-1 through 9-24-3.

AGENCY 14: DEPARTMENT OF REVENUE— DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 14-19-24 to 14-23-4.

AGENCY 17: STATE BANKING DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 17-11-17 to 17-20-1.

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 19-1-1 to 19-1-11.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 19-3-2 to 19-63-6.

AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 21-34-1 through 21-34-21.

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 23-3-16 to 23-21-14.

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 25-4-1 to 25-4-4.

AGENCY 26: DEPARTMENT ON AGING

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 26-8-1 through 26-8-14.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 28-4-405 to 28-39-77.

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| 28-53-1 through 28-53-5 | New | V. 10, p. 199 |
| 28-53-1 | Amended | V. 11, p. 846 |
| 28-53-2 | Amended | V. 11, p. 846 |
| 28-59-1 through 28-59-8 | New | V. 10, p. 111-113 |

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

| Reg. No. | Action | Register |
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| 30-2-16 | Amended | V. 10, p. 1353 |
| 30-4-34 | Amended | V. 10, p. 956 |
| 30-4-41 | Amended | V. 10, p. 1648 |
| 30-4-63 | Amended | V. 10, p. 1353 |
| 30-4-64 | Amended | V. 10, p. 1355 |
| 30-4-90 | Amended | V. 10, p. 1356 |
| 30-4-101 | Amended | V. 10, p. 1357 |
| 30-4-111 | Amended | V. 10, p. 341 |
| 30-4-112 | Amended | V. 10, p. 1648 |
| 30-4-113 | Amended | V. 10, p. 693 |
| 30-4-120 | Amended | V. 10, p. 343 |
| 30-4-130 | Amended | V. 10, p. 961 |
| 30-4-140 | Amended | V. 11, p. 365 |
| 30-5-58 | Amended | V. 11, p. 365 |
| 30-5-59 | Amended | V. 11, p. 371 |
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| 30-5-77 | Amended | V. 10, p. 1291 |
| 30-5-78 | New | V. 10, p. 1364 |
| 30-5-79 | New | V. 10, p. 1364 |
| 30-5-81 | Amended | V. 10, p. 699 |
| 30-5-86 | Amended | V. 10, p. 699 |
| 30-5-88 | Amended | V. 10, p. 700 |
| 30-5-92 | Amended | V. 10, p. 344 |
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| 30-5-103 | Amended | V. 10, p. 1365 |
| 30-5-104 | Amended | V. 10, p. 701 |
| 30-5-110 | Amended | V. 11, p. 373 |
| 30-5-112 | Amended | V. 10, p. 963 |
| 30-5-113 | Amended | V. 10, p. 963 |
| 30-5-114 | Amended | V. 10, p. 1365 |
| 30-5-115 | Amended | V. 10, p. 963 |
| 30-5-116 | Amended | V. 10, p. 1496, 1649 |
| 30-5-116a | Amended | V. 10, p. 1496, 1649 |
| 30-5-151 | Amended | V. 10, p. 963 |
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| 30-5-171 | Amended | V. 10, p. 965 |
| 30-6-53 | Amended | V. 10, p. 1366 |
| 30-6-55 | Amended | V. 11, p. 374 |
| 30-6-56 | Amended | V. 11, p. 374 |
| 30-6-65 | Amended | V. 10, p. 1650 |
| 30-6-74 | Revoked | V. 10, p. 1366 |
| 30-6-77 | Amended | V. 10, p. 701 |
| 30-6-82 | New | V. 10, p. 702 |
| 30-6-86 | Amended | V. 10, p. 348 |
| 30-6-94 | New | V. 10, p. 1651 |
| 30-6-103 | Amended | V. 10, p. 1651 |
| 30-6-106 | Amended | V. 10, p. 1651 |
| 30-6-107 | Amended | V. 10, p. 705 |
| 30-6-111 | Amended | V. 10, p. 351 |
| 30-6-112 | Amended | V. 10, p. 1653 |
| 30-6-113 | Amended | V. 10, p. 706 |
| 30-7-65 | Amended | V. 10, p. 707 |
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| 30-7-78 | Amended | V. 10, p. 1655 |

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| 30-10-1a | Amended | V. 11, p. 205 |
| 30-10-1b | Amended | V. 11, p. 376 |
| 30-10-7 | Amended | V. 10, p. 354 |
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| 30-10-15a | Amended | V. 10, p. 708 |
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| 30-10-24 | Amended | V. 10, p. 1377 |
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| 30-10-30 | Revoked | V. 10, p. 355 |
| 30-10-200 | Amended | V. 11, p. 207 |
| 30-10-207 | Amended | V. 10, p. 1200 |
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| 30-10-210 through 30-10-226 | New | V. 10, p. 48-57 |
| 30-10-210 | Amended | V. 11, p. 209 |
| 30-10-211 | Amended | V. 10, p. 1203 |
| 30-10-212 | Amended | V. 11, p. 210 |
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| 30-10-215 | Amended | V. 10, p. 1206 |
| 30-10-217 | Amended | V. 11, p. 210 |
| 30-10-218 | Amended | V. 10, p. 1207 |
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| 30-10-220 | Amended | V. 10, p. 1208 |
| 30-10-221 | Amended | V. 10, p. 1208 |
| 30-10-226 | Revoked | V. 10, p. 1209 |
| 30-22-1 | Amended | V. 10, p. 1380 |
| 30-22-2 | Amended | V. 10, p. 1380 |
| 30-22-5 | Amended | V. 10, p. 1381 |
| 30-22-6 | Amended | V. 10, p. 1381 |
| 30-22-11 through 30-22-28 | Revoked | V. 10, p. 1381 |
| 30-41-1 | Amended | V. 10, p. 710 |
| 30-41-7a | Amended | V. 10, p. 711 |
| 30-41-7i | New | V. 10, p. 711 |
| 30-41-20 | New | V. 10, p. 711 |
| 30-46-13 | Amended | V. 10, p. 1381 |
| 30-46-14 | Revoked | V. 10, p. 1381 |
| 30-46-15 | Amended | V. 10, p. 1381 |
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| 30-61-15 | New | V. 10, p. 1391 |
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| 36-1-28 through 36-1-34 | New | V. 10, p. 88-91 |
| 36-1-30 | Amended | V. 11, p. 657-662 |
| 36-13-34 | Revoked | V. 11, p. 663 |
| 36-13-36 | Amended | V. 11, p. 663 |
| 36-13-37 | New | V. 11, p. 664 |
| 36-13-38 | New | V. 11, p. 664 |
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| 40-1-38 | New | V. 10, p. 1693 |
| 40-2-15 | Amended | V. 10, p. 1693 |
| 40-2-20 | New | V. 10, p. 259, 383 |
| 40-2-21 | New | V. 10, p. 1583 |
| 40-3-22 | Amended | V. 10, p. 1693 |
| 40-3-46 | New | V. 10, p. 381 |
| 40-3-47 | New | V. 10, p. 381 |
| 40-3-48 | New | V. 10, p. 1584 |
| 40-4-35 | Amended | V. 11, p. 82 |
| 40-4-37 | Amended | V. 10, p. 1695 |

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| 44-6-108 | Amended | V. 10, p. 1195 |
| 44-6-114c | Amended | V. 10, p. 1196 |
| 44-6-120 | Amended | V. 11, p. 230 |
| 44-6-124 | Amended | V. 11, p. 230 |
| 44-6-125 | Amended | V. 11, p. 231 |
| 44-6-126 | Amended | V. 10, p. 1197 |
| 44-6-133 | Amended | V. 10, p. 1197 |
| 44-6-134 | Amended | V. 10, p. 1197 |
| 44-6-135 | Amended | V. 11, p. 231 |
| 44-6-142 | Amended | V. 10, p. 1198 |
| 44-7-113 | Amended | V. 11, p. 316 |
| 44-7-115 | New | V. 11, p. 316 |
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| 44-12-502 | Amended | V. 1, p. 319 |
| 44-12-503 | Amended | V. 11, p. 319 |
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| 112-9-13a | New | V. 11, p. 561 |
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| 112-9-40 | Revoked | V. 11, p. 568 |
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| 112-10-34 | Amended | V. 10, p. 169 |
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| 112-12-12 | Amended | V. 10, p. 170 |
| 112-13-2 | Amended | V. 10, p. 170 |
| 112-13-4 | New | V. 10, p. 171 |

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| 112-16-1 through 112-16-14 | New | V. 10, p. 1316-1318 |
| 112-18-2 through 112-18-19 | New | V. 11, p. 722-726 |

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| 115-2-3 | Amended | V. 11, p. 601 |
| 115-4-1 | Amended | V. 10, p. 458 |
| 115-4-3 | Amended | V. 11, p. 601 |
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| 115-4-6 | Amended | V. 11, p. 603 |
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| 115-7-1 | Amended | V. 10, p. 1820 |
| 115-8-9 | Amended | V. 10, p. 1820 |
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| 115-13-1 through 115-13-5 | New | V. 10, p. 917-919 |
| 115-14-1 through 115-14-10 | New | V. 10, p. 1441-1443 |
| 115-17-6 | Amended | V. 11, p. 606 |
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| 115-17-9 | Amended | V. 11, p. 607 |
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| 115-18-8 | New | V. 11, p. 608 |
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| 115-20-4 | New | V. 10, p. 1821 |

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| 117-3-1 | Amended | V. 10, p. 912, 953 |
| 117-3-2 | Amended | V. 10, p. 913, 953 |
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| 117-6-2 | Amended | V. 10, p. 915, 955 |
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| 117-7-1 | Amended | V. 11, p. 657, 722 |
| 117-8-1 | New | V. 10, p. 916, 956 |
| 117-9-1 | New | V. 10, p. 916, 956 |
| 117-7-1 | Amended | V. 11, p. 657 |

AGENCY 118: STATE HISTORICAL SOCIETY

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AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

| Reg. No. | Action | Register |
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| 119-1-2 | New | V. 10, p. 264 |
| 119-1-3 | New | V. 10, p. 264 |

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

(Published in the Kansas Register, June 4, 1992.)

SENATE BILL No. 791

AN ACT concerning state officers and employees; relating to salaries and compensation; authorizing and providing for certain increases; making appropriations for the fiscal year ending June 30, 1993, and authorizing certain transfers and adjustments in expenditure limitations therefor; amending K.S.A. 40-102, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h, 75-3120k and 75-3120l, and K.S.A. 1991 Supp. 46-137a and 46-137b and K.S.A. 40-102, as amended by section 27 of 1992 Substitute for Senate Bill No. 471, and repealing the existing sections; also repealing K.S.A. 40-102, as amended by section 9 of this act.

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

New Section 1. The governor is hereby authorized and directed to modify the pay plan adopted for fiscal year 1992, in accordance with this section and to adopt such pay plan as so modified. The existing pay plan shall be modified to provide for an increase of 1% adjusted to the nearest dollar in each monthly step of the schedule of salary and wage ranges and steps of such pay plan or the equivalent increase for payroll periods other than monthly. The pay plan adopted by the governor under this section shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first payroll period which is chargeable to the fiscal year ending on June 30, 1993, and which ends after December 31, 1992. Such pay plan shall be subject to modification and approval as provided under K.S.A. 75-2938 and amendments thereto and to any enactments of the legislature applicable thereto.

New Sec. 2. (a) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to increase expenditure limitations on special revenue funds and accounts established for the fiscal year ending on June 30, 1993, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of: (1) Salary step increases under the pay plan for state officers and employees in the classified service under the Kansas civil service act according to the applicable provisions of the pay plan for payroll periods which are chargeable to the fiscal year ending June 30, 1993; (2) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 2.5% of the base salaries, and salary increases related to the adoption of the pay plan under section 1 for the fiscal year ending June 30, 1993, for state officers and employees in the unclassified service under the Kansas civil service act in the executive branch of state government, other than any member of any state board, commission, council or committee receiving per diem compensation as provided by statute and other than state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act; (3) compensation increases for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance and attorney general as provided by this act; (4) (A) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and to be distributed on a merit basis from a merit salary increase pool, the average of

such increases shall not exceed 2.5% of the base salaries for state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act; and (B) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and which ends after December 31, 1992, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 1% of the base salaries for state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act; (5) longevity payments pursuant to K.S.A. 75-5541 and amendments thereto or determined in the manner provided by that statute; and (6) the salary increases provided for by adoption of the pay plan under section 1 for the fiscal year ending June 30, 1993.

(b) There is hereby appropriated from the state general fund for the state finance council, for the fiscal year ending on June 30, 1993, the sum of \$23,150,460 to be used for the purpose of paying the proportionate share of the cost to the state general fund, including associated employer contributions, of: (1) Salary step increases under the pay plan for state officers and employees in the classified service under the Kansas civil service act according to the applicable provisions of the pay plan for payroll periods which are chargeable to the fiscal year ending June 30, 1993; (2) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 2.5% of the base salaries, and salary increases related to the adoption of the pay plan under section 1 for the fiscal year ending June 30, 1993, for state officers and employees in the unclassified service under the Kansas civil service act in the executive branch of state government, other than any member of any state board, commission, council or committee receiving per diem compensation as provided by statute and other than state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act; (3) compensation increases for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance and attorney general as provided by this act; (4) (A) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 2.5% of the base salaries for state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act and (B) base salary increases to be effective on the first day of any payroll period which is chargeable to the fiscal year ending June 30, 1993, and which ends after December 31, 1992, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 1% of the base salaries for state officers and employees of the state board of regents who are in the unclassified service under the Kansas civil service act; (5) longevity payments pursuant to K.S.A. 75-5541 and amendments thereto or determined in the manner provided by that statute; and (6) the salary increases provided for by adoption of the pay plan under section 1 for the fiscal year ending June 30, 1993. To pay the proportionate share of the cost to the state general fund of each state agency for such salary increases and such longevity payments, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized and directed to transfer moneys from the appropriation made by this subsection to proper accounts created by state general fund appropriations for the fiscal year ending on June 30, 1993.

(c) Each state agency of the executive branch of state government, which employs officers and employees who are receiving (1) salary step increases under the pay plan, (2) base salary increases to be distributed on a merit basis from a merit salary increase pool under this section or salary increases related to the adoption of the pay plan under section 1, (3) compensation increases for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance and attorney general as provided by this act,

(continued)

(4) longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or determined in the manner provided by that statute, or (5) the salary increases provided for by adoption of the pay plan under section 1, shall prepare and submit a budget estimate for such salary increases and such longevity payments, and all amendments and revisions of such estimates, to the director of the budget on forms prescribed by the director of the budget. At the same time as each state agency submits such estimate, and all amendments and revisions thereof, each such state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.

New 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, 1993, the following:

| | |
|--|-----------|
| Legislative coordinating council—operations | \$9,736 |
| Legislative research department—operations | 63,119 |
| Office of the revisor of statutes—operations | 51,435 |
| Total | \$124,290 |

New Sec. 4.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, the following:

| | |
|---|-----------|
| Operations (including official hospitality) | \$108,611 |
|---|-----------|

New 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, 1993, the following:

| | |
|---|----------|
| Operations (including legislative post audit committee) | \$33,749 |
|---|----------|

New Sec. 6.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, the following:

| | |
|------------------------------|---------|
| Operating expenditures | \$7,358 |
|------------------------------|---------|

New Sec. 7.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, the following:

| | |
|---------------------------------|-------------|
| Appellate operations | \$238,112 |
| District court operations | 1,547,797 |
| Total | \$1,785,909 |

New Sec. 8. *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 for such funds by this act or by the state finance council under this act.

Sec. 9. On June 18, 1992, K.S.A. 40-102 is hereby amended to read as follows: 40-102. (a) There is hereby established a department to be known as the insurance department, which shall have a chief officer entitled the commissioner of insurance who shall receive, except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, an annual salary of ~~\$50,000~~ \$59,110, and such officer shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state, and all other duties which are or may be imposed upon such officer by law.

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

Sec. 10. On July 1, 1992, K.S.A. 40-102, as amended by section 27 of 1992 Substitute for Senate Bill No. 471, is hereby amended to read as follows: 40-102. There is hereby established a department to be known as the insurance department, which shall have a chief officer entitled the commissioner of insurance who shall receive, except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, an annual salary of ~~\$50,000~~ \$59,110, and such officer shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state, and all other duties which are or may be imposed upon such officer by law.

Sec. 11. On July 1, 1992, K.S.A. 1991 Supp. 46-137a is hereby

amended to read as follows: 46-137a. In addition to the compensation provided for by K.S.A. 46-137b, 46-137e and 75-3212 and amendments thereto, each member of the legislature shall receive the following amounts:

(a) The sum of ~~\$54~~ \$61.50 per calendar day for service at any regular or special session, except as otherwise provided in ~~subsections subsection (e) and (f)~~;

(b) the sum of ~~\$65~~ \$73 per calendar day for subsistence allowance for any regular or special session of the legislature, except that if the amounts allowable for the capital city of Kansas under applicable federal law and regulations to employees of the executive branch of the federal government for per diem expenses, while away from home but serving in the United States, are amounts which total greater than ~~\$65~~ \$73, then each member of the legislature shall receive such greater total amount per calendar day for subsistence allowance for any regular or special session of the legislature;

(c) an allowance of \$600 per calendar month, except for the months of January, February and March to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses;

(d) an allowance for mileage in an amount equal to the rate per mile prescribed under the provisions of K.S.A. 75-3203a and amendments thereto multiplied by the number of miles traveled by the usual route in going to and returning from the member's place of residence for any regular or special session of the legislature. Such mileage allowances shall be paid for not to exceed the equivalent of one trip for each full week occurring between convening and adjournment sine die in any regular or special session. The mileage allowance provided under the provisions of this subsection shall not be subject to the restrictions relating to the use of vehicles prescribed by K.S.A. 75-3203 and 75-3203a and amendments thereto but shall only be allowed for trips actually made. Compensation and subsistence allowance shall not be allowed under the provisions of subsections (a); and (b) and (f) of this section during any period in which the legislature is adjourned for more than two days, Sundays excepted; and

(e) whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1993, the rate of compensation per calendar day for members of the legislature for service at any regular or special session of the legislature shall be increased on the first day of the first payroll period immediately following the effective date of any such pay plan increase by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the rate of compensation per calendar day which is authorized by this section for service at any regular or special session of the legislature for the day upon which such increase is computed; ~~except that for purposes of computing an increase in the rate of compensation per calendar day based upon an increase in such pay plan which takes effect subsequent to the effective date of this act but prior to July 1, 1987, the rate of compensation per calendar day for the day upon which such increase is computed shall be the amount specified under subsection (a) and such increase shall take effect on July 1, 1987; and.~~

(f) for the period commencing on January 1, 1987, and ending on June 30, 1987, the sum of \$40.50 per calendar day for service at any regular or special session.

The payments of compensation to each legislator for each calendar day for service at any regular or special session pursuant to this subsection (f) which are made for the period commencing on the effective date of this act and ending June 30, 1987, shall be adjusted on a substantially equal basis to effect the full reduction prescribed by this subsection (f). Any amount by which the compensation of a legislator is reduced pursuant to this section for the period commencing on January 1, 1987, and ending on June 30, 1987, shall continue to be included as compensation for all purposes of computing retirement and pension benefits earned by such legislator and for all purposes of computing disability or insured death and disability benefits payable to such legislator or such legislator's beneficiary.

Sec. 12. On July 1, 1992, K.S.A. 1991 Supp. 46-137b is hereby amended to read as follows: 46-137b. (a) In addition to the com-

compensation provided for by K.S.A. 46-137a and 75-3212, and amendments thereto, and any other statute, and except as otherwise provided by subsection (b):

(1) The president of the senate and the speaker of the house of representatives shall each receive an allowance in the amount of ~~\$8,534~~ \$9,795 per annum, payable monthly, during their terms of office as speaker and president, which compensation shall be for additional services performed in connection with discharging the duties assigned to the respective positions;

(2) the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives and the assistant minority leaders of the senate and house of representatives shall each receive an allowance in the amount of ~~\$4,355~~ \$4,999 per annum payable monthly during their respective terms of office which compensation shall be for additional services performed in connection with discharging the duties assigned to the respective positions;

(3) the chairperson of the senate committee on ways and means and the chairperson of the house committee on appropriations shall each receive an allowance in the amount of ~~\$6,863~~ \$7,877 per annum, payable monthly during their respective terms of office, which compensation shall be for additional services performed in connection with discharging the duties assigned to the respective positions; and

(4) the majority and minority leaders of the senate and the house of representatives shall each receive an allowance in the amount of ~~\$7,698~~ \$8,836 per annum, payable monthly during their respective terms of office, which compensation shall be for additional services performed in connection with discharging the duties assigned to the respective positions.

(b) (1) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1993, the annual compensation of officers of the legislature specified in subsection (a) shall be increased on the first day of the first payroll period immediately following the effective date of any such pay plan increase by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual compensation of such officers as prescribed by subsection (a) or amounts computed in accordance with this subsection for the day upon which such increase is computed.

(2) For the period commencing February 1, 1987, and ending on June 30, 1987, the rate of monthly compensation for officers of the legislature specified in subsection (a) shall be decreased by an amount equal to 3.8% of such monthly compensation, adjusted to the nearest dollar. After June 30, 1987, the rate of monthly compensation shall be that computed in accordance with the provisions of subsection (a) and subsection (b)(1) of this section. Monthly compensation payments made for the period commencing on the effective date of this act and ending on June 30, 1987, shall be adjusted on a substantial equal basis to effect the full reduction prescribed by this subsection (b)(2). Any amount by which the compensation of an officer of the legislature is reduced pursuant to this section for the period commencing on January 1, 1987, and ending on June 30, 1987, shall continue to be included as compensation for all purposes of computing retirement and pension benefits earned by such officer and for all purposes of computing disability or insured death or disability benefits payable to such officer or such officer's beneficiary.

Sec. 13. On June 18, 1992, K.S.A. 75-3101 is hereby amended to read as follows: 75-3101. Except as otherwise provided in K.S.A. 75-3111a and amendments thereto, the governor of the state shall receive for services an annual salary of ~~\$65,000~~ \$76,091.

Sec. 14. On June 18, 1992, K.S.A. 75-3103 is hereby amended to read as follows: 75-3103. (a) The lieutenant governor shall receive, as reimbursement for expenses the following: (1) Annually the sum of \$1,875, and (2) when attending the duties of office or attending any authorized meeting, in addition to other provisions of this section, travel expenses and subsistence expenses and allowances in amounts equal to those provided for by K.S.A. 75-3212, and amendments thereto.

In addition to any other compensation provided by law and except

as otherwise provided in K.S.A. 75-3111a, the lieutenant governor shall also receive for services in the performance of duties imposed by law compensation in the sum of ~~\$14,850~~ \$21,523 per annum. While acting as governor, the lieutenant governor shall receive the same salary as the governor. The lieutenant governor may appoint an administrative assistant and office and stenographic employees, all of whom shall be in the unclassified service of the Kansas civil service act. Such administrative assistant shall receive travel expenses and subsistence expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto, when traveling as authorized by the lieutenant governor.

(b) If the lieutenant governor is appointed by the governor under the provision of K.S.A. 75-303, the lieutenant governor shall receive an annual salary to be fixed by the governor or an annual salary as provided for in subsection (a) of this section, whichever is greater.

Sec. 15. On June 18, 1992, K.S.A. 75-3104 is hereby amended to read as follows: 75-3104. Except as otherwise provided in K.S.A. 75-3111a and amendments thereto, the secretary of state shall receive for services an annual salary of ~~\$50,000~~ \$59,110.

Sec. 16. On June 18, 1992, K.S.A. 75-3108 is hereby amended to read as follows: 75-3108. Except as otherwise provided in K.S.A. 75-3111a and amendments thereto, the state treasurer shall receive for services an annual salary of ~~\$50,000~~ \$59,110.

Sec. 17. On June 18, 1992, K.S.A. 75-3110 is hereby amended to read as follows: 75-3110. Except as otherwise provided in K.S.A. 75-3111a and amendments thereto, the attorney general shall receive for services an annual salary of ~~\$57,500~~ \$67,982.

Sec. 18. On June 18, 1992, K.S.A. 75-3111a is hereby amended to read as follows: 75-3111a. (a) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1986 1993, the annual salary of the governor, the attorney general, the secretary of state, the state treasurer and the commissioner of insurance shall be increased by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual salary of the elected state officer which is being received as provided by law and which is in effect prior to the effective date of such increase in the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act.

(b) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1985 1993, the annual salary of the lieutenant governor shall be increased by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual salary of the lieutenant governor officer which is being received as provided by law and which is in effect prior to the effective date of such increase in the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act.

Sec. 19. On June 18, 1992, K.S.A. 75-3120f is hereby amended to read as follows: 75-3120f. (a) The annual salary of the chief justice of the supreme court and each of the other justices of the supreme court shall be paid in equal installments each payroll period in accordance with this section.

(b) Except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of the chief justice of the supreme court shall be ~~\$58,000~~ for the payroll periods chargeable to the fiscal year ending June 30, 1985, and each fiscal year thereafter ~~\$84,278~~.

(c) Except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of other justices of the supreme court shall be ~~\$56,500~~ for the payroll periods chargeable to the fiscal year ending June 30, 1985, and each fiscal year thereafter ~~\$82,005~~.

Sec. 20. On June 18, 1992, K.S.A. 75-3120g is hereby amended to read as follows: 75-3120g. (a) The annual salary of district judges shall be paid in equal installments each payroll period in accordance with this section.

(b) Except as otherwise provided in K.S.A. 75-3120l and amend-

(continued)

ments thereto, the annual salary of district judges, other than district judges designated as administrative judges, shall be an amount equal to the annual salary for a district judge, other than an administrative judge, for the payroll periods chargeable to the fiscal year ending June 30, 1987 \$71,291.

(c) Except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of district judges designated as administrative judges shall be an amount equal to the annual salary for a district judge, designated as administrative judge, for the payroll periods chargeable to the fiscal year ending June 30, 1987 \$72,105.

(d) No county may supplement the salary of, or pay any compensation to, any district judge.

Sec. 21. On June 18, 1992, K.S.A. 75-3120h is hereby amended to read as follows: 75-3120h. (a) The annual salary of the chief judge of the court of appeals and each of the other judges of the court of appeals shall be paid in equal installments each payroll period in accordance with this section.

(b) Except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of the chief judge of the court of appeals shall be \$56,000 for the payroll periods chargeable to the fiscal year ending June 30, 1985, and each fiscal year thereafter \$81,235.

(c) Except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of the other judges of the court of appeals shall be \$54,500 for the payroll periods chargeable to the fiscal year ending June 30, 1985, and each fiscal year thereafter \$79,079.

Sec. 22. On June 18, 1992, K.S.A. 75-3120k is hereby amended to read as follows: 75-3120k. (a) The annual salary of district magistrate judges shall be paid in equal installments each payroll period in accordance with this section.

(b) Subject to the provisions of subsection (c) and except as otherwise provided in K.S.A. 75-3120l and amendments thereto, the annual salary of district magistrate judges shall be \$26,000 \$33,660.

(c) The district magistrate judge in position one of Atchison county shall receive an annual salary equal to 1/2 of the annual salary provided for in subsection (b).

(d) No county may supplement the salary of, or pay any compensation to, any district magistrate judge.

Sec. 23. On June 18, 1992, K.S.A. 75-3120l is hereby amended to read as follows: 75-3120l. (a) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1993, the annual salary of the chief justice of the supreme court, each other justice of the supreme court, the chief judge of the court of appeals, each other judge of the court of appeals and each district judge shall be increased by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual salary of the justice or judge which is being received as provided by law and which is in effect prior to the effective date of such increase in the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act.

(b) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 1993, the annual salary of each district magistrate judge shall be increased by an amount, adjusted to the nearest dollar, computed by multiplying the average of the percentage increases in all monthly steps of such pay plan by the annual salary of the judge which is being received as provided by law and which is in effect prior to the effective date of such increase in the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act.

Sec. 24. On June 18, 1992, K.S.A. 40-102, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h, 75-3120k and 75-3120l are hereby repealed.

Sec. 25. On July 1, 1992, K.S.A. 1991 Supp. 46-137a and 46-137b, K.S.A. 40-102, as amended by section 27 of 1992 Substitute for Senate Bill No. 471, and K.S.A. 40-102, as amended by section 9 of this act, are hereby repealed.

Sec. 26. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, June 4, 1992.)

SENATE BILL No. 182

AN ACT concerning adult care homes; authorizing the secretary of health and environment to assess civil penalties against licensees of such homes for certain violations; requiring assessment and referral services prior to admission to an adult care home and information relating to alternatives to institutional care; amending K.S.A. 39-931a and repealing the existing section; also repealing K.S.A. 39-777 and 39-778; concerning persons eligible for medical assistance coverage of adult care home costs; amending K.S.A. 1991 Supp. 39-708c and repealing the existing section; establishing the classification of one-to-five-bed adult care home; changing the name of certain categories of adult care homes; amending K.S.A. 39-923, 39-927, 40-2,116, 65-411 and 65-3501 and K.S.A. 1991 Supp. 39-785 and repealing the existing sections.

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

New Section 1. (a) If the secretary of health and environment determines that an adult care home is in violation of or has violated any requirements, standards or rules and regulations established under the adult care home licensure act which violation can reasonably be determined to have resulted in, caused or posed serious physical harm to a resident, the secretary in accordance with proceedings under the Kansas administrative procedure act, may assess a civil penalty against the licensee of such adult care home in an amount of not to exceed \$1,000 per day per violation for each day the secretary finds that the adult care home was not in compliance with such requirements, standards or rules and regulations but the maximum assessment shall not exceed \$10,000.

(b) All civil penalties assessed shall be due and payable in accordance with subsection (c) of K.S.A. 39-946 and K.S.A. 39-947 and amendments thereto.

(c) The secretary of health and environment may adopt rules and regulations which shall include due process procedures for the issuance of civil penalties relating to nursing facilities.

(d) The authority to assess civil penalties granted to the secretary of health and environment under this section is in addition to any other statutory authority of the secretary relating to the licensure and operation of adult care homes and is not to be construed to limit any of the powers and duties of the secretary under the adult care home licensure act.

(e) This section shall be part of and supplemental to the adult care home licensure act.

New Sec. 2. (a) The secretary of aging shall assure that each area agency on aging shall compile comprehensive resource information for use by individuals and agencies related to long-term care resources including all area offices of the department of social and rehabilitation services and local health departments. This information shall include, but not be limited to, resources available to assist persons to choose alternatives to institutional care.

(b) Adult care homes as defined under K.S.A. 39-923 and amendments thereto and medical care facilities as defined under K.S.A. 65-425 and amendments thereto shall make available information referenced in subsection (a) to each person seeking admission or upon discharge as appropriate. Any person licensed to practice the healing arts as defined in K.S.A. 65-2802 and amendments thereto shall make the same resource information available to any person identified as seeking or needing long-term care. Each senior center and each area agency on aging shall make available such information.

(c) (1) The secretary of social and rehabilitation services shall adopt a uniform needs assessment instrument to be used by all providers of assessment and referral services. The uniform needs assessment instrument shall be as concise and short in length as is consistent with the purposes of the instrument. In addition to other uses of the needs assessment instrument, the secretary of social and rehabilitation services shall use this instrument to annually compile data on the need for community based services that could further delay admission to adult care homes.

(2) On and after January 1, 1993, except as provided in subsection (e), no person shall be admitted to an adult care home providing care under title XIX of the federal social security act unless the person has received assessment and referral services as defined in subsection (c)(1). These services shall be provided under the senior care act, under the older Americans act, by the secretary of social and rehabilitation services or by other providers as designated by the secretary under subsection (d).

(d) Except as otherwise provided in this subsection (d), any per-

son may apply to the secretary of social and rehabilitation services, on forms provided by the secretary, to become a designated provider of assessment and referral services. The secretary of social and rehabilitation services shall establish standards which must be met before a person may be designated as a provider of assessment and referral services. Each application shall be accompanied by an application fee fixed by the secretary of social and rehabilitation services based on the estimated number of assessments to be performed by the applicant but not to exceed \$150. Fees shall be fixed in amounts necessary to recover the costs associated with the designation and regulation of providers under this subsection (d). Once a provider is approved, the application fee shall not be refundable. If the application is denied, 90% of the application fee shall be refunded to the applicant and 10% of the fee shall be retained by the secretary. The designation as a provider of assessment and referral services shall expire one year after the date of its issuance and may be renewed by such provider upon application to the secretary of social and rehabilitation services, payment of the application fee and a finding by the secretary that the provider meets the standards for designation as a provider of assessment and referral services. No person licensed to operate an adult care home under the adult care home licensure act, or any agent or employee of such person, shall be designated as a provider of assessment and referral services under this subsection. No person licensed to operate a home health agency which is operated on a proprietary basis, or any agent or employee of such person, shall be designated as a provider of assessment and referral services under this subsection. The secretary of social and rehabilitation services may adopt rules and regulations as necessary to administer the provisions of this subsection. The secretary of social and rehabilitation services shall remit all moneys received by the secretary under this subsection (d) to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the social welfare fund.

(e) The following persons may be admitted to an adult care home providing care under title XIX of the federal social security act without having received assessment and referral services as defined under subsection (c)(1):

(1) A patient who has entered an acute care facility from an adult care home and is returning to the adult care home other than from a boarding care home, an intermediate personal care home or a one-to-five-bed adult care home;

(2) a resident transferred from another adult care home;

(3) individuals whose length of stay is expected to be 30 days or less based on a physician's certification, if the adult care home notifies the secretary of social and rehabilitation services prior to admission and provides a complete assessment from an authorized provider of assessment to the secretary within 30 days after admission;

(4) individuals who are admitted to an adult care home on an emergency basis pursuant to a physician's certification of the emergency if an assessment occurs within a reasonable time subsequent to such admission as specified by rules and regulations of the secretary of social and rehabilitation services;

(5) individuals entering an adult care home conducted by and for the adherents of a recognized church or religious denomination for the purpose of providing care and services for those who depend upon spiritual means, through prayer alone, for healing; or

(6) individuals who have requested the assessment and referral services and do not receive such services within 10 calendar days, provided such assessment occurs within a reasonable time subsequent to such admission as specified by rules and regulations of the secretary of social and rehabilitation services.

(f) This section shall not be construed to prohibit the selection of any long-term care resource by any person.

(g) The secretary of social and rehabilitation services shall report to the governor and to the legislature on or before December 31, 1993, and each year thereafter on or before such date, an analysis of the information collected under this section an analysis that identifies the need for home and community based services and such other information relating to the administration of this section as the secretary deems appropriate.

Sec. 3. On January 1, 1993, K.S.A. 39-931a is hereby amended to read as follows: 39-931a. (a) As used in this section, the term "person" means any person who is an applicant for a license to

operate an adult care home or who is the licensee of an adult care home and who has any direct or indirect ownership interest of ~~twenty-five percent (25%)~~ 25% or more in an adult care home or who is the owner, in whole or in part, of any mortgage, deed of trust, note or other obligation secured, in whole or in part, by such facility or any of the property or assets of such facility, or who, if the facility is organized as a corporation, is an officer or director of the corporation, or who, if the facility is organized as a partnership, is a partner.

(b) Pursuant to K.S.A. 39-931 and amendments thereto, the licensing agency may deny a license to any person and may suspend or revoke the license of any person who:

(1) Has willfully or repeatedly violated any provision of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof or supplemental thereto;

(2) has been convicted of a felony;

(3) has failed to assure that nutrition, medication and treatment of residents, including the use of restraints, are in accordance with acceptable medical practices; or

(4) has aided, abetted, sanctioned or condoned any violation of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated; or

(5) has willfully admitted a person to an adult care home as a resident of the home in violation of subsection (c)(2) of section 2 and amendments thereto.

Sec. 4. On January 1, 1993, K.S.A. 39-777, 39-778 and 39-931a are hereby repealed.

Sec. 5. K.S.A. 1991 Supp. 39-708c is hereby amended to read as follows: 39-708c. (a) The secretary of social and rehabilitation services shall develop state plans, as provided under the federal social security act, whereby the state cooperates with the federal government in its program of assisting the states financially in furnishing assistance and services to eligible individuals. The secretary shall undertake to cooperate with the federal government on any other federal program providing federal financial assistance and services in the field of social welfare not inconsistent with this act. The secretary is not required to develop a state plan for participation or cooperation in all federal social security act programs or other federal programs that are available. The secretary shall also have the power, but is not required, to develop a state plan in regard to assistance and services in which the federal government does not participate.

(b) The secretary shall have the power and duty to determine the general policies relating to all forms of social welfare which are administered or supervised by the secretary and to adopt the rules and regulations therefor.

(c) The secretary shall hire, in accordance with the provisions of the Kansas civil service act, such employees as may be needed, in the judgment of the secretary, to carry out the provisions of this act. The secretary shall advise the governor and the legislature on all social welfare matters covered in this act.

(d) The secretary shall establish and maintain intake offices throughout the state. The secretary may establish and create area offices to coordinate and supervise the administration of the intake offices located within the area. The number and location of intake offices and area offices shall be within the discretion of the secretary, except that the secretary shall maintain at least one intake office in each county. Each intake office shall be open at least 12 hours of each working week on a regularly scheduled basis. The secretary shall supervise all social welfare activities of the intake offices and area offices. The secretary may lease office or business space, but no lease or rental contract shall be for a period to exceed 10 years. A person desiring public assistance, or if the person is incapable or incapacitated, a relative, friend, personal representative or conservator of the person shall make application at the intake office. When it is necessary, employees may take applications elsewhere at any time. The applications shall contain a statement of the amount of property, both personal and real, in which the applicant has an interest and of all income which the applicant may have at the time of the filing of the application and such other information as may be required by the secretary. When a husband and wife are living together the combined income or resources of both shall be considered in determining the eligibility of either or both for assistance

(continued)

unless otherwise prohibited by law. The form of application, the procedure for the determination of eligibility and the amount and kind of assistance or service shall be determined by the secretary.

(e) The secretary shall provide special inservice training for employees of the secretary and may provide the training as a part of the job or at accredited educational institutions.

(f) The secretary shall establish an adequate system of financial records. The secretary shall make annual reports to the governor and shall make any reports required by federal agencies.

(g) The secretary shall sponsor, operate or supervise community work experience programs whereby recipients of assistance shall work out a part or all of their assistance and conserve work skills and develop new skills. The compensation credited to recipients for the programs shall be based upon an hourly rate equal to or in excess of the federal minimum wage hourly rate. The programs shall be administered by the secretary. In the programs, the secretary shall provide protection to the recipient under the workmen's compensation act or shall provide comparable protection and may enter into cooperative arrangements with other public officials and agencies or with private not-for-profit corporations providing assistance to needy persons in developing, subject to the approval of the secretary, the programs under this section.

(h) The secretary may receive, have custody of, protect, administer, disburse, dispose of and account for federal or private commodities, equipment, supplies and any kind of property, including food stamps or coupons, which are given, granted, loaned or advanced to the state of Kansas for social welfare works, and for any other purposes provided for by federal laws or rules and regulations or by private devise, grant or loan, or from corporations organized to act as federal agencies, and to do all things and acts which are necessary or required to perform the functions and carry out the provisions of federal laws, rules and regulations under which such commodities, equipment, supplies and other property may be given, granted, loaned or advanced to the state of Kansas, and to act as an agent of the federal government when designated as an agent, and do and perform all things and acts that may be required by the federal laws or rules and regulations not inconsistent with the act.

(i) The secretary may assist other departments, agencies and institutions of the state and federal government and of other states under interstate agreements, when so requested, by performing services in conformity with the purpose of this act.

(j) The secretary shall have authority to lease real and personal property whenever the property is not available through the state or a political subdivision of the state, for carrying on the functions of the secretary.

(k) All contracts shall be made in the name of "secretary of social and rehabilitation services," and in that name the secretary may sue and be sued on such contracts. The grant of authority under this subsection shall not be construed to be a waiver of any rights retained by the state under the 11th amendment to the United States constitution and shall be subject to and shall not supersede the provisions of any appropriations act of this state.

(l) All moneys and property of any kind whatsoever received from the Kansas emergency relief committee or from any other state department or political subdivision of the state shall be used by the secretary in the administration and promotion of social welfare in the state of Kansas. The property may be given, loaned or placed at the disposal of any county, city or state agency engaged in the promotion of social welfare.

(m) The secretary shall prepare annually, at the time and in the form directed by the governor, a budget covering the estimated receipts and expenditures of the secretary for the ensuing year.

(n) The secretary shall have authority to make grants of funds, commodities or other needed property to local units of government under rules and regulations adopted by the secretary for the promotion of social welfare in local units of government.

(o) The secretary shall have authority to sell any property in the secretary's possession received from any source whatsoever for which there is no need or use in the administration or the promotion of social welfare in the state of Kansas.

(p) The secretary shall adopt a seal.

(q) The secretary shall initiate or cooperate with other agencies in developing programs for the prevention of blindness, the restoration of eyesight and the vocational rehabilitation of blind persons

and shall establish a division of services for the blind. The secretary may initiate or cooperate with other agencies in developing programs for the prevention and rehabilitation of other handicapped persons.

(r) The secretary shall develop a children and youth service program and shall administer or supervise program activities including the care and protection of children who are deprived, defective, wayward, miscreant, delinquent, children in need of care, juvenile offenders or children in danger of becoming juvenile offenders. The secretary shall cooperate with the federal government through its appropriate agency or instrumentality in establishing, extending and strengthening such services and undertake other services to children authorized by law. Nothing in this act shall be construed as authorizing any state official, agent or representative, in carrying out any of the provisions of this act, to take charge of any child over the objection of either of the parents of such child or of the person standing *in loco parentis* to such child except pursuant to a proper court order.

(s) The secretary shall develop plans financed by federal funds or state funds or both for providing medical care for needy persons. The secretary, in developing the plan, may enter into an agreement with an agent or intermediary for the purpose of performing certain functions, including the making of medical payment reviews, determining the amount due the medical vendors from the state in accordance with standards set by the secretary, preparing and certifying to the secretary lists of medical vendors and the amounts due them and other related functions determined by the secretary. The secretary may also provide medical, remedial, preventive or rehabilitative care and services for needy persons by the payment of premiums to the federal social security system for the purchase of supplemental medical insurance benefits as provided by the federal social security act and amendments thereto. *Medicaid recipients who were residents of a nursing facility on September 1, 1991, and who subsequently lost eligibility in the period September 1, 1991, through June 30, 1992, due to an increase in income shall be considered to meet the 300% income cap eligibility test.*

(t) The secretary shall carry on research and compile statistics relative to the entire social welfare program throughout the state, including all phases of dependency, defectiveness, delinquency and related problems; develop plans in cooperation with other public and private agencies for the prevention as well as treatment of conditions giving rise to social welfare problems.

(u) The secretary may receive grants, gifts, bequests, money or aid of any character whatsoever, for state welfare work. All moneys coming into the hands of the secretary shall be deposited in the state social welfare fund provided for in this act.

(v) The secretary may enter into agreements with other states or the welfare department of other states, in regard to the manner of determining the state of residence in disputed cases, the manner of returning persons to the place of residence and the bearing or sharing of the costs.

(w) The secretary shall perform any other duties and services necessary to carry out the purposes of this act and promote social welfare in the state of Kansas, not inconsistent with the state law.

(x) The secretary shall establish payment schedules for each group of health care providers. Any payment schedules which are a part of the state medicaid plan shall conform to state and federal law. The secretary shall not be required to make any payments under the state medicaid plan which do not meet requirements for state and federal financial participation.

(1) The secretary shall consider budgetary constraints as a factor in establishing payment schedules so long as the result complies with state and federal law.

(2) The secretary shall establish payment schedules for providers of hospital and adult care home services under the medicaid plan that are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. The secretary shall not be required to establish rates for any such facility that are in excess of the minimum necessary to efficiently and economically meet those standards regardless of any excess costs incurred by any such facility.

(y) The secretary shall maintain a system of centralized payment for all welfare expenditures.

Sec. 6. K.S.A. 1991 Supp. 39-708c is hereby repealed.

Sec. 7. K.S.A. 39-923 is hereby amended to read as follows: 39-923. (a) As used in this act:

(1) "Adult care home" means any ~~skilled nursing home, intermediate nursing care home nursing facility, intermediate personal care home, one-bed one to five bed adult care home and two-bed adult care home~~ and any boarding care home, all of which classifications of adult care homes are required to be licensed by the secretary of health and environment. Adult care home does not mean adult family home.

(2) "Skilled nursing home *Nursing facility*" means any place or facility operating for not less than 24 hours in any week and caring for ~~three~~ six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who by reason of aging, illness, disease or physical or mental infirmity are unable to sufficiently or properly care for themselves, and for whom reception, accommodation, board and skilled nursing care and treatment is provided, and which place or facility is staffed to provide 24 hours a day licensed nursing personnel plus additional staff, and is maintained and equipped primarily for the accommodation of individuals who are not acutely ill and are not in need of hospital care but who require skilled nursing care.

(3) "Intermediate nursing care home" means any place or facility operating for not less than 24 hours in any week and caring for ~~three or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who by reason of aging, illness, disease or physical or mental infirmity are unable to sufficiently or properly care for themselves and for whom reception, accommodation, board and supervised nursing care and treatment is provided, and which place or facility is staffed to provide at least eight hours a day for at least five days a week licensed nursing personnel plus additional staff and is maintained and equipped primarily for the accommodation of individuals not acutely ill or in need of hospital care or skilled nursing care but who require supervised nursing care.~~

(4) (3) "Intermediate personal care home" means any place or facility operating for not less than 24 hours in any week and caring for ~~three~~ six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who by reason of aging, illness, disease or physical or mental infirmity are unable to sufficiently or properly care for themselves and for whom reception, accommodation, board, personal care and treatment or simple nursing care is provided, and which place or facility is staffed, maintained and equipped primarily for the accommodation of individuals not acutely ill or in need of hospital care, ~~skilled nursing home nursing facility care or moderate nursing care but who require domiciliary care and simple nursing care.~~

(5) (4) "One-bed *One-to-five-bed* adult care home" and "~~two-bed adult care home~~" means any place or facility which place or facility may be a private residence and which place or facility is operating for not less than 24 hours in any week and caring for ~~one or two~~ not more than five individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who by reason of aging, illness, disease or physical or mental infirmity are unable to sufficiently or properly care for themselves and for whom reception, accommodation, board, personal care and treatment and skilled nursing care, supervised nursing care or simple nursing care is provided by the adult care home, and which place or facility is staffed, maintained and equipped primarily for the accommodation of individuals not acutely ill or in need of hospital care but who require domiciliary care and skilled nursing care, supervised nursing care or simple nursing care provided by the adult care home. When the home's capabilities are questioned in writing, the licensing agency shall determine according to its rules and regulations if any restriction will be placed on the care the home will give residents.

(6) (5) "Boarding care home" means any place or facility operating for not less than 24 hours in any week and caring for three or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who by reason of aging, illness, disease or physical or mental infirmity are unable to sufficiently or properly care for themselves and for whom

reception, accommodation, board and supervision is provided and which place or facility is staffed, maintained and equipped primarily to provide shelter to residents who require some supervision, but who are ambulatory and essentially capable of managing their own care and affairs.

(7) (6) "Place or facility" means a building or any one or more complete floors of a building, or any one or more complete wings of a building, or any one or more complete wings and one or more complete floors of a building, and the term "place or facility" may include multiple buildings.

(8) (7) "Skilled nursing care" means services commonly performed by or under the immediate supervision of a registered professional nurse and additional licensed nursing personnel for individuals requiring 24 hour a day care by licensed nursing personnel including: Acts of observation, care and counsel of the ill, injured or infirm; the administration of medications and treatments as prescribed by a licensed physician or dentist; and other nursing functions requiring substantial specialized judgment and skill based on the knowledge and application of scientific principles.

(9) (8) "Supervised nursing care" means services commonly performed by or under the immediate supervision of licensed nursing personnel at least eight hours a day for at least five days a week including: Acts of observation, care and counsel of the ill, injured or infirm; the administration of medications and treatments as prescribed by a licensed physician or dentist; and other selected functions requiring specialized judgment and certain skills based on the knowledge of scientific principles.

(10) (9) "Simple nursing care" means selected acts in the care of the ill, injured or infirm requiring certain knowledge and specialized skills but not requiring the substantial specialized skills, judgment and knowledge of licensed nursing personnel.

(11) (10) "Resident" means all individuals kept, cared for, treated, boarded or otherwise accommodated in any adult care home.

(12) (11) "Person" means any individual, firm, partnership, corporation, company, association or joint stock association, and the legal successor thereof.

(13) (12) "Operate an adult care home" means to own, lease, establish, maintain, conduct the affairs of or manage an adult care home, except that for the purposes of this definition the word "own" and the word "lease" shall not include hospital districts, cities and counties which hold title to an adult care home purchased or constructed through the sale of bonds.

(14) (13) "Licensing agency" means the secretary of health and environment.

(14) "Skilled nursing home" means a nursing facility.

(15) "Intermediate nursing care home" means a nursing facility.

(b) The term "adult care home" shall not include institutions operated by federal or state governments, hospitals or institutions for the treatment and care of psychiatric patients, boarding homes for children under the age of 16 years, day nurseries, child caring institutions, maternity homes, hotels or offices of physicians.

(c) The licensing agency may by rule and regulation change the name of the different classes of homes when necessary to avoid confusion in terminology and the agency may further amend, substitute, change and in a manner consistent with the definitions established in this section, further define and identify the specific acts and services which shall fall within the respective categories of facilities so long as the above categories for adult care homes are used as guidelines to define and identify the specific acts.

Sec. 8. K.S.A. 1991 Supp. 39-785 is hereby amended to read as follows: 39-785. As used in K.S.A. 21-3605, 39-709 and K.S.A. 1988 1991 Supp. 39-785 to 39-790, inclusive and amendments thereto:

(a) "Adult care home" means a ~~skilled nursing home or intermediate nursing care home nursing facility~~ licensed under the adult care home licensure act.

(b) "Excess shelter allowance" means, for the applicant or recipient's spouse, the amount by which the sum of (1) the spouse's expense for rent or mortgage payment, including principal and interest, taxes and insurance and, in the case of a condominium or cooperative, required maintenance charges excluding utilities, for the spouse's principal residence, and (2) the standard utility allowance under section 5(e) of the food stamp act of 1977, exceeds 30% of the maximum amount of income allowed under K.S.A. 1988 1991 Supp. 39-787 and amendments thereto.

(continued)

(c) "Home and community based services" means those services provided under the state medical assistance program under waivers as defined in title XIX of the federal social security act in accordance with the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto to recipients who would require admission to an adult care home if such services were not otherwise provided.

(d) "Income" means earned income and unearned income as defined under the state medical assistance program in accordance with the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto to determine eligibility of applicants for medical assistance.

(e) "Institution" means an adult care home or a long-term care unit of a medical care facility.

(f) "Medical assistance" has the meaning provided under K.S.A. 39-702 and amendments thereto.

(g) "Qualified applicant" means a person who (1) applies for medical assistance and (2) is receiving long-term care in an institution or would be eligible for home and community based services if receiving medical assistance.

(h) "Qualified recipient" means a person who (1) receives medical assistance and (2) is receiving long-term care in an institution or is receiving home and community based services.

(i) "Resources" means cash or other liquid assets or any real or personal property that an individual or spouse owns and could convert to cash to be used for such individual's support and maintenance. If the individual has the right, authority or power to liquidate the property, or such individual's share of the property, it is a resource. If a property right cannot be liquidated, the property will not be considered a resource of the individual or spouse.

(j) "Secretary" means the secretary of social and rehabilitation services.

(k) "Exempt income" means income which is not considered in determining eligibility for medical assistance under the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto.

(l) "Nonexempt income" means income which is considered in determining eligibility for medical assistance under the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto.

(m) "Exempt resources" means resources which are not considered in determining eligibility for medical assistance under the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto.

(n) "Nonexempt resources" means resources which are considered in determining eligibility for medical assistance under the plan adopted under subsection (s) of K.S.A. 39-708c and amendments thereto.

(o) "Long-term care" means care which exceeds or is projected to exceed three months, including the month care begins.

Sec. 9. K.S.A. 39-927 is hereby amended to read as follows: 39-927. An application for a license to operate an adult care home shall be made in writing to the licensing agency upon forms provided by it and shall be in such form and shall contain such information as the licensing agency shall require, which may include affirmative evidence of the applicant's ability to comply with such reasonable standards and rules and regulations as are adopted under the provisions of this act. The application shall be signed by the person or persons seeking to operate an adult care home, as specified by the licensing agency, or by a duly authorized agent of any person so specified. Any nonprofit corporation operating an ~~intermediate nursing care home~~ *a nursing facility* for the mentally retarded which, on the effective date of this act, includes more than one residential building located on one site or on contiguous sites may apply for a license to operate a new ~~intermediate nursing care home~~ *nursing facility* for the mentally retarded which includes more than one residential building located on one site or on contiguous sites and may apply for one license for each residential building located on the new site, except that total resident population at any such location shall not exceed 75 residents.

Sec. 10. K.S.A. 40-2,116 is hereby amended to read as follows: 40-2,116. As used in this act:

(a) "Contracting facility" means a health facility which has entered into a contract with a service corporation to provide services to subscribers of the service corporation.

(b) "Contracting professional provider" means a professional pro-

vider who has entered into a contract with a service corporation to provide services to subscribers of the service corporation.

(c) "Health facility" means a medical care facility as defined in K.S.A. 65-425 and amendments thereto; psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto; adult care home, which term shall be limited to ~~skilled nursing home, intermediate nursing care home~~ *nursing facility* and intermediate personal care home as such terms are defined in K.S.A. 39-923 and amendments thereto; and kidney disease treatment center, including centers not located in a medical care facility.

(d) "Professional provider" means a provider, other than a contracting facility, of services for which benefits are provided under contracts issued by a service corporation.

(e) "Service corporation" means a mutual nonprofit hospital service corporation organized under the provisions of K.S.A. 40-1801 *et seq.*, and amendments thereto, a nonprofit medical service corporation organized under the provisions of K.S.A. 40-1901 *et seq.*, and amendments thereto or a nonprofit medical and hospital service corporation organized under the provisions of K.S.A. 40-19c01 *et seq.*, and amendments thereto.

Sec. 11. K.S.A. 65-411 is hereby amended to read as follows: 65-411. As used in this act:

(a) "Secretary" means the secretary of health and environment.

(b) "The federal act" means titles VI and XVI of the United States public health service act (42 U.S.C. 291 *et seq.*) and any amendments thereto.

(c) "Medical facility" includes public health centers; psychiatric hospitals; health maintenance organizations as defined in K.S.A. 40-3202 *and amendments thereto*; medical care facilities as defined in K.S.A. 65-425 *and amendments thereto*; adult care homes, which term shall be limited to ~~skilled nursing homes, intermediate nursing care homes~~ *nursing facilities* and intermediate personal care homes as ~~said~~ *these* terms are defined in K.S.A. 39-923 *and amendments thereto*; kidney disease treatment centers, including centers not located in a medical care facility; and other facilities as may be designated by the secretary of health, education and welfare for the provision of health care.

(d) "Public health center" means a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics and administrative offices operated in connection with public health centers.

(e) "Nonprofit medical facility" means any medical facility owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) "Medical facility project" means a project for the modernization of a medical facility, the construction of a new outpatient or inpatient medical facility or the conversion of an existing medical facility for the provision of new health services.

Sec. 12. K.S.A. 65-3501 is hereby amended to read as follows: 65-3501. As used in this act, or the act of which this section is amendatory, the following words and phrases shall have the meanings respectively ascribed to them in this section:

(a) "Adult care home" means ~~skilled nursing home, intermediate nursing care home~~ *nursing facility* and intermediate personal care home as the terms ~~skilled nursing home, intermediate nursing care home~~ *nursing facility* and intermediate personal care home are defined by K.S.A. 39-923 and amendments thereto or by the rules and regulations of the licensing agency adopted pursuant to such section for which a license is required under article 9 of chapter 39 of the Kansas Statutes Annotated, or acts amendatory thereof or supplemental thereto, except that the term "adult care home" shall not include a facility that is operated exclusively for the care and treatment of the mentally retarded and is licensed for ~~fifteen (15)~~ *15* or fewer beds.

(b) "Board" means the board of adult care home administrators established by K.S.A. 65-3506 *and amendments thereto*.

(c) "Administrator" means the individual directly responsible for planning, organizing, directing and controlling the operation of an adult care home.

(d) "Person" means an individual and does not include the term firm, corporation, association, partnership, institution, public body, joint stock association or any group of individuals.

Sec. 13. Wherever the terms "skilled nursing home" or "intermediate nursing care home", or words of like effect, are referred to or designated by a statute or rule and regulation, such reference or designation shall be deemed to mean "nursing facility."

Sec. 14. K.S.A. 39-923, 39-927, 40-2,116, 65-411 and 65-3501 and K.S.A. 1991 Supp. 39-785 are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: The following bill contains several line-item vetoes by the Governor, which were sustained by the Legislature. A copy of the Governor's veto message is printed immediately following the bill.)

(Published in the Kansas Register, June 4, 1992.)

SENATE Substitute for Substitute for HOUSE BILL No. 3207

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995, June 30, 1996, and June 30, 1997, for certain capital improvement projects for the university of Kansas, state historical society, Kansas state school for the visually handicapped, Kansas state school for the deaf, Kansas highway patrol, department of corrections, Wichita state university, Pittsburg state university, Kansas state university, Fort Hays state university, Kansas state university — extension systems and agricultural research programs, Emporia state university and university of Kansas medical center; authorizing the initiation and completion of certain capital improvement projects; imposing certain requirements, restrictions and limitations and directing or authorizing certain disbursements and acts incidental to the foregoing; amending section 13 of chapter 17 of the 1991 Session Laws of Kansas and repealing the existing section.

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

Section 1. (a) For the fiscal years ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995, June 30, 1996, and June 30, 1997, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, 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 not be subject to the provisions of subsection (a) of K.S.A. 1991 Supp. 75-6702.

Sec. 2.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the capital improvement project and for the fiscal years specified as follows:

| | |
|--|------------|
| Plan, construct, reconstruct and equip Hoch auditorium, including instructional and library facilities | |
| For the fiscal year ending June 30, 1992 | \$ 500,000 |
| For the fiscal year ending June 30, 1993 | 1,500,000 |
| For the fiscal year ending June 30, 1994 | 8,000,000 |
| For the fiscal year ending June 30, 1995 | 8,000,000 |

(b) ~~There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:~~

| | |
|---|----------------------|
| Preliminary planning of Murphy Hall renovation and expansion | \$150,000 |
|---|----------------------|

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

Sec. 3.

STATE HISTORICAL SOCIETY

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

| | |
|--|-------------|
| Construct and equip center for historical research | \$8,277,000 |
|--|-------------|

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

| | |
|---|------------------------|
| Historical research center EDIF grant fund | \$4,000,000 |
|---|------------------------|

~~(c) On May 15, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,000,000~~

~~from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the historical research center EDIF grant fund.~~

~~(d) On June 15, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,000,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the historical research center EDIF grant fund.~~

Sec. 4.

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

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

| | |
|--|-----------|
| Track completion, parking and handicap accessibility | \$130,000 |
| Student group home prototype planning | 53,200 |
| Total | \$183,200 |

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

| | |
|--|-----------|
| Irwin building renovation and administration building demolition | |
| For the fiscal year ending June 30, 1993 | \$ 79,600 |
| For the fiscal year ending June 30, 1994 | 775,800 |
| For the fiscal year ending June 30, 1995 | 522,600 |
| For the fiscal year ending June 30, 1996 | 200,000 |

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

Sec. 5.

KANSAS STATE SCHOOL FOR THE DEAF

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

| | |
|---|------------|
| Construct and equip new elementary school, site improvement and Emery hall demolition | |
| For the fiscal year ending June 30, 1993 | \$ 287,000 |
| For the fiscal year ending June 30, 1994 | 2,776,500 |
| For the fiscal year ending June 30, 1995 | 2,776,500 |
| For the fiscal year ending June 30, 1996 | 400,000 |

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

Sec. 6.

KANSAS HIGHWAY PATROL

~~(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:~~

| | |
|--|------------------------|
| Plan, construct and equip Kansas highway patrol training center at Salina | \$2,000,000 |
|--|------------------------|

~~Provided, That no expenditures shall be made from this account, other than for planning, until a presentation on the proposed project for a Kansas highway patrol training center at Salina, including a project life cycle analysis, has been made to the joint committee on state building construction and the proposed project has been reviewed and evaluated by the joint committee. Provided further, That expenditures, other than for planning, may be made from this account 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. 75-3711e and amendments thereto and acting after the state finance council has received the recommendations of the joint committee on state building construction on such capital improvement project. And provided further, That expenditures from this account for planning for such capital improvement project shall not exceed \$100,000.~~

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

| | |
|--|----------|
| Kansas highway patrol training center at Salina—special revenue fund | No limit |
|--|----------|

Provided, That the Kansas highway patrol may make expenditures from this fund to plan, construct and equip a Kansas highway patrol training center at Salina in addition to the expenditure of other moneys appropriated therefor: Provided, however, That expenditures from this fund for such capital improvement project shall not exceed \$5,000,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of prin-

cial and interest on any bond: *Provided further*, That the above agency may transfer moneys from the highway patrol training center fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That all transfers of moneys from the highway patrol training center fund to this fund shall be in addition to any expenditure limitation imposed on the highway patrol training center fund: *And provided further*, That such capital improvement project is hereby approved for the Kansas highway patrol for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That no expenditures shall be made from this fund until a presentation on the proposed project for a Kansas highway patrol training center at Salina, including a project life cycle analysis, has been made to the joint committee on state building construction and the proposed project has been reviewed and evaluated by the joint committee: *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 the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after the state finance council has received the recommendations of the joint committee on state building construction on such capital improvement project.

Sec. 7.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the correctional institutions building fund for the capital improvement project for the fiscal year ending June 30, 1994, as follows:

Plan, construct, renovate and equip correctional facility for female inmates \$700,000

Provided, That no expenditures shall be made from this account, other than for planning, until plans for this project have been presented to and have been reviewed and evaluated by the joint committee on state building construction: *And provided further*, That expenditures may also be made from this account for any necessary renovation at the Lansing correctional facility which may be required for the implementation of this capital improvement project.

(b) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project as follows:

Plan, construct, renovate and equip correctional facility for female inmates \$2,000,000

Provided, That no expenditures shall be made from this account, other than for planning, until plans for this project have been presented to and have been reviewed and evaluated by the joint committee on state building construction: *And provided further*, That expenditures may also be made from this account for any necessary renovation at the Lansing correctional facility which may be required for the implementation of this capital improvement project.

Sec. 8. (a) On the effective date of this act, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$500,000 from the social welfare fund to the Kansas special capital improvements fund.

(b) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$18,527,000 from the social welfare fund to the Kansas special capital improvements fund.

(c) On January 1, 1993, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$36,400,000 from the social welfare fund to the Kansas special capital improvements fund.

Sec. 9.

WICHITA STATE UNIVERSITY

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

McKinley hall—ventilation improvements \$150,000

~~(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1995, for the capital improvement project specified as follows:~~

~~Preliminary planning for chemistry building and central energy plant expansion \$300,000~~

Sec. 10.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the capital improvement project and for the fiscal years specified as follows:

Plan, construct and equip Kansas technology center
For the fiscal year ending June 30, 1994 \$1,000,000
For the fiscal year ending June 30, 1995 3,000,000

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

Construct and equip Kansas technology center
For the fiscal year ending June 30, 1996 \$4,000,000
For the fiscal year ending June 30, 1997 700,000

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

Kansas technology center—federal fund
For the fiscal year ending June 30, 1993 \$5,257,000
For the fiscal year ending June 30, 1994 3,300,000
Kansas technology center—gifts and donations fund
For the fiscal year ending June 30, 1993 \$ 950,000
For the fiscal year ending June 30, 1994 3,000,000
For the fiscal year ending June 30, 1995 4,000,000

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

Sec. 11.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the capital improvement project and for the fiscal years specified as follows:

Plan, construct and equip Farrell library renovation and expansion
For the fiscal year ending June 30, 1993 \$1,000,000
For the fiscal year ending June 30, 1994 5,000,000
For the fiscal year ending June 30, 1995 6,400,000

(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:

Construction and equip Farrell library renovation and expansion \$5,600,000

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1995, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Farrell library renovation and expansion—bond fund No limit

Provided, That expenditures may be made from this fund during the fiscal year ending June 30, 1995, to renovate and expand Farrell library in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$5,000,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued for such capital improvement project and any required reserves for payment of principal and interest on any such bond: *Provided further*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

(d) 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 shall not exceed the following for the fiscal years specified:

Farrell library renovation and expansion—gifts and donations fund
For the fiscal year ending June 30, 1993 \$1,000,000
For the fiscal year ending June 30, 1994 4,000,000

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

Sec. 12.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the Kansas

special capital improvements fund for the capital improvement project and for the fiscal years specified as follows:

| | |
|--|-------------|
| Construct and equip physical sciences building | |
| For the fiscal year ending June 30, 1993 | \$3,000,000 |
| For the fiscal year ending June 30, 1994 | 5,000,000 |

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

| | |
|--|-------------|
| Physical science building—federal grant fund | \$3,336,800 |
|--|-------------|

Sec. 13.

KANSAS STATE UNIVERSITY—EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

~~(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:~~

| | |
|---|----------------------|
| Agricultural experiment stations improvements, including equipment | \$600,000 |
|---|----------------------|

~~Provided, however, That no expenditures shall be made from this account until the proposed expenditures have been reviewed by the joint committee on state building construction.~~

~~(b) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$600,000 from the social welfare fund to the Kansas special capital improvements fund.~~

Sec. 14.

FORT HAYS STATE UNIVERSITY

~~(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1993, 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:~~

| | |
|---|---------------------|
| Operating expenditures—St. Mary of the Plains college library fund | \$15,000 |
|---|---------------------|

~~Provided, That expenditures from this fund shall be for maintenance expenses and utilities from July 1, 1992 until December 31, 1992.~~

~~(b) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$15,000 from the social welfare fund to the operating expenditures—St. Mary of the Plains college library fund.~~

Sec. 15.

EMPORIA STATE UNIVERSITY

~~(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:~~

| | |
|---|----------------------|
| Beach music hall renovation—preliminary planning | \$100,000 |
|---|----------------------|

Sec. 16. On the effective date of this act, section 13 of chapter 17 of the 1991 Session Laws of Kansas, is hereby amended to read as follows: Sec. 13.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

| | |
|--|-----------|
| Construct and equip research building | |
| For the fiscal year ending June 30, 1992 | \$400,000 |
| For the fiscal year ending June 30, 1993 | 1,600,777 |
| For the fiscal year ending June 30, 1994 | 5,999,223 |
| For the fiscal year ending June 30, 1995 | 399,223 |

(b) 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 other than refunds authorized by law shall not exceed the following:

| | |
|--|----------|
| Research building—special revenue fund | No limit |
|--|----------|

Provided, That the university of Kansas medical center may make expenditures from this fund for the capital improvement project to construct and equip a research building in addition to the expenditure of other moneys appropriated therefor: *Provided, however,* That expenditures from this fund for such capital improvement project shall not exceed \$4,520,000 plus all amounts required for costs of any bond or loan issuance, costs of interest on any bond or loan during such capital improvement project and required reserves for payment of principal and interest on any bond or loan: *Provided further,* That all gifts and grants received for the capital improvement project to construct and equip a research building, other than those received from the federal government for such capital improvement

project, shall be deposited in the state treasury to the credit of this fund: *And provided further,* That the above agency may transfer moneys from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further,* That all transfers of moneys from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund: *And provided further,* That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 1990 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further,* That, upon request of the chancellor of the university of Kansas to provide for any amounts that may be required to be paid for all or part of the cost of such capital improvement project and expenses related thereto, in addition to other available moneys, the pooled money investment board is authorized and directed to loan to the university of Kansas medical center sufficient moneys therefor: *And provided further,* That all loan amounts shall be transferred and credited to this fund upon certifications by the chancellor of the university of Kansas: *And provided further,* That the pooled money investment board is authorized and directed to use any moneys, prior to July 1, 1992, in active accounts, inactive accounts or time deposits, open accounts, or, after June 30, 1992, in operating accounts, investment accounts or other investments, of the state of Kansas to provide moneys for such loan: *And provided further,* That such loan shall bear interest from the date of the loan transfer or transfers at an annual rate of interest which is not less than the rate prescribed by K.S.A. 75-4210 and amendments thereto for inactive accounts of the state effective average yield before taxes received on 91-day United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent offering of such bills in effect on January 1 of such year and shall have such other terms as may be agreed upon by the chancellor of the university of Kansas and the pooled money investment board: *And provided further,* That such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

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

Sec. 17.

UNIVERSITY OF KANSAS MEDICAL CENTER

~~(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:~~

| | |
|--|----------------------|
| Preliminary planning for nursing education building | \$150,000 |
|--|----------------------|

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

Sec. 18. On the effective date of this act, section 13 of chapter 17 of the 1991 Session Laws of Kansas is hereby repealed.

Sec. 19. *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. 20. *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 3207 with my signature approving the bill, except for the items enumerated below.

Sections 3(b), (c), and (d) that read as follows have been line-item vetoed:

“(b) There is appropriated for the above agency from the following special revenue fund for the fiscal year
(continued)

ending June 30, 1993, all moneys now or hereafter credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Historical research center EDIF grant fund\$4,000,000

(c) On May 15, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,000,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the historical research center EDIF grant fund.

(d) On June 15, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,000,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the historical research center EDIF grant fund."

I am vetoing those portions of Section 3 of the bill which provide an appropriation of \$4.0 million from the Economic Development Initiatives Fund (EDIF) for the Center for Historical Research. During the 1991 Session of the Legislature, project cost estimates for the Center for Historical Research were \$7.9 million. It appears the magnitude and opulence of the project has increased significantly in a year when state resources are scarce from all funding sources. Therefore, I am approving an amount in this appropriation bill which would fund the project at a level similar to that approved by the Legislature in the past and vetoing the balance of the item.

Section 6(a) that reads as follows has been line-item vetoed:

"(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:

Plan, construct and equip Kansas highway patrol training center at Salina\$2,000,000

Provided, That no expenditures shall be made from this account, other than for planning, until a presentation on the proposed project for a Kansas highway patrol training center at Salina, including a project life cycle analysis, has been made to the joint committee on state building construction and the proposed project has been reviewed and evaluated by the joint committee: Provided further, That expenditures, other than for planning, may be made from this account 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 KSA 75-3711c and

amendments thereto and acting after the state finance council has received the recommendations of the joint committee on state building construction on such capital improvement project: And provided further, That expenditures from this account for planning for such capital improvement project shall not exceed \$100,000."

This appropriation would provide an excess of funding for the acquisition, renovation and construction of a Kansas Highway Patrol Training Center. As presented in my FY 1993 budget recommendations, I believe that \$4.5 million is an adequate amount to complete a new training center. The Legislature, in addition to the \$2 million which I have vetoed, appropriated \$5 million to provide a new training center. Although this amount is above the total I recommended, I will approve the \$5 million appropriation.

Sections 13(a) and 13(b) that read as follows have been line-item vetoed:

"(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:

Agricultural experiment stations improvements, including equipment \$600,000

Provided, however, That no expenditures shall be made from this account until the proposed expenditures have been reviewed by the joint committee on state building construction.

(b) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$600,000 from the social welfare fund to the Kansas special capital improvements fund."

I find it necessary to veto the above sections. The \$600,000 for capital improvements and equipment for Kansas State University—Extension Systems and Agriculture Research Programs was not part of the agency's budget request for FY 1993. As a result, the appropriation of these items has not followed the proper review process. If the agency wishes to request funding for these items as part of its FY 1994 budget, I will give them careful review.

Sections 14(a) and 14(b) that read as follows have been line-item vetoed:

"(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1993, 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:

Operating expenditures—St. Mary of the Plains college library fund \$15,000

Provided, That expenditures from this fund shall be for maintenance expenses

and utilities from July 1, 1992 until December 31, 1992.

(b) On July 1, 1992, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$15,000 from the social welfare fund to the operating expenditures—St. Mary of the Plains college library fund."

I find it necessary to veto the above sections. Although the closing of St. Mary of the Plains College is unfortunate, there are limits to what the state can do to mitigate the problems resulting from the closing. I have recommended, and the Legislature has approved, \$76,142 from the State General Fund to permit Fort Hays State University to offer classes in the areas served by St. Mary of the Plains College. I chose to veto, however, \$150,000 from the State General Fund to purchase the St. Mary of the Plains College library collection on the grounds that the state could not afford that cost. Since the state will not become owner of that collection, there is no obligation to provide operating support for the library.

Although this is intended to be a one-time expense, I am also concerned that the state's assumption of these costs now will lead to larger requests for further support in the future.

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

"(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:

Preliminary planning of Murphy Hall renovation and expansion \$150,000"

Section 9(b) that reads as follows has been line-item vetoed:

"(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1995, for the capital improvement project specified as follows:

Preliminary planning for chemistry building and central energy plant expansion \$300,000"

Section 15(a) that reads as follows has been line-item vetoed:

"(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:

Beach music hall renovation—preliminary planning \$100,000"

Section 17(a) that reads as follows has been line-item vetoed:

"(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1996, for the capital improvement project specified as follows:

Preliminary planning for nursing education building \$150,000"

The above four sections make appropriations from the Educational Building Fund for FY 1995 and FY 1996. I do not believe it is appropriate to provide planning funds for major capital improvement projects several years in advance of the availability of any construction funding. It is quite possible that other projects will surface between now and then that will be of higher priority to the Board of Regents. Second, authorization for these projects should be granted only after there has been careful review of the merits of these projects, after program plans have been submitted and the Board of Regents has included the projects in the budget request. There was no request for appropriations for these projects in the FY 1993 budget document, nor was there a request for a Governor's budget amendment for these projects.

Dated May 22, 1992.

Joan Finney
Governor

(Published in the Kansas Register, June 4, 1992.)

HOUSE BILL No. 2728

AN ACT relating to certain capital improvement projects; making and concerning appropriations for the fiscal years ending June 30, 1992, and June 30, 1993, and authorizing certain financing, for certain capital improvement projects for the insurance department, department of administration, Fort Hays state university, Kansas state university, Kansas state university—Salina, college of technology, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, state board of regents, department of human resources, Kansas commission on veterans affairs, adjutant general, attorney general—Kansas bureau of investigation, youth center at Beloit, youth center at Atchison and youth center at Topeka; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing.

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

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

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

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 1991 Supp. 75-6702 and amendments thereto.

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, for the capital improvement projects specified as follows:

| | |
|--|-------------|
| Energy conservation improvements—debt service | \$571,925 |
| Exterior stonework—statehouse | 300,000 |
| Rehabilitation and repair—statehouse | 139,500 |
| Rehabilitation and repair—judicial center | 81,000 |
| Rehabilitation and repair—governor's residence | 54,500 |
| Total | \$1,146,925 |

Any unencumbered balance in excess of \$100 as of June 30, 1992, in each of the following capital improvement accounts is hereby reapropriated for fiscal year 1993: Special maintenance, repairs and improvements—statehouse, printing plant, judicial center, and governor's residence; heating and air conditioning repairs governor's residence; cage elevator renovation—statehouse; construct maintenance building—governor's residence.

(continued)

(b) In addition to the purposes for which expenditures may be made by the above agency from the building and ground fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the following capital improvement accounts of the building and ground fund during fiscal year 1993 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

| | |
|---|----------|
| Parking lot rehabilitation and repair | \$32,500 |
| Capitol area plaza—debt service | 60,320 |
| Total | \$92,820 |

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

| | |
|---|----------|
| Energy conservation improvements fund | No limit |
|---|----------|

(d) In addition to the purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the following capital improvement account of the state buildings depreciation fund during fiscal year 1993 for the following capital improvement projects, subject to the expenditure limitation prescribed therefor:

| | |
|---|-----------|
| Special maintenance—Docking office building, Forbes, heating plant and Landon office building | \$200,000 |
|---|-----------|

Provided, That all expenditures from such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 1993.

(e) In addition to the purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for the fiscal year ending June 30, 1993, expenditures may be made by the above agency from the state buildings depreciation fund of amounts in unexpended balances as of June 30, 1992, in capital improvement accounts for projects approved for prior fiscal years: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1992: *Provided further*, That all expenditures from such accounts shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 1993.

(f) Any unencumbered balance as of June 30, 1992, in each of the following capital improvement accounts of the state buildings depreciation fund is hereby lapsed: Reroof part of Docking office building; replace transformers—Docking office building; update fire alarm system—Docking office building; balance air handling systems—Landon office building; install backflow preventers on fire protection water lines.

(g) On July 1, 1992, the \$75,000 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 3(b) of chapter 17 of the 1991 Session Laws of Kansas from the state general fund in the cage elevator renovation—statehouse account, is hereby lapsed.

(h) On July 1, 1992, the director of accounts and reports shall transfer \$396,160 from the state buildings depreciation fund to the state general fund.

(i) On June 30, 1992, the director of accounts and reports shall transfer any unencumbered balance from the Bluemont hall defects repair fund of Kansas state university to the construction defects fund of the department of administration.

Sec. 3.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

| | |
|---|-----------|
| Student union annex fund | No limit |
| Housing system—maintenance and equipment reserve fund | No limit |
| Housing system bond and interest sinking fund | No limit |
| Physical education building construction—bond and interest sinking fund | No limit |
| Physical sciences building—federal grant fund | \$390,000 |

Sec. 4.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all

moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

| | |
|---|----------|
| Student fee project reserve fund | No limit |
| Student fee bonds principal and interest fund | No limit |

Provided, That Kansas state university may make expenditures from this fund for debt service, financing costs and required reserves for the capital improvement project to renovate Van Zile hall, Putnam hall and Boyd hall pursuant to section 17(e) of chapter 25 of the 1989 Session Laws of Kansas.

| | |
|--|----------|
| Student fee bonds repair, equipment and improvement fund | No limit |
| Federal construction funds fund | No limit |
| Bond construction funds fund | No limit |
| Coliseum bond proceeds fund | No limit |
| Stadium bond and interest sinking fund | No limit |
| Student union annex II bond and interest sinking fund | No limit |
| Housing system project revenue fund | No limit |
| Housing system bond and interest sinking fund | No limit |
| Haymaker hall bond and interest sinking fund | No limit |
| Student union annex I bond and interest sinking fund | No limit |
| Jardine terrace III bond and interest sinking fund | No limit |
| Student recreational building bond and interest sinking fund | No limit |
| Shellenberger hall third floor expansion private gifts fund | No limit |
| Engineering complex—phase II—private gifts fund | No limit |
| Student coliseum bond fee fund | No limit |
| Plan, construct and equip plant science building—phase II—federal fund | No limit |
| Plant science building—phase II—special revenue fund | No limit |

Provided, That Kansas state university may make expenditures from this fund for the capital improvement project to construct and equip phase II of the plant science building in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$5,000,000 plus all amounts required for costs of any bond or loan issuance, costs of interest on any bond or loan issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond or loan: *Provided further*, That all gifts and grants received for the capital improvement project to construct and equip phase II of the plant science building, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of this fund: *And provided further*, That the above agency may transfer moneys from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That all transfers of moneys from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund: *And provided further*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That, upon request of the president of Kansas state university to provide for any amounts that may be required to be paid for all or part of the cost of such capital improvement project and expenses related thereto, in addition to other available moneys, the pooled money investment board is authorized and directed to loan to Kansas state university sufficient moneys therefor: *And provided further*, That all loan amounts shall be transferred and credited to this fund upon certifications by the president of Kansas state university: *And provided further*, That the pooled money investment board is authorized and directed to use any moneys in operating accounts, investment accounts or other investments of the state of Kansas to provide moneys for such loan: *And provided further*, That such loan shall bear interest from the date of the loan transfer or transfers at an annual rate of interest which is not less than the average yield before taxes received on 91-day United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent public offering of such bills in effect on January 1 of such year and shall have such other terms as may be agreed upon by the president of Kansas state university and the pooled money investment board: *And provided further*, That such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(b) On or before July 10, 1992, and on or before the 10th day of each month thereafter during fiscal year 1993, the director of accounts and reports shall transfer from the state general fund to the student coliseum bond fee fund the amount of money certified by the pooled money investment board in accordance with this subsection. Prior to July 10, 1992, and prior to the 10th day of each month thereafter during fiscal year 1993, the pooled money investment board shall certify to the director of accounts and reports an amount of money equal to the proportionate amount of all the interest

credited to the state general fund for the preceding month, pursuant to K.S.A. 75-4210a and amendments thereto, that is attributable to moneys in the student coliseum bond fee fund. Such amount of money shall be determined by the pooled money investment board based on: (1) The average daily balance of moneys in the student coliseum bond fee fund during the preceding month as certified to the board by the president of Kansas state university and (2) the average interest rate on time deposit, open accounts for that period as determined under K.S.A. 75-4212 and amendments thereto. On or before July 5, 1992, and on or before the fifth day of each month thereafter during fiscal year 1993, the president of Kansas state university shall certify to the pooled money investment board the average daily balance of moneys in the student coliseum bond fee fund during the preceding month.

(c) In addition to the purposes for which expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the sponsored research overhead fund during fiscal year 1993 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Construct equipment storage building in Riley county, Kansas \$130,000

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

Chester E. Peters recreation complex expansion and restoration fee fund No limit

Provided, That Kansas state university may make expenditures from this fund for the capital improvement project to expand and renovate the Chester E. Peters recreation complex in an amount of not more than the total of \$7,600,000 plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds. Such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Sec. 5.

KANSAS STATE UNIVERSITY—SALINA,
COLLEGE OF TECHNOLOGY

(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:

New entrance construction fund No limit

Provided, That expenditures may be made from this fund to construct a new entrance for the above agency on the campus at Salina, Kansas: *Provided further*, That all moneys received from local sales tax proceeds, the sale of land, or any other source to construct a new entrance shall be deposited in the state treasury to the credit of this fund.

Site improvements fund No limit

Provided, That expenditures may be made from this fund to construct new roads and sidewalks and make other site improvements for the above agency on the campus at Salina, Kansas: *Provided further*, That all moneys received from local sales tax proceeds or any other source for site improvements shall be deposited in the state treasury to the credit of this fund.

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

New dormitory construction fund 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. 1991 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 all moneys received from the issuance of such bonds, 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.

Site improvements fund No limit

Provided, That expenditures may be made from this fund to construct new roads and sidewalks and make other site improvements for the above agency on the campus at Salina, Kansas: *Provided further*, That all moneys received from local sales tax proceeds or any other source for site improvements shall be deposited in the state treasury to the credit of this fund.

Technology center addition fund No limit

Provided, That expenditures may be made from this fund to construct an addition to the technology center for the above agency on the campus at Salina, Kansas: *Provided further*, That all moneys received from local sales tax proceeds or any other source for the technology center addition shall be deposited in the state treasury to the credit of this fund.

College center construction fund No limit

Provided, That expenditures may be made from this fund to construct a college center for the above agency on the campus at Salina, Kansas: *Provided further*, That all moneys received from local sales tax proceeds or any other source for construction of a college center shall be deposited in the state treasury to the credit of this fund.

Plan, construct and equip paint booth building—federal fund \$200,000

Sec. 6.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

- Men's dormitory No. 1—project revenue fund No limit
- Men's dormitory No. 1—bond and interest sinking fund No limit
- Men's dormitory No. 1—building maintenance and equipment reserve fund No limit
- Men's dormitory No. 2—project revenue fund No limit
- Men's dormitory No. 2—bond and interest sinking fund No limit
- Men's dormitory No. 2—maintenance and equipment reserve fund No limit
- Women's dormitory No. 2—project revenue fund No limit
- Women's dormitory No. 2—bond and interest sinking fund No limit
- Women's dormitory No. 2—maintenance and equipment fund No limit
- Women's dormitory No. 3 and student apartments—project revenue fund No limit
- Women's dormitory No. 3 and student apartments—bond and interest sinking fund No limit
- Women's dormitory No. 3 and student apartments—maintenance and equipment reserve fund No limit
- Women's dormitory No. 4—project revenue fund No limit
- Women's dormitory No. 4—bond and interest sinking fund No limit
- Women's dormitory No. 4—maintenance and equipment reserve fund No limit
- Student union bond and interest sinking fund No limit
- Student union refurbishing fund No limit
- Bond construction funds fund No limit
- Student union addition bond and interest sinking fund No limit
- Men's dormitory No. 3—project revenue fund No limit
- Men's dormitory No. 3—bond and interest sinking fund No limit
- Men's dormitory No. 3—maintenance and equipment reserve fund No limit

(b) On July 1, 1992, of the \$3,368,048 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 11(b) of chapter 21 of the 1990 Session Laws of Kansas from the Kansas educational building fund in the Plumb hall—plan, remodel and equip account, the sum of \$257,497 is hereby lapsed.

Sec. 7.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

- 1962 dormitory and student apartments sinking fund No limit
- 1962 dormitory and student apartments revenue fund No limit
- 1962 dormitory and student apartment repair and replacement fund No limit
- East campus apartments and Shirk hall revenue fund No limit
- East campus apartments and Shirk hall bond and interest sinking fund No limit
- East campus apartments and Shirk hall repair and replacement fund No limit
- Married student housing and men's dormitory—bond and interest sinking fund No limit
- Married student housing and men's dormitory project revenue fund No limit
- Married student housing and men's dormitory repair and replacement fund No limit
- Suspense fund No limit
- Kansas technology center federal fund \$443,000
- Kansas technology center gifts and donations fund 50,000

(continued)

Sec. 8.

UNIVERSITY OF KANSAS

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

| | |
|--|-----------|
| Decommission nuclear reactor | |
| For the fiscal year ending June 30, 1992 | \$375,000 |
| For the fiscal year ending June 30, 1993 | 375,000 |

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

| | |
|--|----------|
| Plan and construct human development center—gift fund | No limit |
| Student union renovation revenue fund | No limit |
| Student union renovation bond and interest sinking fund | No limit |
| Student union renovation bond reserve fund | No limit |
| Student health facility maintenance, repairs and equipment fee fund | No limit |
| Housing system revenue fund | No limit |
| Housing system bond and interest sinking fund | No limit |
| 1988 parking facilities principal and interest fund | No limit |
| 1988 parking facilities bond reserve fund | No limit |
| 1988 parking facilities rebate fund | No limit |
| Regents center construction and debt service fund | No limit |
| Regents center principal and interest fund | No limit |
| Regents center revenue fund | No limit |
| Regents center bond reserve fund | No limit |
| Regents center surplus fund | No limit |
| Regents center rebate fund | No limit |
| Regents center project fund | No limit |
| Regents center cost of issuance fund | No limit |
| Biosciences research center—federal fund | No limit |
| Student union renovation rebate fund (phase 1) | No limit |
| Energy conservation project fund—K DFA bond | No limit |
| Project fund for K DFA revenue bonds, series C, 1992 | No limit |
| Principal and interest account for K DFA revenue bonds, series C, 1992 | No limit |
| Costs of issuance account for K DFA revenue bonds, series C, 1992 | No limit |
| Bond reserve account for K DFA revenue bonds, series C, 1992 | No limit |
| Surplus account for K DFA, K DFA revenue bonds, series C, 1992 | No limit |
| Rebate fund for K DFA revenue bonds, series C, 1992 | No limit |
| Biosciences research center—special revenue fund | No limit |

Provided, That the university of Kansas may make expenditures from this fund for the capital improvement project to construct and equip a biosciences research center in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$2,053,000 plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond: *Provided further*, That all gifts and grants received for the capital improvement project to construct and equip a biosciences research center, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of this fund: *And provided further*, That the above agency may transfer moneys from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That all transfers of moneys from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund: *And provided further*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

| | |
|---|----------|
| Law enforcement training center improvements special revenue fund | No limit |
|---|----------|

Provided, That the university of Kansas may make expenditures from this fund for a capital improvement project for preliminary and final plans for law enforcement training center improvements: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$475,000: *Provided further*, That the above agency may transfer moneys from the law enforcement training center fund to this fund for such capital improvement project: *And provided further*, That all transfers of moneys from the law enforcement training center fund to this fund shall be in addition to any expenditure limitation imposed on the law enforcement training center fund.

(c) On the effective date of this act, any unencumbered balance as of that date in each of the following capital improvement accounts of the Kansas educational building fund is hereby lapsed: Construct

and equip science library; remodel Haworth hall; remodel Fowler shops and Broadcast hall.

(d) During the fiscal year ending June 30, 1993, the university of Kansas is hereby authorized to make expenditures to raze building number 27—facilities operations storage facility and building number 48—Jolliffe hall.

Sec. 9.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

| | |
|---|----------|
| Basic science facility—federal fund | No limit |
| Parking facility K DFA principal and interest fund | No limit |
| Parking facility K DFA bond reserve fund | No limit |
| Parking facility K DFA cost of issuance fund | No limit |
| Parking facility K DFA surplus fund | No limit |
| Parking facility K DFA rebate fund | No limit |
| Medical library private gifts fund | No limit |
| Medical library revenue fund | No limit |
| Medical library bond and interest sinking fund | No limit |
| Federal aid for buildings fund | No limit |
| Bond construction funds fund | No limit |
| Clinical facility bond and interest sinking fund | No limit |
| Clinical facility bond reserve fund | No limit |
| Clinical facility extraordinary repair fund | No limit |
| Clinical facility discretionary fund | No limit |
| Parking facility revenue fund | No limit |
| Parking facility bond and interest sinking fund | No limit |
| Parking facility refunding interest and sinking fund | No limit |
| Parking facility refunding repair and construction fund | No limit |
| Hospital refunding principal and interest sinking fund | No limit |
| Hospital refunding bond reserve fund | No limit |
| Parking facility K DFA project fund | No limit |
| University of Kansas hospital fund | No limit |

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

| | |
|---------------------------------------|-----------|
| Lease-purchase gallstone lithotripter | \$278,711 |
|---------------------------------------|-----------|

And provided further, That expenditures may be made from this fund during fiscal year 1993 from the hospital equipment and related renovations account and renovate cardio-thoracic ICU and post-operative ICU account of this fund: *Provided, however*, That expenditures from each such account shall not exceed the amount of the unencumbered balance in such account as of June 30, 1992.

| | |
|--|----------|
| Renovate cardio-thoracic ICU and post-operative ICU fund | No limit |
| Animal research facility project fund | No limit |
| Animal research facility debt service fund | No limit |
| Research building—special revenue fund | No limit |

Provided, That the university of Kansas medical center may make expenditures from this fund for the capital improvement project to construct and equip a research building in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$4,520,000 plus all amounts required for costs of any bond or loan issuance, costs of interest on any bond or loan issued or obtained for such capital improvement project and any required reserves for payment of principal and interest on any bond or loan: *Provided further*, That all gifts and grants received for the capital improvement project to construct and equip a research building, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of this fund: *And provided further*, That the above agency may transfer moneys from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That all transfers of moneys from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund: *And provided further*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of subsection (b) of K.S.A. 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That, upon request of the chancellor of the university of Kansas to provide for any amounts that may be required to be paid for all or part of the cost of such capital improvement

project and expenses related thereto, in addition to other available moneys, the pooled money investment board is authorized and directed to loan to the university of Kansas medical center sufficient moneys therefor: *And provided further*, That all loan amounts shall be transferred and credited to this fund upon certifications by the chancellor of the university of Kansas: *And provided further*, That the pooled money investment board is authorized and directed to use any moneys in operating accounts, investment accounts or other investments of the state of Kansas to provide moneys for such loan: *And provided further*, That such loan shall bear interest from the date of the loan transfer or transfers at an annual rate of interest which is not less than the average yield before taxes received on 91-day United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent public offering of such bills in effect on January 1 of such year and shall have such other terms as may be agreed upon by the chancellor of the university of Kansas and the pooled money investment board: *And provided further*, That such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(b) On July 1, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas of not to exceed \$278,711 from the hospital revenue fund to the university of Kansas hospital fund.

(c) On August 1, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the chancellor of the university of Kansas from the hospital revenue fund to the clinical facility bond and interest sinking fund.

Sec. 10.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

| | |
|--|----------|
| On-campus parking—bond and interest fund | No limit |
| Parking—major maintenance fund | No limit |
| 1960 dormitory bond and interest sinking fund | No limit |
| Dormitory repair and replacement reserve fund | No limit |
| McKnight fine arts building gift fund | No limit |
| Academic and service building bond reserve fund | No limit |
| Academic and service building bond and interest sinking fund | No limit |
| 1976 dormitory bond and interest sinking fund | No limit |
| 1976 dormitory bond reserve fund | No limit |
| 1976 dormitory maintenance reserve fund | No limit |
| On-campus parking construction and maintenance fund | No limit |
| Stadium maintenance reserve fund | No limit |

(b) On the effective date of this act, any unencumbered balance in the following capital improvement account of the Kansas educational building fund is hereby lapsed: Campus utilities study.

Sec. 11.

STATE BOARD OF REGENTS

(a) On the effective date of this act, any unencumbered balance in the state school dormitory fund is hereby transferred to the Kansas educational building fund.

Sec. 12.

DEPARTMENT OF HUMAN RESOURCES

(a) In addition to the purposes for which expenditures may be made by the above agency from the special employment security fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the following capital improvement account of the special employment security fund during fiscal year 1993: Handicapped accessibility upgrades at existing buildings used by department of human resources: *Provided, however*, That expenditures from such capital improvement account for fiscal year 1993 shall not exceed \$204,600: *Provided further*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 1993.

(b) In addition to the purposes for which expenditures may be made by the above agency from the employment security administration fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the employment security administration fund from moneys made available to the state under section 903 of the federal social security act, as amended, during fiscal year 1993: *Provided, however*, That expenditures from this fund during fiscal year 1993 of moneys made available to the state

under section 903 of the federal social security act, as amended, shall be made only for the following capital improvement purposes: (1) For major maintenance of existing buildings used by the department of human resources for employment security purposes; (2) for paving, landscaping and acquiring fixed equipment as may be required for the use and operation of such buildings; or (3) for any combination of these purposes: *Provided further*, That expenditures from this fund during fiscal year 1993 of moneys made available to the state under section 903 of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$76,500 plus the amounts of unencumbered balances on June 30, 1992, for projects approved for fiscal years prior to fiscal year 1993: *And provided further*, That all expenditures from this fund for such capital improvement purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 1993.

(c) On the effective date of this act, the expenditure limitation established by section 3(b) of chapter 13 of the 1991 Session Laws of Kansas on the employment security administration fund for the fiscal year ending June 30, 1992, from moneys made available to the state under section 903 of the federal social security act, as amended, during fiscal year 1992, is hereby increased from \$144,000 plus the total amount of all unencumbered balances on June 30, 1991, to \$273,058 plus the total amount of all unencumbered balances on June 30, 1991.

(d) In addition to the purposes for which expenditures may be made by the above agency from the special employment security fund for the fiscal year ending June 30, 1992, moneys may be expended by the above agency from the following capital improvement account of the special employment security fund during fiscal year 1992: Move the department's computer operations from the Landon state office building to the employment security systems institute building and associated capital improvements and equipment acquisitions: *Provided, however*, That expenditures from such capital improvement account for fiscal year 1992 shall not exceed \$600,942: *Provided further*, That all expenditures from such capital improvement project account shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 1992.

Sec. 13.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1992, for the capital improvement projects specified as follows:

| | |
|--|----------|
| Water contamination clean-up | \$22,622 |
| Repair and rehabilitation projects | 26,200 |
| Total | \$48,822 |

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

| | |
|--|-----------|
| Repair and rehabilitation projects | \$50,000 |
| Renovate cottages | 50,000 |
| Installation of potable water well | 75,640 |
| Water line distribution system | 457,500 |
| Total | \$633,140 |

(c) Any unencumbered balance as of June 30, 1992, in the following capital improvement account of the state institutions building fund is hereby lapsed: Soldiers' home—major maintenance and repairs.

Sec. 14.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1993, for the capital improvement projects specified as follows:

| | |
|--|-----------|
| Rehabilitation and repair projects | \$461,506 |
|--|-----------|

Sec. 15.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated from the state general fund for the fiscal year ending June 30, 1993, for the capital improvement projects specified as follows:

(continued)

| | |
|---|-----------|
| Rehabilitation and repair—headquarters building..... | \$15,000 |
| Debt service principal payment—headquarters building..... | 95,000 |
| Total..... | \$110,000 |

Sec. 16.

YOUTH CENTER AT TOPEKA

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

| | |
|--|-----------|
| Addition and remodeling project for dining facility..... | \$306,500 |
|--|-----------|

(b) Any unencumbered balance as of June 30, 1992, in each of the following capital improvement accounts of the state institutions building fund is hereby lapsed: Institutional major maintenance program; major maintenance and roof repair program; construct control building and staff parking lot.

Sec. 17.

YOUTH CENTER AT BELOIT

(a) Any unencumbered balance as of June 30, 1992, in each of the following capital improvement accounts of the state institutions building fund is hereby lapsed: Replace heating and cooling system in school building; emergency major maintenance; institutional major maintenance program.

Sec. 18.

YOUTH CENTER AT ATCHISON

(a) Any unencumbered balance as of June 30, 1992, in each of the following capital improvement accounts of the state institutions building fund is hereby lapsed: Acquire and install intercom system; institutional equipment replacement and acquisition program; institutional major maintenance program.

Sec. 19. *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. 20. *Savings.* Any unencumbered balance as of June 30, 1992, in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1992 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1993, for the same use and purpose as the same was heretofore appropriated.

Sec. 21. Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 1992 regular session of the legislature and having an unencumbered balance as of June 30, 1992, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1993, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 22. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1992 regular session of the legislature and having an unencumbered balance as of June 30, 1992, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1993, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 23. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: The following bill contains several line-item vetoes by the Governor, which were sustained by the Legislature. A copy of the Governor's veto message is printed immediately following the bill.)

(Published in the Kansas Register, June 4, 1992.)

SENATE Substitute for HOUSE BILL No. 3215

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1992, June 30, 1993, and June 30, 1994; 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 12 of chapter 17 of the 1991 Session Laws of Kansas, section 11 of 1992 House Bill No. 2707, section 10 of 1992 House Bill No. 2722, section 2 of 1992 Senate Bill No. 504, section 9 of 1992 Senate Bill No. 504, section 10 of 1992 Senate Bill No. 504, section 4 of 1992 Senate Bill No. 525, section 5 of 1992 Senate Bill No. 525, section 3 of 1992 Senate Bill No. 538 and K.S.A. 1991 Supp. 79-2959, 79-2964, 79-3425e, 79-34,147 and 82a-953 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, 1992, June 30, 1993, and June 30, 1994, 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 1992 and shall constitute the omnibus reconciliation spending limit bill for the 1992 regular session of the legislature for purposes of subsection (a) of K.S.A. 1991 Supp. 75-6702 and amendments thereto.

Sec. 2.

DEPARTMENT OF REVENUE—HOMESTEAD PROPERTY TAX REFUNDS

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|-----------------------------|---------------------|---------------------|
| Homestead tax refunds | \$1,500,000 | |

Sec. 3.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$5,530,437 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 21 of the 1991 Session Laws of Kansas from the state general fund in the other operating expenditures account, the sum of \$206,138 is hereby lapsed.

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------------|---------------------|---------------------|
| Salaries and wages | \$12,325 | \$510,991 |
| Other operating expenditures | 37,980 | 269,480 |
| Total..... | \$50,305 | \$780,471 |

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|---------------------|---------------------|
| International fuel tax agreement clearing fund..... | No limit | No limit |
| Special training fund pursuant to section 1 of 1992 House Bill No. 2812..... | | No limit |

(d) On July 1, 1992, the position limitation established by section 10 of 1992 Senate Bill No. 525 for the department of revenue is hereby increased from 1,241.0 to 1,258.0.

(e) On July 1, 1992, the expenditure limitation established by section 3(b) of 1992 Senate Bill No. 525 for the division of vehicles operating fund is hereby increased from \$26,417,572 to \$30,217,572.

(f) On July 1, 1992, and quarterly thereafter, the director of accounts and reports shall transfer \$950,000 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.

Sec. 4.

KANSAS LOTTERY

(a) On the effective date of this act, the expenditure limitation established by section 20(a) of 1992 Senate Bill No. 547 on the lottery operating fund is hereby increased from \$8,764,878 to \$8,789,878.

(b) On the effective date of this act, the expenditure limitation established by section 20(c) of 1992 Senate Bill No. 547 on the other operating expenditures account of the lottery operating fund is hereby increased from \$5,658,887 to \$5,683,887.

(c) On the effective date of this act, the transfer to the state gaming revenues fund authorized by section 20(d) of 1992 Senate Bill No. 547 is hereby increased from \$2,400,000 to \$2,800,000.

Sec. 5. On July 1, 1992, section 4 of 1992 Senate Bill No. 525, is hereby amended to read as follows: Sec. 4.

KANSAS LOTTERY

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

Lottery operating fund..... \$9,024,735 \$10,434,735

Provided, That any expenditures from this fund for on-line terminal communication charges, on-line vendor commission payments and refunds shall be in addition to any expenditure limitation imposed on this fund: Provided further, 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:

Table with 2 columns: Item and Amount. Salaries and wages: \$3,088,903; On-line terminal communications: No limit; On-line vendor commission: No limit; Lottery computer system and software: 1,400,000

Provided, That no expenditures shall be made from this account except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: Provided, however, That prior to approval by the state finance council of expenditures made from this account, the joint committee on computers and telecommunications shall review a needs analysis for the proposed computer system and software acquisition to be submitted by the Kansas lottery, and, after the conclusion of its review, the joint committee shall advise and make recommendations about the proposed acquisition and the amount of expenditures which the state finance council should approve.

Other operating expenditures..... 5,945,832

Provided, That expenditures from this account for official hospitality shall not exceed \$5,000: Provided further, That any refunds shall be in addition to the expenditure limitation imposed on this account.

Lottery prize payment fund..... No limit

(b) The director of accounts and reports is hereby directed to credit any transfer from the lottery operating fund to the state gaming revenues fund made after June 30, 1992, to the fiscal year commencing on July 1, 1992.

(c) On July 1, 1992, and quarterly thereafter, the director of accounts and reports shall transfer \$37,500 from the lottery operating fund to the lottery and racing investigations fee fund of the attorney general—Kansas bureau of investigation for the purpose of financing a portion of the cost of operation and general expense of the Kansas bureau of investigation gaming unit.

Sec. 6. On July 1, 1992, section 5 of 1992 Senate Bill No. 525, is hereby amended to read as follows: Sec. 5.

KANSAS RACING COMMISSION

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

State racing fund..... \$1,811,633 \$2,243,475

Provided, That expenditures from this fund for salaries and wages shall not exceed \$60,132: Provided further, That all expenditures from this fund for other operating expenditures

shall not exceed \$842,501: And provided further, That expenditures from this fund for official hospitality provided by the executive director shall not exceed \$1,000.

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:

Table with 2 columns: Item and Amount. Salaries and wages: \$1,077,279; Computer system upgrade: 38,760

Provided, That no expenditures shall be made from this account except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the advice and recommendations of the joint committee on computers and telecommunications: Provided, however, That prior to approval by the state finance council of expenditures made from this account, the joint committee on computers and telecommunications shall review a needs analysis for the proposed computer system acquisition to be submitted by the Kansas racing commission, and, after the conclusion of its review, the joint committee shall make recommendations to the state finance council about the proposed acquisition and the amount of expenditures which the state finance council should approve.

Other operating expenditures..... 1,127,436

Provided, That expenditures from this account for official hospitality shall not exceed \$1,000: Provided further, That any refunds shall be in addition to the expenditure limitation imposed on this account.

Table with 2 columns: Item and Amount. Racing reimbursable expense fund: No limit; Racing applicant deposit fund: No limit; Kansas horse breeding development fund: No limit; Kansas greyhound breeding development fund: No limit; Racing investigative expense fund: No limit; County fair horse racing benefit fund: 0

(b) On July 1, 1992, and quarterly thereafter, the director of accounts and reports shall transfer \$42,871 \$72,496 from the state racing fund to the lottery and racing investigations fee fund of the attorney general—Kansas bureau of investigation for the purpose of financing a portion of the cost of operation and general expense of the Kansas bureau of investigation gaming unit.

(c) On July 1, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$13,361 from the information and copy services fee fund of the secretary of state to the state racing fund of the Kansas racing commission for the purpose of reimbursing a portion of the cost of software transferred to the secretary of state.

(d) On July 1, 1992, the position limitation established by section 10 of 1992 Senate Bill No. 525 for the Kansas racing commission is hereby increased from 40.5 to 50.5.

Sec. 7.

STATE CORPORATION COMMISSION

(a) On July 1, 1992, the expenditure limitation established by section 5(a) of 1992 House Bill No. 2721 on the public service regulation fund is hereby increased from \$4,421,148 to \$4,433,456.

(b) On July 1, 1992, the expenditure limitation established by section 5(a) of 1992 House Bill No. 2721 on the motor carrier license fees fund is hereby decreased from \$1,309,798 to \$1,289,798.

Sec. 8.

DEPARTMENT OF EDUCATION

(a) On July 1, 1992, of the \$153,166,711 appropriated for the fiscal year ending June 30, 1993, by section 2(a) of 1992 Senate Bill No. 497 from the state general fund in the special education services aid account, the sum of \$4,140,640 is hereby lapsed.

(b) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 Senate Bill No. 497 on the state operations account of the food assistance—federal fund is hereby increased from \$845,975 to \$890,975.

(c) 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 1992 | Fiscal Year 1993 |
|-------------------------------|---------------------|---------------------|
| Tuition protection fund | | No limit |

Sec. 9.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 1992, the expenditure limitation established by section 20(a) of 1992 House Bill No. 2708 on the technical professions fee fund is hereby increased from \$288,914 to \$317,258.

Sec. 10.

STATE LIBRARY

(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 1992 | Fiscal Year 1993 |
|--------------------------------|---------------------|---------------------|
| OOE EDIF grant fund | | \$3,700 |
| Literacy EDIF grant fund | | 280,000 |
| Total | | \$283,700 |

(b) On July 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,700 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the OOE EDIF grant fund of the state library.

(c) On October 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 literacy EDIF grant fund of the state library.

(d) On January 15, 1993, 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 literacy EDIF grant fund of the state library.

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|-------------------------------|---------------------|---------------------|
| Burlingame city library | | \$50,000 |

~~Provided, That expenditures may be made from this account for the Burlingame city library upon proof that the \$50,000 is not covered by insurance relating to the fire which destroyed the library on or about March 20, 1992. Provided further, That expenditures may be made from this account only if (1) the city of Burlingame, Kansas, applies to the state finance council pursuant to K.S.A. 75-2713a and amendments thereto, prior to October 1, 1992, for a grant of \$50,000 from the state emergency fund to repair or replace the building and equipment of the city library damaged by fire; (2) the state finance council does not approve such application prior to January 1, 1993; and (3) such expenditures from this account are matched \$1 for \$1 with nonstate funds.~~

Sec. 11.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 1992, the expenditure limitation established by section 9(a) of 1992 House Bill No. 2708 on the cosmetology fee fund is hereby increased from \$314,820 to \$394,820.

Sec. 12.

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 1992 | Fiscal Year 1993 |
|------------------------------------|---------------------|---------------------|
| Salaries and wages | \$4,469 | |
| Other operating expenditures | 10,675 | |
| Total | 15,144 | |

Sec. 13.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | | \$1,000,012 |

~~Provided, That no expenditures shall be made from this account for the purpose of computer upgrades in conjunction with the implementation of 1992 Senate Bill No. 470 until such upgrades have been reviewed by the joint committee on computers and telecommunications. Provided further, That expenditures may be made from this account for the purpose of computer upgrades in conjunction with the implementation of 1992 Senate Bill No. 470 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 the guidelines prescribed by subsection (c) of K.S.A. 75-2711c and amendments thereto and acting after receiving the recommendations of the joint committee on computers and telecommunications.~~

(b) On the effective date of this act, of the \$6,999,550 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 6(a) of chapter 28 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,000 is hereby lapsed.

(c) On the effective date of this act, the director of accounts and reports shall transfer \$8,665 from the state racing fund of the Kansas racing commission to the lottery and racing investigations fee fund of the attorney general—Kansas bureau of investigation for the purpose of financing a portion of the cost of operation and general expense of the Kansas bureau of investigation gaming unit.

~~(d) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 House Bill No. 2722 on the lottery and racing investigations fee fund is hereby increased from \$427,343 to \$532,446.~~

~~(e) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 House Bill 2722 on the narcotics strike force federal fund is hereby increased from \$637,158 to \$682,063.~~

(f) On July 1, 1992, the position limitation established by section 14 of 1992 House Bill No. 2722 for the attorney general—Kansas bureau of investigation is hereby increased from 189.0 to 199.0.

Sec. 14.

KANSAS HIGHWAY PATROL

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | | \$86,059 |

(b) On July 1, 1992, of the \$20,436,656 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 5(a) of 1992 House Bill No. 2722 from the state general fund in the operating expenditures account, the sum of \$60,000 is hereby lapsed.

Sec. 15.

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 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | | \$26,745 |

(b) On July 1, 1992, of the \$10,745,475 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 3(a) of 1992 Senate Bill No. 507 from the state general fund in the operating expenditures account, the sum of \$39,235 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 14(a) of 1992 Senate Bill No. 547 on the Kansas neurological institute fee fund is hereby increased from \$732,578 to \$882,578.

(d) On the effective date of this act, the expenditure limitation established by section 3(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund of Kansas neurological institute is hereby increased from \$12,473,950 to \$12,488,714.

(e) On the effective date of this act, the amount of \$12,473,950 authorized by section 3(c) of chapter 11 of the 1991 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Kansas neurological institute is hereby increased to \$12,488,714.

(f) On July 1, 1992, the expenditure limitation established by section 3(b) of 1992 Senate Bill No. 507 on the title XIX fund of

Kansas neurological institute is hereby increased from \$12,326,617 to \$12,445,835.

(g) On July 1, 1992, the amount of \$12,326,617 authorized by section 3(c) of 1992 Senate Bill No. 507 to be transferred by the director of accounts and reports from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Kansas neurological institute is hereby increased to \$12,455,835.

Sec. 16.

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 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | \$43,209 | |

(b) On July 1, 1992, of the \$7,180,172 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 6(a) of 1992 Senate Bill No. 507 from the state general fund in the operating expenditures account, the sum of \$614,432 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 15(a) of 1992 Senate Bill No. 547 on the Parsons state hospital and training center fee fund is hereby increased from \$670,123 to \$810,793.

(d) On the effective date of this act, the expenditure limitation established by section 6(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund of Parsons state hospital and training center is hereby increased from \$9,616,587 to \$9,758,015.

(e) On the effective date of this act, the amount of \$9,616,587 authorized by section 6(c) of chapter 11 of the 1991 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Parsons state hospital and training center is hereby increased to \$9,758,015.

(f) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 Senate Bill No. 507 on the title XIX fund of Parsons state hospital and training center is hereby increased from \$9,616,950 to \$10,299,115.

(g) On July 1, 1992, the amount of \$9,616,950 authorized by section 6(c) of 1992 Senate Bill No. 507 to be transferred by the director of accounts and reports from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Parsons state hospital and training center is hereby increased to \$10,299,115.

Sec. 17.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) On July 1, 1992, of the \$13,278,233 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 9(a) of 1992 Senate Bill No. 507 from the state general fund in the operating expenditures account, the sum of \$70,978 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established by section 16(a) of 1992 Senate Bill No. 547 on the Winfield state hospital and training center fee fund is hereby increased from \$1,312,288 to \$1,467,788.

Sec. 18.

PUBLIC BROADCASTING COMMISSION

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|----------------------|---------------------|
| Grants to public radio and television broadcasting stations to assist in meeting local matching requirements under federal grants for replacement equipment | \$100,000 | |

Sec. 19.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the director of accounts and reports shall transfer \$3,000 from the Kansas economic development endowment account of the state economic development initiatives fund to the rural development council fund.

(b) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 Senate Bill No. 525 on the community development block grant administrative match—federal fund is hereby increased from \$441,593 to \$541,593.

(c) On July 1, 1992, the expenditure limitation established by

section 6(b) of 1992 Senate Bill No. 525 on the state economic development initiatives fund is hereby increased from \$8,480,703 to \$8,765,703.

(d) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 Senate Bill No. 525 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$8,480,703 to \$8,765,703.

(e) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 Senate Bill No. 525 on the state operations (including official hospitality) subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$4,474,809 to \$4,459,809.

(f) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 Senate Bill No. 525 on the tourist attraction development grants subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$250,000 to \$550,000.

(g) In addition to the purposes for which expenditures may be made from the trade show promotion program subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for the fiscal year ending June 30, 1993, the secretary of commerce may provide financial assistance from this subaccount to a Kansas small business concern to reimburse the Kansas small business concern for expenses solely related to the participation in a trade show located outside the boundaries of the United States of America: *Provided further*, That expenses which may be reimbursed shall include only expenses attributable to promoting services originating in Kansas or products which were manufactured or processed in Kansas or which received value added processing in Kansas and shall not include: (1) Any compensation, wages or salary of an employee of the Kansas small business concern; or (2) any travel expenses, including any lodging or meal expenses: *And provided further*, That the amount of financial assistance to a Kansas small business concern shall be the amount determined as follows: (1) First, determine the total amount of expenses incurred by the Kansas small business concern which may be reimbursed under this act and multiply such amount by 1/2, (2) then, subtract from the result obtained in paragraph (1) of this subsection any amounts received by the Kansas small business concern from a trade show promotion program, other than the program established by this act, for participation in the trade show: *Provided, however*, That such financial assistance shall not exceed \$3,500 per trade show: *And provided further*, That the secretary shall not provide more than \$7,000 of financial assistance from this subaccount to any Kansas small business concern during fiscal year 1993.

(h) After consultation with the secretary of commerce, the governor's council on work force training may certify to the director of accounts and reports amounts of money for transfer from the SKILL program services fund to the state general fund in order to transfer moneys which are not currently needed to pay SKILL program costs. The first such certification may be on June 30, 1992. Thereafter, such certifications may be made as deemed necessary by the council, after consultation with the secretary of commerce. The director of accounts and reports shall carry out transfers certified by the council in accordance with this section.

Sec. 20.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On July 1, 1992, the expenditure limitation established by section 8(a) of 1992 Senate Bill No. 525 on the economic development research and development fund is hereby increased from \$8,334,546 to \$8,449,079.

(b) On July 1, 1992, the expenditure limitation established by section 8(a) of 1992 Senate Bill No. 525 on the operations, assistance and grants (including official hospitality) account of the economic development research and development fund is hereby increased from \$6,724,795 to \$6,839,328.

Sec. 21.

KANSAS, INC.

(a) On July 1, 1992, the \$1,500,000 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 7(a) of 1992 Senate Bill No. 525 from the state general fund in the EPSCoR matching grants account is hereby lapsed.

(b) There is appropriated for the above agency from the following *(continued)*

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 1992 | Fiscal Year 1993 |
|----------------------------------|---------------------|---------------------|
| EPSCoR matching grants fund..... | \$0 | \$1,500,000 |

Provided, That expenditures from this account shall not be considered to be part of the state match required by K.S.A. 1991 Supp. 74-8009a and amendments thereto.

(c) On July 15, 1992, and October 15, 1992, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$750,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the EPSCoR matching grants fund of Kansas, Inc.

Sec. 22.

ADJUTANT GENERAL

(a) On July 1, 1992, the position limitation established by section 14 of 1992 House Bill No. 2722 for the adjutant general is hereby increased from 139.5 to 141.5.

(b) On the effective date of this act, of the \$2,857,208 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 28 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$7,207, is hereby lapsed.

(c) On the effective date of this act, the adjutant general is hereby authorized and directed to pay the following amount from the rehabilitation and repair projects account of the state general fund for payment for architectural services incurred in the design of a regional training site for maintenance, to the following claimant:

| | |
|--|------------|
| Brent Bowman & Associates Architects, P.A., 228 Poyntz Avenue, P.O. Box 1046, Manhattan, KS 66502..... | \$4,934.01 |
|--|------------|

Sec. 23. On July 1, 1992, section 10 of 1992 House Bill No. 2722, is hereby amended to read as follows: Sec. 10.

CORRECTIONS OMBUDSMAN BOARD OF CORRECTIONS

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

| | | |
|----------------------------------|-----------|-----------|
| Adult corrections oversight..... | \$160,906 | \$168,408 |
|----------------------------------|-----------|-----------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated to the adult corrections oversight account for fiscal year 1993: Provided, however, That expenditures from such reappropriated balances shall not exceed \$2,480 except upon approval of the state finance council.

Sec. 24.

DEPARTMENT OF CORRECTIONS

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Operating expenditures for the Wichita work release facility..... | \$4,845 | |

(b) On the effective date of this act, the expenditure limitation established by the state finance council on the correctional industries fund is hereby increased from \$8,445,224 to \$8,902,978.

(c) On the effective date of this act, of the \$2,224,822 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the El Dorado correctional facility pooled money investment board loan account, the sum of \$125,777 is hereby lapsed.

(d) On the effective date of this act, of the \$3,317,200 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the El Dorado correctional facility bond issue account, the sum of \$52,892 is hereby lapsed.

(e) On the effective date of this act, of the \$164,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the Wichita work release facility bond issue account, the sum of \$19,127 is hereby lapsed.

(f) On the effective date of this act, of the \$1,703,430 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas, account, the sum of \$772 is hereby lapsed.

(g) On the effective date of this act, of the \$177,376 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the Larned correctional mental health facility pooled money investment board loan account, the sum of \$704 is hereby lapsed.

(h) On the effective date of this act, of the \$1,458,000 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the debt service payment for the Larned correctional mental health facility bond issue account, the sum of \$153,545 is hereby lapsed.

Sec. 25. On July 1, 1992, section 2 of 1992 Senate Bill No. 504, is hereby amended to read as follows: Sec. 2.

DEPARTMENT OF CORRECTIONS

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

| | | |
|-----------------------------|-------------|-------------|
| Operating expenditures..... | \$8,926,736 | \$8,741,576 |
|-----------------------------|-------------|-------------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, in the salaries and wages account and any unencumbered balance in excess of \$100 as of June 30, 1992, in the other operating expenditures account is hereby reappropriated to the operating expenditures account for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$477,675 \$547,675 except upon approval of the state finance council.

| | | |
|------------------------|-----------|-----------|
| Offender programs..... | 9,460,655 | 9,369,655 |
|------------------------|-----------|-----------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, in the inmate programs account is hereby reappropriated to the offender programs account for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$57,155 \$457,155 except upon approval of the state finance council.

| | | |
|--|--|--------|
| State community corrections board..... | | 42,291 |
|--|--|--------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$25,729 except upon approval of the state finance council.

| | | |
|----------------------------|-----------|------------|
| Community corrections..... | 9,201,906 | 11,314,206 |
|----------------------------|-----------|------------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$1,099,000 except upon approval of the state finance council: Provided further, That no expenditures may be made by any county from any grant made to such county from this account for any quarter of fiscal year 1993 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections: And provided further, That no expenditures from this account may be made for state operations.

| | | |
|--|--|-----------|
| Community correctional conservation camps..... | | 1,204,377 |
|--|--|-----------|

| | | |
|---------------------------------------|------------|------------|
| Inmate medical and mental health..... | 14,725,668 | 15,082,585 |
|---------------------------------------|------------|------------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$500,000 except upon approval of the state finance council: Provided further, That expenditures from this account for malpractice insurance shall not be greater than the amount obtained by multiplying \$5,000 by the approved number of positions equated to full-time for individuals employed as physician specialists, physician assistants and dentists.

| | | |
|------------------------------|--|---------|
| Salaries and wages pool..... | | 400,000 |
|------------------------------|--|---------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided further, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1993 from this account to an account or accounts of the state general fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 1993 by the institution or facility for salaries and wages of security staff personnel.

| | | |
|---|--|-----------|
| Operating expenditures for the Wichita work release facility..... | | 1,857,004 |
|---|--|-----------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance

shall not exceed \$36,904 except upon approval of the state finance council.

Total \$45,127,637 \$48,011,694

(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:

| | |
|---|-----------------------|
| Agency special asset forfeiture fund | No limit |
| Adult basic education program—federal fund | No limit |
| Carl Perkins act—federal fund | No limit |
| Chapter I—federal fund | No limit |
| Chapter II—federal fund | No limit |
| Correctional industries fund | 8,982,570 \$9,002,570 |
| Drug abuse fund—community corrections—federal | No limit |
| Drug abuse fund—federal | No limit |
| Special education categorical aid—federal fund | No limit |
| Victim notification fund | No limit |
| Oil overcharge fund | No limit |
| State of Kansas—department of corrections inmate benefit fund | No limit |

(c) On July 1, 1992, the director of accounts and reports shall transfer \$50,000 from the correctional industries fund to the state general fund.

(d) On July 1, 1992, the position limitation established by section 11 of 1992 Senate Bill No. 504 for the department of corrections is hereby increased from 351.0 to 371.0.

Sec. 26.

TOPEKA CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$121,793 | \$88,305 |

Sec. 27.

HUTCHINSON CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$60,290 | \$277,551 |

Sec. 28.

LANSING CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$27,246 | \$272,317 |

Sec. 29.

ELLSWORTH CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$55,210 | |

Sec. 30.

WINFIELD CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$24,653 | \$28,655 |

(b) On July 1, 1992, the expenditure limitation established by section 7(b) of 1992 Senate Bill No. 504 on the general fees fund is hereby increased from \$4,500 to \$33,155.

(c) On July 1, 1992, the director of accounts and reports shall transfer \$28,655 from the state highway fund of the department of transportation to the general fees fund of the Winfield correctional facility.

(d) On July 1, 1992, the position limitation established by section 11 of 1992 Senate Bill No. 504 for the Winfield correctional facility is hereby increased from 103.0 to 105.0.

Sec. 31.

NORTON CORRECTIONAL FACILITY

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

| | | |
|------------------------|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Operating expenditures | \$28,284 | |

Sec. 32. On July 1, 1992, section 9 of 1992 Senate Bill No. 504, is hereby amended to read as follows: Sec. 9.

EL DORADO CORRECTIONAL FACILITY

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

| | | |
|------------------------|--------------|--------------|
| Operating expenditures | \$12,347,313 | \$11,842,449 |
|------------------------|--------------|--------------|

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, in the correctional work facilities—operating expenditures account of the department of corrections and any unencumbered balance in excess of \$100 as of June 30, 1992, in the operating expenditures account is hereby reappropriated to the operating expenditures account for fiscal year 1993: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,256,028 \$1,756,028 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:

| | | |
|---|-----------|-----------|
| General fees fund | \$134,707 | \$106,052 |
| Inmate canteen fund | | No limit |
| Inmate benefit fund | | No limit |
| Institutional library services grant fund—federal | | No limit |

(c) On July 1, 1992, the director of accounts and reports shall transfer all moneys in the general fees fund—correctional work facilities of the department of corrections to the general fees fund of the El Dorado correctional facility. On July 1, 1992, all liabilities of the general fees fund—correctional work facilities of the department of corrections are hereby transferred to and imposed upon the general fees fund of the El Dorado correctional facility. On July 1, 1992, the general fees fund—correctional work facilities of the department of corrections is hereby abolished.

(d) On July 1, 1992, the director of accounts and reports shall transfer all moneys in the correctional work facilities inmate benefit fund of the department of corrections to the inmate benefit fund of the El Dorado correctional facility. On July 1, 1992, all liabilities of the correctional work facilities inmate benefit fund of the department of corrections are hereby transferred to and imposed upon the inmate benefit fund of the El Dorado correctional facility. On July 1, 1992, the correctional work facilities inmate benefit fund of the department of corrections is hereby abolished.

(e) On July 1, 1992, the director of accounts and reports shall transfer all moneys in the correctional work facilities inmate canteen fund of the department of corrections to the inmate canteen fund of the El Dorado correctional facility. On July 1, 1992, all liabilities of the correctional work facilities inmate canteen fund of the department of corrections are hereby transferred to and imposed upon the inmate canteen fund of the El Dorado correctional facility. On July 1, 1992, the correctional work facilities inmate canteen fund of the department of corrections is hereby abolished.

(f) On July 1, 1992, the director of accounts and reports shall transfer all moneys in the honor camps inmate benefit fund of the department of corrections to the inmate benefit fund of the El Dorado correctional facility. On July 1, 1992, all liabilities of the honor camps inmate benefit fund of the department of corrections are hereby transferred to and imposed upon the inmate benefit fund of the El Dorado correctional facility. On July 1, 1992, the honor camps inmate benefit fund of the department of corrections is hereby abolished.

(g) On July 1, 1992, the director of accounts and reports shall transfer all moneys in the honor camps inmate canteen fund of the department of corrections to the inmate canteen fund of the El Dorado correctional facility. On July 1, 1992, all liabilities of the honor camps inmate canteen fund of the department of corrections are hereby transferred to and imposed upon the inmate canteen fund of the El Dorado correctional facility. On July 1, 1992, the honor camps inmate canteen fund of the department of corrections is hereby abolished.

(h) On July 1, 1992, the director of accounts and reports shall transfer \$59,265 from the state highway fund of the department of transportation to the general fees fund of the El Dorado correctional facility.

(continued)

(i) On July 1, 1992, the director of accounts and reports shall transfer \$28,880 from the wildlife fee fund of the department of wildlife and parks to the general fees fund of the El Dorado correctional facility.

(j) On July 1, 1992, the position limitation established by section 11 of 1992 Senate Bill No. 504 for the El Dorado correctional facility is hereby decreased from 392.0 to 390.0.

Sec. 33. On July 1, 1992, section 10 of Senate Bill No. 504, is hereby amended to read as follows: Sec. 10.

LARNED CORRECTIONAL MENTAL HEALTH FACILITY

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

Table with 2 columns: Description, Amount. Operating expenditures \$5,180,832 \$4,705,832. Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided, however, That expenditures from such reappropriated balance shall not exceed \$306,694 \$371,694 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: Description, Limit. General fees fund No limit. Inmate canteen fund No limit. Inmate benefit fund No limit. Institutional library services grant fund—federal No limit.

Sec. 34.

DIVISION OF POST AUDIT

(a) On July 1, 1992, of the \$1,301,871 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 5(a) of 1992 House Bill No. 2707 from the state general fund in the operations (including legislative post audit committee) account, the sum of \$25,000 is hereby lapsed.

Sec. 35.

JUDICIAL COUNCIL

(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 1992, Fiscal Year 1993. Operating expenditures \$17,925.

Sec. 36.

JUDICIAL BRANCH

(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:

Table with 2 columns: Description, Fiscal Year 1992, Fiscal Year 1993. Judiciary technology fund No limit. Judicial branch education fund No limit.

(b) 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 1992, Fiscal Year 1993. Appellate operations \$65,492. District court operations \$21,078. Total \$907,470.

Sec. 37.

STATE 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:

Table with 2 columns: Description, Fiscal Year 1992, Fiscal Year 1993. Operating expenditures \$8,000.

Sec. 38.

KANSAS DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established by section 51(a) of chapter 30 of the 1991 Session Laws of Kansas on the construction, remodeling and special maintenance projects for buildings account of the state highway fund is hereby increased from \$723,096 to \$863,096.

Sec. 39.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

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

Table with 2 columns: Description, Fiscal Year 1992, Fiscal Year 1993. Operating expenditures \$19,515,193. Total \$19,765,193.

Provided, That \$125,000 shall be expended from this account for a grant to Cherokee county for aid for the closure of mine openings in Cherokee county.

Infant and toddler program 250,000

(b) On the effective date of this act, of the \$19,163,589 appropriated for the above agency from the state general fund ending June 30, 1992, by section 49(a) of chapter 30 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$3,962 is hereby lapsed.

(c) On July 1, 1992, the position limitation established by section 7 of 1992 House Bill No. 2720 for the department of health and environment is hereby increased from 742.0 to 761.0.

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

Table with 2 columns: Description, Fiscal Year 1992, Fiscal Year 1993. Chapter 1 part H—federal fund \$250,000. Tuberculosis prevention grant—federal fund \$30,973 104,864. Public water supply fee fund No limit. Solid waste management fund No limit. Storage tank fee fund No limit. Aboveground petroleum storage tank release trust fund No limit.

Provided, That no expenditures shall be made from this fund except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K. S. A. 75-3711c and amendments thereto.

(e) On the effective date of this act, the expenditure limitation established by the state finance council for the fiscal year ending June 30, 1992, on the early childhood developmental services—federal fund is hereby increased from \$24,428 to \$41,385.

(f) On the effective date of this act, the expenditure limitation established by the state finance council for the fiscal year ending June 30, 1992, on the state operations account of the federal women, infants and children health program fund is hereby increased from \$931,168 to \$1,020,168.

(g) On July 1, 1992, the expenditure limitation established by section 5(b) of 1992 House Bill No. 2720 on the state operations account of the federal women, infants and children health program fund is hereby increased from \$1,083,068 to \$1,144,568.

(h) On the effective date of this act, the expenditure limitation established by section 19(b) of 1992 House Bill No. 2729 on the immunization grant funds—federal fund is hereby increased from \$160,729 to \$173,014.

(i) On July 1, 1992, the expenditure limitation established by section 5(b) of 1992 House Bill No. 2720 on the federal air quality program fund is hereby increased from \$936,838 to \$1,062,338.

(j) On July 1, 1992, the expenditure limitation established by section 5(b) of 1992 House Bill No. 2720 on the state indoor radon grant—federal fund is hereby increased from \$106,245 to \$125,723.

(k) On July 1, 1992, the expenditure limitation established by section 5(b) of 1992 House Bill No. 2720 on the power generating facility fee fund is hereby increased from \$75,134 to \$160,874.

(l) On July 1, 1992, the expenditure limitation established by section 5(b) of 1992 House Bill No. 2720 on the title XIX fund is hereby increased from \$3,710,885 to \$3,749,819.

Sec. 40.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

Table with 2 columns: Description, Fiscal Year 1992, Fiscal Year 1993. State operations \$464,823.

(b) There is appropriated for the above agency from the following

(continued)

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 1992 | Fiscal Year 1993 |
| Deaf and hard of hearing fee fund..... | | No limit |

(c) On the effective date of this act, of the \$70,116,207 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$175,218 is hereby lapsed.

(d) On the effective date of this act, of the \$65,665,859 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$160,640 is hereby lapsed.

(e) On the effective date of this act, of the \$86,799,389 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the medical assistance for long-term care account, the sum of \$639,939 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established by section 9(x) of 1992 Senate Bill No. 547 on the state operations, account of the social services clearing fund is hereby decreased from \$175,144,994 to \$174,059,620.

(g) On the effective date of this act, the expenditure limitation established by section 9(y) of 1992 Senate Bill No. 547 on the salaries and wages subaccount of the state operations account of the social services clearing fund is hereby increased from \$111,904,704 to \$112,345,518.

(h) On the effective date of this act, the expenditure limitation established by section 9(z) of 1992 Senate Bill No. 547 on the other operating expenditures subaccount of the state operations account of the social services clearing fund is hereby decreased from \$63,240,290 to \$61,714,102.

(i) On July 1, 1992, of the \$34,486,727 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of 1992 Senate Bill No. 507 from the state general fund in the youth services aid and assistance account, the sum of \$137,500 is hereby lapsed.

(j) On July 1, 1992, of the \$71,415,554 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of 1992 Senate Bill No. 507 from the state general fund in the medical assistance for long-term care account, the sum of \$5,887,069 is hereby lapsed.

(k) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 Senate Bill No. 507 on the oil overcharge—LIEAP fund is hereby increased from \$662,723 to \$1,412,723.

(l) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 Senate Bill No. 507 on the state operations account of the social services clearing fund is hereby increased from \$204,218,093 to \$208,496,526.

(m) On the effective date of this act, of the \$105,713,078 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$2,700,000 is hereby lapsed.

(n) On July 1, 1992, of the \$191,000 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of 1992 Senate Bill No. 507 from the state general fund in the state match for federal challenge grant account, the sum of \$191,000 is hereby lapsed.

Sec. 41.

THE KANSAS HEALTHY KIDS CORPORATION

(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 1992 | Fiscal Year 1993 |
| Healthy kids trust fund..... | | No limit |

(b) On July 1, 1992, the director of accounts and reports shall

transfer \$197,571 from the state general fund to the healthy kids trust fund of the Kansas healthy kids corporation.

Sec. 42.

DEPARTMENT OF ADMINISTRATION

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

| | | |
|---|---------------------|---------------------|
| | Fiscal Year 1992 | Fiscal Year 1993 |
| Renovate and restore supreme court chamber statehouse..... | | \$100,000 |
| Provided, That no expenditures shall be made from this account until the proposed renovation plans are reviewed by the joint committee on state building construction. | | |
| Insurance for state buildings..... | | 250,000 |
| <i>Provided, That no expenditures shall be made from this account for insurance for state buildings except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.</i> | | |
| Central management systems operations..... | | 20,700 |
| Architectural services and planning—other operating expenditures..... | | 22,000 |
| Total..... | | \$392,700 |

(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 1992 | Fiscal Year 1993 |
| State leave payment reserve fund..... | | No limit |
| State budget stabilization fund..... | | \$0 |

Provided, That, except for revenue transfers authorized by subsection (d) of this section, no moneys may be transferred from this fund and no expenditures may be made from this fund except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and only for (1) expenditures required for the repair or replacement of any building or equipment which has been destroyed or significantly damaged by sabotage, fire, flood, wind, tornado, catastrophe, disaster, extreme emergency or act of God, (2) major expenditures required by a final judgment or order of a court of competent jurisdiction in a matter in which the state or any state agency is a party or required by a court-approved settlement agreement regarding any such matter, or (3) any other major expenditure which is made necessary by any sabotage, fire, flood, wind, tornado, catastrophe, disaster, extreme emergency or act of God.

(c) During the fiscal year ending June 30, 1993, the secretary of social and rehabilitation services is authorized to periodically certify to the director of accounts and reports amounts of money for transfer from the social welfare fund to the state budget stabilization fund. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount certified from the social welfare fund to the state budget stabilization fund. The aggregate amount of such transfers pursuant to this section shall be \$75,000,000.

(d) During the fiscal year ending June 30, 1993, whenever a joint estimate of revenue to the state general fund for fiscal year 1993 is 1% or more less than the preceding joint estimate for fiscal year 1993, the dollar amount of the difference between such joint estimates shall be certified forthwith during fiscal year 1993 by the director of the budget to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer by revenue transfer the amount so certified from the state budget stabilization fund to the state general fund, except that the amount certified shall not exceed the amount of the unencumbered balance then available in the state budget stabilization fund and no such transfer shall be made except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(continued)

(e) On July 1, 1992, of the \$2,688,451 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 7(a) of House Bill No. 2721 from the state general fund in the personnel services—salaries and wages account, the sum of \$2,400 is hereby lapsed.

(f) On the effective date of this act, of the \$4,342,293 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 31(a) of chapter 30 of the 1991 Session Laws of Kansas from the state general fund in the central management systems operations account, the sum of \$40,350 is hereby lapsed.

(g) In addition to the purposes for which expenditures may be made by the above agency from the building and ground fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the following capital improvement account of the building and ground fund during fiscal year 1993 for the following capital improvement project, subject to the expenditure limitations prescribed therefor:

Lighting improvements—state parking lots \$246,300

(h) On July 1, 1992, the expenditure limitation established by section 7(b) of 1992 House Bill No. 2721 on the state buildings operating fund is hereby increased from \$8,020,275 to \$8,068,950.

(i) During the fiscal year ending June 30, 1993, the director of accounts and reports shall determine all amounts of interest earned on federal moneys, which are deposited in the state treasury and credited to special revenue funds and which have the interest earned thereon credited to the state general fund, and shall transfer moneys periodically during fiscal year 1993 from the state general fund, not to exceed \$1,000,000, to the accounting services recovery fund in the amounts necessary to make interest payments therefor to the federal government in accordance with the federal cash management act of 1990, and amendments thereto, and regulations adopted pursuant thereto. All expenditures from the accounting services recovery fund during fiscal year 1993 for such interest payments to the federal government shall be in addition to any expenditure limitation imposed on the accounting services recovery fund for fiscal year 1993. Upon making each such transfer to the accounting services recovery fund under this subsection, the director of accounts and reports shall submit a report on the transfer to the division of the budget and the legislative research department.

(j) During the fiscal year ending June 30, 1993, the director of accounts and reports shall determine all amounts of interest earned on federal moneys which are deposited in the state treasury and credited to special revenue funds and which have the interest earned thereon credited to such special revenue funds and the director of accounts and reports shall transfer moneys periodically during fiscal year 1993 from each such special revenue fund to the accounting services recovery fund in the amounts necessary to make interest payments therefor to the federal government as required by the federal cash management act of 1990, and amendments thereto, and regulations adopted pursuant thereto. All transfers of moneys from each such special revenue fund to the accounting services recovery fund shall be in addition to any expenditure limitation imposed on such special revenue fund for fiscal year 1993. All expenditures from the accounting services recovery fund during fiscal year 1993 for such interest payments to the federal government shall be in addition to any expenditure limitation imposed on the accounting services recovery fund for fiscal year 1993. Upon making each such transfer to the accounting services recovery fund under this subsection, the director of accounts and reports shall submit a report on the transfer to the division of the budget and the legislative research department.

(k) In addition to the purposes for which expenditures may be made from the information technology fund and information technology reserve fund as authorized by section 7(b) of 1992 House Bill No. 2721 for the fiscal year ending June 30, 1993, expenditures may be made by the above agency from the information technology fund and information technology reserve fund for fiscal year 1993 for expenditures associated with providing telecommunication services to governmental units, as defined by section 1 of 1992 House Bill No. 2682, and all such expenditures from such funds shall be in addition to any expenditure limitation imposed on either of such funds for fiscal year 1993.

(l) On July 1, 1992, the appropriation of \$187,779 and the reappropriation for the above agency from the state general fund ending

June 30, 1993, by section 7(a) of House Bill No. 2721 on the pooled money investment board—salaries and wages account is hereby lapsed.

(m) On July 1, 1992, the appropriation of \$32,249 and the reappropriation for the above agency from the state general fund ending June 30, 1993, by section 7(a) of House Bill No. 2721 on the pooled money investment board—other operating expenditures account is hereby lapsed.

(n) On July 1, 1992, the position limitation established by section 8 of 1992 House Bill No. 2721 for the department of administration is hereby decreased from 917.0 to 912.0.

Sec. 43.

FORT HAYS STATE UNIVERSITY

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Operating expenditures (including official hospitality) | | \$119,905 |
| Library program enhancement | | 29,405 |
| Purchase of library collection | 150,000 | |

~~Provided, That expenditures may be made from this account for purchase of the library collection and related expenses of the Saint Mary of the Plains college library collection. Provided further, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1992.~~

Total \$149,310

(b) On July 1, 1992, of the \$917,748 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of House Bill No. 2730 from the state general fund in the other operating expenditures for utilities account, the sum of \$32,680 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 1992 | Fiscal Year 1993 |
|-----------------------------|---------------------|---------------------|
| Wildlife art fund | | No limit |

(d) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill No. 2730 for Fort Hays state university is hereby increased from 340.4 to 343.4.

(e) On the effective date of this act, of the \$19,081,339 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,493 is hereby lapsed.

(f) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$6,152,375 to \$6,141,292: *Provided*, That expenditures from the general fees fund may exceed any expenditure limitation on the general fees fund for fiscal year 1993 by an amount specified by the state board of regents of not to exceed \$176,382, upon certification to the director of accounts and reports by the state board of regents that enrollments in upper division business and education off-campus courses are sufficient to provide funding for such specified amount of additional expenditures.

Sec. 44.

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 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Operating expenditures (including official hospitality) | | \$106,646 |
| Library program enhancement | | 24,394 |
| Total | | \$231,040 |

~~(b) On July 1, 1992, the position limitation established by section 13(b) of House Bill No. 2730 for Emporia state university is hereby increased from 381.8 to 386.8.~~

~~(c) On July 1, 1992, the expenditure limitation established by section 7(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$6,956,446 to \$6,901,211.~~

(d) On the effective date of this act, of the \$19,517,854 appropriated for the above agency for the fiscal year ending June 30, 1992,

by section 5(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,420 is hereby lapsed.

Sec. 45.

PITTSBURG STATE UNIVERSITY

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Operating expenditures (including official hospitality) | | \$19,028 |
| Library program enhancement | | 22,651 |
| Total | | \$52,679 |

(b) On July 1, 1992, the expenditure limitation established by section 8(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$8,267,167 to \$8,248,139.

(c) On the effective date of this act, of the \$20,696,069 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 6(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$2,764 is hereby lapsed.

Sec. 46.

STATE TREASURER

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|----------------------------------|---------------------|---------------------|
| Operating expenditures | | \$516,554 |

(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 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Municipal investment pool fund | | No limit |
| Municipal investment pool reserve fund | | No limit |
| Municipal investment pool fund fee fund | | \$30,000 |
| Services reimbursement fund | | No limit |

(c) On July 1, 1992, the director of accounts and reports shall transfer \$73,327 from the highway bond debt service fund of the department of transportation to the services reimbursement fund of the state treasurer for the purpose of financing a portion of the costs associated with the investment of the bond proceeds of the comprehensive highway program and related operations of the state treasurer.

(d) On July 1, 1992, the position limitation established by section 12 of 1992 House Bill No. 2707 for the state treasurer is hereby increased from 49.5 to 59.5.

Sec. 47.

BOARD OF REGENTS

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|---------------------|---------------------|
| Municipal university library program enhancement grant | | \$12,067 |

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:

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|---------------------|---------------------|
| For employers' contributions | \$1,315,112 | |

(b) On the effective date of this act, the expenditure limitation established by section 7(b) of 1992 House Bill No. 2729 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$3,279,038 to \$3,294,915.

(c) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 House Bill No. 2721 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$3,590,308 to \$3,789,737.

(d) On the effective date of this act, the director of accounts and reports shall transfer \$329,429.37 from the Kansas public employees retirement fund to the state general fund for reimbursement of ex-

penditures associated with the joint committee on Kansas public employees retirement system investment practices.

(e) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 House Bill No. 2721 on the investment related expenses account of the Kansas public employees retirement fund is hereby increased from \$18,233,763 to \$18,346,263.

(f) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 House Bill No. 2721 on the real estate management subaccount of the investment related expenses account of the Kansas public employees retirement fund is hereby increased from \$2,223,060 to \$2,345,560.

Sec. 49.

KANSAS STATE UNIVERSITY

(a) On the effective date of this act, of the \$60,200,501 appropriated for the above agency by section 3(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$16,267 is hereby lapsed.

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|---------------------|---------------------|
| Operating expenditures (including official hospitality) | | \$45,301 |
| Library program enhancement | | 117,900 |
| Total | | \$162,601 |

(c) On July 1, 1992, the expenditure limitation established by section 3(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$32,421,477 to \$32,376,176.

(d) On July 1, 1992, the position limitation established by section 13(a) of 1992 House Bill No. 2730 on the classified service for Kansas state university is hereby decreased from 1,426.2 to 1,420.4.

(e) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill No. 2730 on the unclassified service for Kansas state university is hereby increased from 1,544.8 to 1,550.6.

Sec. 50. On the effective date of this act, section 12 of chapter 17 of the 1991 Session Laws of Kansas is hereby amended to read as follows: Sec. 12.

KANSAS STATE UNIVERSITY

(a) In addition to the purposes for which expenditures may be made by the above agency from the agronomy-Ashland farm account of the restricted fees fund for the fiscal year ending June 30, 1992 1993, moneys may be expended by the above agency from the agronomy-Ashland farm account of the restricted fees fund during fiscal year 1992 1993 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

| | |
|--|----------|
| Construct equipment storage building at Ashland farm, Riley county, Kansas | \$35,000 |
|--|----------|

(b) In addition to the purposes for which expenditures may be made by the above agency from the Colby experiment station fee fund for the fiscal year ending June 30, 1992, moneys may be expended by the above agency from the Colby experiment station fee fund during fiscal year 1992 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

| | |
|---|----------|
| Construct equipment storage building in Thomas county | \$25,000 |
| Construct pesticide storage building in Thomas county | 15,000 |

(c) In addition to the purposes for which expenditures may be made by the above agency from the Fort Hays experiment station fee fund for the fiscal year ending June 30, 1992, moneys may be expended by the above agency from Fort Hays experiment station fee fund during fiscal year 1992 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

| | |
|---|----------|
| Construct two equipment storage buildings in Ellis county | \$90,000 |
|---|----------|

(d) During the fiscal year ending June 30, 1992, Kansas state university may make expenditures from moneys appropriated for fiscal year 1992 by this act or any other appropriation act of the 1990 regular session of the legislature to relocate or raze university buildings numbered 886 and 887 at the northwest research extension center in Thomas county.

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

(continued)

| | |
|--|-----------|
| Construct and equip plant science building—phase IIA | |
| For the fiscal year ending June 30, 1992 | \$100,000 |
| For the fiscal year ending June 30, 1993 | 100,000 |
| For the fiscal year ending June 30, 1994 | 115,648 |
| For the fiscal year ending June 30, 1995 | 6,682,912 |
| | 5,682,912 |

(A) (c) 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:

| | |
|--|----------|
| Plan, construct and equip plant science building—phase II—federal fund | No limit |
| Plant science building—phase II—special revenue fund | No limit |

Provided, That Kansas state university may make expenditures from this fund for the capital improvement project to construct and equip phase II of the plant science building in addition to the expenditure of other moneys appropriated therefor: *Provided, however*, That expenditures from this fund for such capital improvement project shall not exceed \$5,000,000 plus all amounts required for costs of any bond or loan issuance, costs of interest on any bond or loan during such capital improvement project and required reserves for payment of principal and interest on any bond or loan: *Provided further*, That all gifts and grants received for the capital improvement project to construct and equip phase II of the plant science building, other than those received from the federal government for such capital improvement project, shall be deposited in the state treasury to the credit of this fund: *And provided further*, That the above agency may transfer moneys from the sponsored research overhead fund and from appropriate accounts of the restricted fees fund to this fund for such capital improvement project or for debt service for such capital improvement project: *And provided further*, That all transfers of moneys from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund: *And provided further*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1000 1991 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 all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund: *And provided further*, That, upon request of the president of Kansas state university to provide for any amounts that may be required to be paid for all or part of the cost of such capital improvement project and expenses related thereto, in addition to other available moneys, the pooled money investment board is authorized and directed to loan to Kansas state university sufficient moneys therefor: *And provided further*, That all loan amounts shall be transferred and credited to this fund upon certifications by the president of Kansas state university: *And provided further*, That the pooled money investment board is authorized and directed to use any moneys, prior to July 1, 1992, in active accounts, inactive accounts or time deposits, open accounts, or, after June 30, 1992, in operating accounts, investment accounts or other investments of the state of Kansas to provide moneys for such loan: *And provided further*, That such loan shall bear interest from the date of the loan transfer or transfers at an annual rate of interest which is not less than the rate prescribed by K.S.A. 75-4210 and amendments thereto for inactive accounts of the state effective average yield before taxes received on 91-day United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent offering of such bills in effect on January 1 of such year and shall have such other terms as may be agreed upon by the president of Kansas state university and the pooled money investment board: *And provided further*, That such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(g) (d) The appropriations made by this section shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto. Sec. 51.

KANSAS STATE UNIVERSITY—EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the purposes for which expenditures may be made by the above agency from the Colby experiment station fee fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the Colby experiment station fee fund during fiscal year 1993 for the following capital improvement projects, subject to the expenditure limitations prescribed therefor:

| | |
|---|----------|
| Construct equipment storage building in Thomas county | \$25,000 |
| Construct pesticide storage building in Thomas county | 15,000 |

(b) In addition to the purposes for which expenditures may be made by the above agency from the Fort Hays experiment station fee fund for the fiscal year ending June 30, 1993, moneys may be expended by the above agency from the Fort Hays experiment station

fee fund during fiscal year 1993 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

| | |
|---|----------|
| Construct two equipment storage buildings in Ellis county | \$90,000 |
|---|----------|

(c) On July 1, 1992, the position limitation established by section 13(a) of 1992 House Bill No. 2730 on the classified service for the Kansas state university extension systems and agriculture research programs is hereby decreased from 490.6 to 489.9.

(d) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill No. 2730 on the unclassified service for the Kansas state university extension systems and agriculture research programs is hereby increased from 780.0 to 780.7.

Sec. 52.

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 1992 | Fiscal Year 1993 |
|-----------------------------|------------------|------------------|
| Library program enhancement | | \$6,000 |

(b) On July 1, 1992, the position limitation established by section 13(a) of 1992 House Bill No. 2730 on the classified service for the Kansas state university veterinary medical center is hereby decreased from 154.9 to 149.6.

(c) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill No. 2730 on the unclassified service for the Kansas state university veterinary medical center is hereby increased from 93.9 to 99.2.

Sec. 53.

KANSAS STATE UNIVERSITY—SALINA, COLLEGE OF TECHNOLOGY

(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 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Aeronautical program equipment—federal fund | \$7,500,000 | No limit |

(b) On July 1, 1992, the position limitation established by section 13(c) of 1992 House Bill No. 2730 for Kansas state university—Salina, college of technology is hereby increased from 104.1 to 127.1.

(c) In addition to the purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 1993, as provided by section 6(b) of 1992 House Bill No. 2730, moneys may be expended by the above agency from the aviation training contract account of the restricted fees fund during fiscal year 1993.

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|-----------------------------|------------------|------------------|
| Library program enhancement | | \$2,100 |

Sec. 54.

UNIVERSITY OF KANSAS

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Operating expenditures (including official hospitality) | | \$132,081 |
| Operating expenditures for utilities | | 9,772 |
| Library program enhancement | | 160,504 |
| Total | | \$302,357 |

(b) On the effective date of this act, of the \$5,404,381 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 7(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$9,772 is hereby lapsed.

(c) Notwithstanding any other act of the 1992 legislature, the university of Kansas is not authorized to raze building number 27—facilities operations storage facility, unless the demolition has been reviewed by the joint committee on state building construction and the demolition is approved by the 1993 session of the legislature.

(d) On the effective date of this act, of the \$83,780,989 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 7(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$17,250 is hereby lapsed.

(e) On July 1, 1992, the expenditure limitation established by section 9(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$56,193,266 to \$56,061,185.

(f) On July 1, 1992, the position limitation established by section 13(a) of 1992 House Bill No. 2730 on the classified service for the university of Kansas is hereby decreased from 1,995.9 to 1,985.8.

(g) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill No. 2730 on the unclassified service for the university of Kansas is hereby increased from 2,465.3 to 2,475.4.
Sec. 55.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|---------------------|---------------------|
| Operating expenditures (including official hospitality)..... | | \$48,747 |
| Family practice program—Kansas City, Kansas | | 50,000 |

Provided, That no expenditures shall be made from this account unless the chancellor of the university of Kansas certifies to the chairperson of the state board of regents that \$50,000 has been internally reallocated within the university of Kansas medical center budget to the family practice program located in Kansas City, Kansas.

| | |
|-----------------------------------|-----------|
| Library program enhancement | 24,304 |
| Total | \$133,141 |

(b) On July 1, 1992, of the \$5,052,729 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 10(a) of 1992 House Bill No. 2730 from the state general fund in the other operating expenditures for utilities account, the sum of \$47,000 is hereby lapsed.

(c) On July 1, 1992, the expenditure limitation established by section 10(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$7,826,421 to \$7,777,674.

(d) On the effective date of this act, of the \$58,752,092 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 8(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$10,438 is hereby lapsed.

(e) On July 1, 1992, the position limitation established by section 13(c) of 1992 House Bill No. 2730 for the university of Kansas medical center is hereby increased from 4,751.0 to 4,753.0.

(f) The expenditure limitation established by section 10(b) of 1992 House Bill No. 2730 on the medical scholarship repayment fund is hereby increased from \$3,200,000 to \$4,650,600.

(g) The expenditure limitation established by section 10(b) of 1992 House Bill No. 2730 on the operating expenditures account of the medical scholarship repayment fund is hereby increased from \$1,953,150 to \$2,403,750.

Sec. 56.

WICHITA STATE UNIVERSITY

(a) On the effective date of this act, of the \$42,694,025 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 9(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$2,681 is hereby lapsed.

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|--|---------------------|---------------------|
| Operating expenditures (including official hospitality)..... | | \$63,398 |
| Library program enhancement | | 68,576 |
| Total | | \$131,973 |

(c) On July 1, 1992, the expenditure limitation established by section 11(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$19,336,221 to \$19,290,071.

Sec. 57.

TOPEKA STATE HOSPITAL

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | \$19,971 | \$42,994 |

(b) On the effective date of this act, the expenditure limitation established by section 5(c) of 1992 Senate Bill No. 547 on the Topeka

state hospital fee fund is hereby decreased from \$4,483,481 to \$4,463,510.

(c) On July 1, 1992, the expenditure limitation established by section 8(b) of 1992 Senate Bill No. 507 on the title XIX fund of Topeka state hospital is hereby increased from \$8,507,763 to \$8,922,007.

Sec. 58.

OSAWATOMIE STATE HOSPITAL

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | | \$65,729 |

(b) On July 1, 1992, the position limitation established by section 13 of 1992 Senate Bill No. 507 for Osawatomi state hospital is hereby increased from 620.5 to 621.5.

Sec. 59.

RAINBOW MENTAL HEALTH FACILITY

(a) On July 1, 1992, of the \$1,625,089 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 7(a) of 1992 Senate Bill No. 507 from the state general fund in the operating expenditures account, the sum of \$56,525 is hereby lapsed.

Sec. 60.

LARNED STATE HOSPITAL

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------------|---------------------|---------------------|
| Operating expenditures | | \$430,231 |

(b) On July 1, 1992, the expenditure limitation established by section 4(b) of 1992 Senate Bill No. 507 on the title XIX fund of Larned state hospital is hereby increased from \$8,840,681 to \$8,890,681.

(c) On July 1, 1992, the expenditure limitation established by section 4(b) of 1992 Senate Bill No. 507 on the Larned state hospital fee fund is hereby increased from \$1,408,574 to \$1,589,344.

(d) On July 1, 1992, the position limitation established by section 13 of 1992 Senate Bill No. 507 for Larned state hospital is hereby increased from 927.1 to 928.1.

Sec. 61.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On July 1, 1992, the expenditure limitation established by section 4(b) of 1992 House Bill No. 2720 on the soldiers' home fee fund is hereby increased from \$2,391,711 to \$2,418,711.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1992, for the capital improvement project specified as follows:

| | |
|-----------------------------------|----------|
| Fuel contamination clean-up | \$20,000 |
|-----------------------------------|----------|

Sec. 62.

DEPARTMENT OF HUMAN RESOURCES

(a) On the effective date of this act, the expenditure limitation established by the state finance council on the workmen's compensation fee fund is hereby increased from \$3,068,390 to \$3,084,284.

(b) On July 1, 1992, the expenditure limitation established by section 3(b) of 1992 House Bill No. 2720 on the workmen's compensation fee fund is hereby increased from \$3,165,732 to \$3,450,732.

(c) On May 1, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the special employment security fund of the department of human resources to the state general fund for the purpose of financing operating expenditures of the department of human resources for which appropriations are made from the state general fund.

Sec. 63. On July 1, 1992, section 3 of 1992 Senate Bill No. 538, is hereby amended to read as follows: Sec. 3.

KANSAS ANIMAL HEALTH DEPARTMENT

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

| | |
|--|----------|
| Administration program | \$39,148 |
| <i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993. | |
| Animal disease control program | 187,872 |

(continued)

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993.

Table with 2 columns: Description and Amount. Rows include Animal facilities inspection program and Total.

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

Table with 2 columns: Description and Amount. Rows include Animal disease control fund, Animal dealers fee fund, Veterinary inspection fee fund, etc.

(c) On July 1, 1992, the position limitation established by section 10 of 1992 Senate Bill No. 538 for the Kansas animal health department is hereby increased from 36.5 to 38.5.

Sec. 64.

DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 1992, the expenditure limitation established by section 9(b) of 1992 Senate Bill No. 538 on the boating fee fund is hereby increased from \$884,551 to \$896,349.

(b) On July 1, 1992, the expenditure limitation established by section 9(b) of 1992 Senate Bill No. 538 on the wildlife fee fund is hereby increased from \$15,896,837 to \$16,070,047.

(c) On July 1, 1992, the expenditure limitation established by section 9(b) of 1992 Senate Bill No. 538 on the parks fee fund is hereby increased from \$2,520,395 to \$2,671,395.

(d) On July 1, 1992, the expenditure limitation established by section 9(b) of 1992 Senate Bill No. 538 on the state operations account of the parks fee fund is hereby increased from \$2,440,395 to \$2,591,395.

(e) 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 1992 and Fiscal Year 1993. Row: Operating expenditures \$20,086.

(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:

Table with 2 columns: Fiscal Year 1992 and Fiscal Year 1993. Row: Economic development initiatives fund No limit.

Provided, That expenditures may be made from this fund for the fiscal year ending June 30, 1993, for the following capital improvement project, subject to the expenditure limitation prescribed therefor: Southwest recreational water study..... \$20,000

(g) On July 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$20,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

(h) On July 1, 1992, the position limitation established by section 10 of 1992 Senate Bill No. 538 for the department of wildlife and parks is hereby increased from 410.0 to 412.0.

Sec. 65.

YOUTH CENTER AT TOPEKA

(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 1992 and Fiscal Year 1993. Row: Operating expenditures \$59,735.

Sec. 66.

YOUTH CENTER AT BELOIT

(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 1992 and Fiscal Year 1993. Row: Operating expenditures \$35,723.

Sec. 67.

YOUTH CENTER AT ATCHISON

(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 1992 and Fiscal Year 1993. Row: Operating expenditures \$28,080.

Sec. 68.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 1992, the expenditure limitation established by section 7(a) of 1992 House Bill No. 2708 on the behavioral sciences regulatory board fee fund is hereby increased from \$277,261 to \$327,132.

(b) On July 1, 1992, the position limitation established by section 22 of 1992 House Bill No. 2708 for the behavioral sciences regulatory board is hereby increased from 4.0 to 5.0.

Sec. 69. On July 1, 1992, section 11 of 1992 House Bill No. 2707, is hereby amended to read as follows: Sec. 11.

INSURANCE DEPARTMENT

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

Table with 2 columns: Description and Amount. Row: Operating expenditures \$4,973,520.

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993: Provided further, That expenditures from this account for official hospitality shall not exceed \$750.

Table with 2 columns: Description and Amount. Row: Debt service interest payment insurance department building at 420 S.W. 9th - Topeka 77,978.

Table with 2 columns: Description and Amount. Row: Total \$4,051,408.

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

Table with 2 columns: Description and Amount. Row: Insurance department service regulation fund \$5,047,276.

Provided, That expenditures from this fund for official hospitality shall not exceed \$750.

Table with 2 columns: Description and Amount. Rows include Insurance company examination fund, Insurance company annual statement examination fund, etc.

Provided, That expenditures may be made from this fund only to reimburse the commissioner of insurance, or any designated employee, 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.

Table with 2 columns: Description and Amount. Rows include Health care stabilization fund, Workers compensation fund.

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.

Table with 2 columns: Description and Amount. Rows include State firefighters relief fund, Suspense fund, Insurance company tax and fee refund fund, etc.

(b) On July 1, 1992, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the workers compensation fund.

(c) On October 1, 1992, the director of accounts and reports shall transfer \$4,000,000 from the workers compensation fund to the state general fund to reimburse the amounts transferred from the state general fund to the workers compensation fund pursuant to subsection (b).

Sec. 70.

INSURANCE DEPARTMENT

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

Insurance building principal and interest payment fund

| Fiscal Year 1992 | Fiscal Year 1993 |
|------------------|------------------|
| | No limit |

(b) On July 1, 1992, the position limitation established for the insurance department by section 12 of 1992 House Bill No. 2707 is hereby increased from 160.2 to 163.2.

(c) On the effective date of this act, of the \$4,579,473 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 11(a) of chapter 26 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,555 is hereby lapsed.

Sec. 71.

STATE BOARD OF AGRICULTURE

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Operating expenditures (including official hospitality) | | \$9,350 |
| HVAC replacement—laboratory | \$50,000 | |

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993.

(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 1992 | Fiscal Year 1993 |
|------------------------------|------------------|------------------|
| Kansas pecan commission fund | | \$4,000 |
| Aquaculture fund | | No limit |

Provided, That after receipt and crediting of sufficient funds to the aquaculture fund and at such time as funds are available, the director of accounts and reports shall transfer \$9,350 from the aquaculture fund to the state general fund.

Dislocated workers' grant—federal fund

No limit

(c) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 Senate Bill No. 538 on the federal pesticide enforcement fund is hereby increased from \$288,396 to No limit.

(d) On the effective date of this act, of the \$8,572,801 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 36(a) of chapter 30 of the 1991 Session Laws of Kansas from the state general fund in the other operating expenditures (including official hospitality) account, the sum of \$2,839 is hereby lapsed.

(e) On the effective date of this act, the expenditure limitation established by the state finance council on the Kansas grain sorghum commission fund is hereby increased from \$530,607 to \$532,196.

(f) On July 1, 1992, the expenditure limitation established by section 2(b) of 1992 Senate Bill No. 538 on the Kansas grain sorghum commission fund is hereby increased from \$604,277 to \$771,367.

Sec. 72.

STATE FAIR BOARD

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|-----------------------------|------------------|------------------|
| Milling parlor construction | | \$15,000 |

Sec. 73.

STATE FIRE MARSHAL

(a) During the fiscal year ending June 30, 1993, the director of the budget, after consultation with the state fire marshal, may periodically certify to the director of accounts and reports amounts of money for transfer from the fire marshal fee fund to the state general fund in order to transfer moneys which are not currently needed to pay for the operations of the office of the state fire marshal. Upon receipt of each such certification during the fiscal year ending June 30, 1993, the director of accounts and reports shall transfer the amount certified by the director of the budget from the fire marshal fee fund to the state general fund.

(b) All amounts transferred from the fire marshal fee fund to the state general fund under subsection (a) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal by other

state agencies which receive appropriations from the state general fund to provide such services. Such reimbursements are in addition to those authorized by K.S.A. 75-3170a and amendments thereto.

Sec. 74.

REAL ESTATE COMMISSION

~~(a) On July 1, 1992, the expenditure limitation established by section 18(a) of 1992 House Bill No. 2708 for the real estate fee fund is hereby increased from \$552,670 to \$550,650.~~

Sec. 75.

ATTORNEY GENERAL

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|------------------------|------------------|------------------|
| Operating expenditures | | \$62,948 |

Sec. 76.

STATE HISTORICAL SOCIETY

(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 1992 | Fiscal Year 1993 |
|--------------------------------------|------------------|------------------|
| John Stuart Curry sketches EDIF fund | | \$107,000 |

(b) On July 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$107,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the John Stuart Curry sketches EDIF fund of the state historical society.

Sec. 77.

SECRETARY OF STATE

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Publication of 1992 House Concurrent Resolution No. 5007 and 1992 Senate Concurrent Resolution No. 1634 | | \$130,000 |

Sec. 78.

LEGISLATURE

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Operations (including official hospitality) | | \$288,000 |

Sec. 79.

THE CORPORATION FOR CHANGE

(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 1992 | Fiscal Year 1993 |
|-------------------------------------|------------------|------------------|
| Family and children investment fund | | No limit |

(b) On July 1, 1992, the director of accounts and reports shall transfer \$191,000 from the state general fund to the family and children trust account of the family and children investment fund.

Sec. 80.

EMERGENCY MEDICAL SERVICES BOARD

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

| | Fiscal Year 1992 | Fiscal Year 1993 |
|---|------------------|------------------|
| Emergency medical services operating fund | | \$0 |

Sec. 81.

KANSAS ARTS COMMISSION

(a) On July 1, 1992, of the \$786,938 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 3(a) of

(continued)

1992 Senate Bill No. 506 from the state general fund in the arts programming grants and challenge grants account, the sum of \$786,938 is hereby lapsed.

(b) On July 15, 1992, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$786,938 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. 82. (a) Except as otherwise provided under subsection (c), on July 1, 1992, of the amount of each appropriation and reappropriation from the state general fund for the fiscal year ending June 30, 1993, made by any appropriation act of the 1992 regular session of the legislature, the sum equal to 1% of the total of each such appropriation and reappropriation is hereby lapsed.

(b) Except as otherwise provided under subsection (c), on July 1, 1992, each expenditure limitation imposed on expenditures from a reappropriated balance in an account of the state general fund which is reappropriated for the fiscal year ending June 30, 1993, by any appropriation act of the 1992 regular session of the legislature, is hereby decreased by the amount equal to 1% of such limitation.

(c) The following shall not be subject to the provisions of subsection (a) or (b): (1) Any item of appropriation or reappropriation for debt service for payments pursuant to contractual bond obligations; (2) any item of appropriation or reappropriation for employer contributions for the employers who are eligible employers as specified in subsections (1), (2) and (3) of K.S.A. 74-4931 and amendments thereto under the Kansas public employees retirement system pursuant to K.S.A. 74-4939 and amendments thereto; (3) any item of appropriation for special education services aid; and (4) any expenditure limitation imposed on expenditures from the reappropriated balance in an account of the state general fund which reappropriation is not subject to the provisions of subsections (a) or (b) under this subsection (c).

Sec. 83. On July 1, 1992, K.S.A. 1991 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 4.5% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) Such transfers are subject to reduction under K.S.A. 1991 Supp. 75-6704 and amendments thereto, and (2) each such transfer during state fiscal year 1993 shall be reduced by 3%. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 84. On July 1, 1992, K.S.A. 1991 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 3.5% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory

thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that: (1) Such transfers are subject to reduction under K.S.A. 1991 Supp. 75-6704 and amendments thereto, and (2) each such transfer during the state fiscal year 1993 shall be reduced by 3%. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 85. On July 1, 1992, K.S.A. 1991 Supp. 79-3425e is hereby amended to read as follows: 79-3425e. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10 and amendments thereto and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425 and amendments thereto, except that each such transfer during the state fiscal year 1993 shall be reduced by 1.75% 3%. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 86. On July 1, 1992, K.S.A. 1991 Supp. 79-34,147 is hereby amended to read as follows: 79-34,147. (a) On each January 1, April 1, July 1 and October 1, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 10% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(b) Upon receipt of each certification under subsection (a), the director of accounts and reports shall transfer from the state general fund to the state highway fund an amount equal to the amount so certified, on each January 1, April 1, July 1 and October 1, except that each such transfer during the state fiscal year 1993 shall be reduced by 1.75% 3%.

(c) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 87. On July 1, 1992, K.S.A. 1991 Supp. 82a-953 is hereby amended to read as follows: 82a-953. In each fiscal year beginning on or after July 1, 1990, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, 1/2 of such amount to be transferred on July 15 and 1/2 to be transferred on January 15, except that each such transfer during the state fiscal year 1993 shall be reduced by 1.75% 3%. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 88. On July 1, 1992, K.S.A. 1991 Supp. 79-2959, 79-2964, 79-3425e, 79-34,147 and 82a-953 are hereby repealed.

Sec. 89. *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 1991 regular session of the legislature or in any other appropriation act of the 1992 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 90. *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. 91. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or any other appropriation act of the 1992 regular session of the legislature and having an unencumbered balance as of June 30, 1992, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1993, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 92. Any Kansas educational building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1992 regular session of the legislature, and having an unencumbered balance as of June 30, 1992, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1993, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 93. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1992 regular session of the legislature, and having an unencumbered balance as of June 30, 1992, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1993, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 94. *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 1992 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1993, for the same use and purpose as the same was heretofore appropriated.

Sec. 95. Any transfers of money during the fiscal year ending June 30, 1993, from any special revenue fund of any state agency named in this act or in any other appropriation act of the 1992 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, 1993.

Sec. 96. On the effective date of this act, section 12 of chapter 17 of the 1991 Session Laws of Kansas, is hereby repealed.

Sec. 97. On July 1, 1992, section 11 of 1992 House Bill No. 2707, section 10 of 1992 House Bill No. 2722, section 2 of 1992 Senate Bill No. 504, section 9 of 1992 Senate Bill No. 504, section 10 of 1992 Senate Bill No. 504, section 4 of 1992 Senate Bill No. 525, section 5 of 1992 Senate Bill No. 525, and section 3 of 1992 Senate Bill No. 538, are hereby repealed.

Sec. 98. *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 3215 with my signature approving the bill, except for the items enumerated below.

Section 10(e) that reads as follows has been line-item vetoed:

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

| | |
|-------------------------------|---------------------|
| | Fiscal Year 1993 |
| Burlingame City Library | \$50,000 |

Provided, That expenditures may be made from this account for the Burlingame city library upon proof that the \$50,000 is not covered by insurance relating to the fire which destroyed the library on or about March 29, 1992: *Provided further,* That expenditures may be made from this account only if (1) the city of Burlingame, Kansas, applies to the state finance council pursuant to K.S.A. 75-3713a and amendments thereto, prior to October 1, 1992, for a grant of \$50,000 from the state emergency fund to repair or replace the building and equipment of the city library damaged by fire; (2) the state finance council does not approve such application prior to January 1, 1993; and (3) such ex-

penditures from this account are matched \$1 for \$1 with nonstate funds.”

While I sympathize with the City of Burlingame on the loss of its library, I find it necessary to veto the appropriation, which has the potential of setting a precedent likely to attract future demands on state resources for local government projects resulting from equally unforeseeable and tragic circumstances. The state should not serve as the insurer of first or last resort for political subdivisions of the state. I encourage the City of Burlingame to apply to the State Library for grant financing through the federal Library Services and Construction Title II Fund. In FY 1993, an estimated \$232,969 will be available for construction and renovation grants to local libraries. Given the pressing needs of the City of Burlingame, I believe its application will receive serious consideration.

Sections 13(a), (d), and (e) that read as follows have been line-item vetoed:

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

| | |
|------------------------------|---------------------|
| | Fiscal Year 1993 |
| Operating Expenditures | \$1,000,012 |

Provided, That no expenditures shall be made from this account for the purpose of computer upgrades in conjunction with the implementation of 1992 Senate Bill No. 479 until such upgrades have been reviewed by the joint committee on computers and telecommunications: *Provided further,* That expenditures may be made from this account for the purpose of computer upgrades in conjunction with the implementation of 1992 Senate Bill No. 479 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 the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the recommendations of the joint committee on computers and telecommunications.

(d) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 House Bill 2722 on the lottery and racing investigations fee fund is hereby increased from \$427,343 to \$532,446.

(e) On July 1, 1992, the expenditure limitation established by section 6(b) of 1992 House Bill 2722 on the narcotics strike force—federal fund is hereby increased from \$637,158 to \$682,063.”

Section 13(a) includes \$80,000 for laboratory equipment because of a projected increase in testing as a result of 1992 HB 2353. However, HB 2353 died in Conference Committee. Thus, the \$80,000 provided based on HB 2353 is unnecessary.

Included in Section 13(a), which I have vetoed, is \$651,707 to allow the KBI to prepare for the implementation of sentencing guidelines, which I have

(continued)

signed. I plan to review closely the agency's needs related to the implementation of sentencing guidelines during budget review and consider additional funding for the KBI because of the additional demands guidelines could place on the agency.

Section 13(a), (d) and (e) include an additional \$257,939 from the State General Fund and \$87,567 from Special Revenue funds to finance agent overtime and standby pay. This is an addition which the state cannot afford. In the past, the agency has provided agents with compensatory time off, and I recommend that this practice be continued. In addition, the Bureau's approved FY 1993 salaries and wages amount provides a shrinkage rate that should allow the agency to fill all vacant agent positions; thereby increasing the number of agency staff hours available.

Section 13(d) also includes \$62,441 which I recommended in order to finance a new agent for the Pittsburg Race Track. Although I have vetoed this section, I believe that this position is necessary. To allow the expenditure of funds to support this agent, I will recommend that the State Finance Council increase the expenditure limitation on the Racing and Lottery Investigations Fee Fund by \$62,441.

Section 14(a) that reads as follow has been line-item vetoed:

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

Fiscal Year 1992

Operating Expenditures \$86,052"

The FY 1992 appropriation provides for additional overtime pay. I previously vetoed this amount of additional funding in HB 2729 and have been informed by the Patrol's Superintendent that this funding will not be necessary. It is likely that even without this appropriation, the Patrol, through savings in other areas of its budget, will finance holiday pay for troopers working on Memorial Day. In addition, the Patrol may have additional FY 1992 savings to finance some overtime payments.

Section 18(a) that reads as follows has been line-item vetoed:

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

Fiscal Year 1993

Grants to public radio and television broadcasting stations to assist in meeting local matching requirements under federal grants for replacement equipment \$100,000"

I find it necessary to veto the above State General Fund appropriation. Reliance on the State General Fund to match purchases of replacement equipment is not warranted. This veto will not preclude the stations from receiving federal grants if additional donations from private, public, or non-profit organizations are received.

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

"There is appropriated for the above agency from the state general fund for the fiscal year specified the following:

Fiscal Year 1993

Appellate operations \$ 65,492
District court operations 931,978
Total \$997,470"

While I support the Sentencing Guidelines which were adopted by the 1992 Legislature, I must line-item veto the above appropriations from the State General Fund. The funding contained in Section 36(b) of Substitute for HB 3215 provides for 49.0 new FTE positions beginning in FY 1993 for the Judicial Branch. These positions are associated with the passage of 1992 SB 479, which adopts the Sentencing Guidelines. These guidelines have an effective date of July 1, 1993.

The amount appropriated at this early date is excessive and may not be needed at this time. The Sentencing Guidelines contained in 1992 SB 479 will not become effective until FY 1994. In addition, 1992 SB 479 calls for a reorganization of parole, probation and community corrections services by January 1, 1994. It is possible that this consolidation could result in some efficiencies rather than a growth of court services personnel. This area requires more extensive review prior to the addition of any new personnel or funding.

That portion of Section 42(a) that reads as follows has been line-item vetoed:

Fiscal Year 1993

"Renovate and restore supreme court chamber statehouse \$100,000

Provided, That no expenditures shall be made from this account until the proposed renovation plans are reviewed by the joint committee on state building construction."

This appropriation would allow for renovation of the old supreme court chamber in the statehouse. However, the Department of Administration, in HB 2728, has been appropriated \$139,500 for capital improvements to the Statehouse. With this level of funding, the agency should be able to complete an adequate renovation of the supreme court chamber.

That portion of Section 43(a) that reads as follows has been line-item vetoed:

Fiscal Year 1993

"Library program enhancement 29,405"

That portion of Section 44(a) that reads as follows has been line-item vetoed:

Fiscal Year 1993

"Library program enhancement 34,394"

That portion of Section 45(a) that reads as follows has been line-item vetoed:

Fiscal Year 1993

"Library program enhancement 33,651"

Section 47(a) that reads as follows has been line-item vetoed:

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

| | Fiscal Year <u>1993</u> |
|--|----------------------------|
| Municipal university library program enhancement grant | \$12,967" |

That portion of Section 49(b) that reads as follows has been line-item vetoed:

| | Fiscal Year <u>1993</u> |
|------------------------------------|----------------------------|
| "Library program enhancement | 117,300" |

Section 52(a) that reads as follows has been line-item vetoed:

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

| | Fiscal Year <u>1993</u> |
|-----------------------------------|----------------------------|
| Library program enhancement | \$6,688" |

Section 53(d) that reads as follows has been line-item vetoed:

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

| | Fiscal Year <u>1993</u> |
|-----------------------------------|----------------------------|
| Library program enhancement | \$2,123" |

That portion of Section 54(a) that reads as follows has been line-item vetoed:

| | Fiscal Year <u>1993</u> |
|------------------------------------|----------------------------|
| "Library program enhancement | 160,504" |

That portion of Section 55(a) that reads as follows has been line-item vetoed:

| | Fiscal Year <u>1993</u> |
|------------------------------------|----------------------------|
| "Library program enhancement | 34,394" |

That portion of Section 56(b) that reads as follows has been line-item vetoed:

| | Fiscal Year <u>1993</u> |
|------------------------------------|----------------------------|
| "Library program enhancement | 68,575" |

I find it necessary to veto the above State General Fund appropriations. The additions contained in the above line-items, when viewed in the context of total appropriations made for FY 1993, place unacceptable demands on scarce state resources. The Regents institutions received a four percent operating fund increase for FY 1993 which should aid in addressing library needs.

That portion of Section 43(a) which reads as follows has been line-item vetoed:

| | Fiscal Year <u>1992</u> |
|---------------------------------------|----------------------------|
| "Purchase of library collection | \$150,000 |

Provided, That expenditures may be made from this account for the purchase of the

library collection and related expenses of the Saint Mary of the Plains college library collection: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 1992, is hereby reappropriated for fiscal year 1993."

Although the closing of St. Mary of the Plains College is unfortunate, the state cannot afford the financial burden of purchasing the College's library books. I have recommended, and the Legislature has approved, \$76,142 from the State General Fund to permit Fort Hays State University to offer classes in the areas served by St. Mary of the Plains College. Considering the state's fiscal condition, this is the most that can be done at this time to mitigate the problems resulting from the closing of the College.

That portion of Section 44(a) that reads as follows has been line-item vetoed:

| | Fiscal Year <u>1993</u> |
|--|----------------------------|
| "Operating expenditures (including official hospitality) | \$196,646" |

Section 44(b) that reads as follows has been line-item vetoed:

"(b) On July 1, 1992, the position limitation established by section 13(b) of 1992 House Bill 2730 for Emporia state university is hereby increased from 381.8 to 386.8."

The above two items provide an additional enrollment adjustment of \$141,411 from the State General Fund and 5.0 FTE positions for Emporia State University. Previously, I signed HB 2730, which included funds for enrollment adjustment for Emporia State University that exceeded my recommendations by \$238,217 from the State General Fund and 5.5 FTE positions. The additions contained in the above line-item, when viewed in the context of total appropriations made for FY 1993, place unacceptable demands on scarce state resources.

Section 44(c) that reads as follows has been line-item vetoed:

"(c) On July 1, 1992, the expenditure limitation established by section 7(b) of 1992 House Bill No. 2730 on the general fees fund is hereby decreased from \$6,956,446 to \$6,901,211."

By vetoing the line which contained the additional enrollment adjustment for Emporia State University, I was also forced to veto \$55,235 from the State General Fund to provide a 100.0 percent graduate teaching assistant fee waiver. I do, however, support the 100.0 percent fee waiver. In order to permit Emporia State University to grant the full fee waiver without suffering a reduction to its general use budget, I have vetoed the above section, which would have decreased the expenditure limitation on the General Fees Fund. This will allow the University to grant the 100.0 percent fee waiver and still maintain a projected ending balance in the General Fees Fund of \$44,765 for FY 1993. This ending balance is similar to the projected ending balances of \$35,000 for Fort Hays State University and \$50,000 for Pittsburg State University.

(continued)

Section 64(e) that reads as follows has been line-item vetoed:

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

| | |
|------------------------------|---------------------|
| | Fiscal Year 1993 |
| Operating expenditures | \$20,986" |

Section 64(h) that reads as follows has also been line-item vetoed:

"On July 1, 1992, the position limitation established by section 10 of 1992 Senate Bill No. 538 for the department of wildlife and parks is hereby increased from 410.0 to 412.0. "

I find it necessary to veto the State General Fund appropriation and position limitation increase referenced above. I have recommended, and the Legislature has approved, just over \$950,000 in seasonal and temporary salaries for the Parks and Public Lands Division of the Department of Wildlife and Parks in FY 1993. This is a \$300,000 increase over previous FY 1992 funding. It is my intention to increase the focus on the maintenance of our park and wildlife areas to make those areas more attractive and useful to visitors. I believe that through the more efficient management of seasonal personnel, the Department can streamline its permanent staff consistent with my initial recommendations.

Section 72(a) that reads as follows has been line-item vetoed:

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

| | |
|-----------------------------------|---------------------|
| | Fiscal Year 1993 |
| Milking parlor construction | \$15,000" |

I find it necessary to veto the State General Fund appropriation for the above capital improvement project. The State Fair Capital Improvements Fund was developed as the mechanism to provide for funding of capital improvements and maintenance projects of the state fair grounds. Capital improvements and maintenance priorities can be modified to provide for the construction of this building if it is deemed a high priority project.

Section 74(a) that reads as follows has been line-item vetoed:

"(a) On July 1, 1992, the expenditure limitation established by section 18(a) of 1992 House Bill No. 2708 for the Real Estate Fee Fund is hereby increased from \$552,679 to \$559,650."

The amount of \$6,971 that is provided by this expenditure limitation increase is for a salary increase for the Director of the Kansas Real Estate Commission. This is in addition to the amounts included in the pay plan (1992 SB 791) for all state employees. The above amount would provide an 18.0 percent increase for the position. As Governor, I have the responsibility to set the salary for this position and will adjust the salary for this position consistent with the pay plan for all employees. For this reason, I am vetoing this section of Senate Substitute for HB 3215.

Dated May 22, 1992.

Joan Finney
Governor

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