

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 8 through June 21:

Date	Room	Time	Committee	Agenda
June 8	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations proposed by: Board of Pharmacy, Dept. of Wildlife and Parks, Board of Regents, Dept. of Corrections, KDHE, State Historical Society, Insurance Dept., SRS and Dept. on Aging, Board of Nursing and Dept. of Administration; and conversation with KCC commissioners.
June 9	514-S	9:00 a.m.		
June 15	519-S	10:00 a.m.	Joint Committee on Children and Families	Agenda not available.
June 16	519-S	9:00 a.m.		
June 16			Legislative Coordinating Council	Legislative matters.
June 16		10:00 a.m.	Joint Committee on Special Claims Against the State	Visit El Dorado Correctional Facility. Visit Lansing Correctional Facility.
June 17		10:00 a.m.		
June 17	522-S	10:00 a.m.	Joint Committee on Information Technology	Implementation of SB 5; review of state IT projects.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 022516

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State of Kansas

**Department of Administration
Division of Architectural Services**

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

Notice is hereby given of the commencement of negotiations for complete architectural services for a 20,000-square-foot exhibit and trade show building for the Kansas State Fair, Hutchinson. The project budget is \$848,000.

For information regarding the scope of services, contact Bill Ogg, General Manager, (316) 669-3600.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022520

State of Kansas

Legislative Research Department

Request for Proposals

Consultant assistance and actuarial services are being sought by the Kansas Legislature's Joint Committee on Pensions, Investments and Benefits for the 1998 interim in support of a study and evaluation of modifying or changing one or more of the Kansas Public Employees Retirement System (KPERs) plans from defined benefit to defined contribution, or a combination thereof. The professional services sought for this project would be performed by an independent actuary, other than a firm that in the past five years has provided consultant services to either the KPERs Board of Trustees or the Legislature. The actuary would conduct a study and evaluation of the alternatives and costs of modifying the current defined benefits plans administered by the KPERs Board, and adding a defined contribution plan for public employees that would either supplement or replace the present plans.

Copies of the request for proposals may be obtained from the Kansas Legislative Research Department, (785) 296-3181 (voice) or (785) 296-3824 (fax). The RFP also may be found at the department's Web site: www.kumc.edu/kansas/ksleg/KLRD. The submission deadline for proposals is June 12.

Ben Barrett
Director

Doc. No. 022503

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
June 5	Care & Treatment	9:30 a.m.	Room 275-N
June 5	Criminal Law	9:30 a.m.	Room 259
June 19	PIK-Criminal	9:00 a.m.	Room 259
June 19	Probate Law	9:30 a.m.	Room 275-N
June 22	Chapter 61	9:30 a.m.	Room 259
July 10	Care & Treatment	9:30 a.m.	Room 259
July 10	Municipal Court Manual	9:30 a.m.	Room 275-N
July 17	PIK-Criminal	9:30 a.m.	Room 259
July 17	Probate Law	9:30 a.m.	Room 275-N
July 24	Family Law	9:30 a.m.	Room 259

Hon. Tyler C. Lockett
Chair

Doc. No. 022519

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering design and construction administration services for Dyche Hall Electrical Improvements—Phase I, University of Kansas, Lawrence. The project primarily is to provide new and upgraded building electrical service entrance and main switch gear at a project cost of \$523,000.

For information regarding the scope of services, contact Jim Modig, Director of Design and Construction Management, University of Kansas, (785) 864-3431.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022512

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 (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of June 1, 1998 through June 30, 1998, is 8.57 percent.

Ron Thornburgh
Secretary of State

Doc. No. 022504

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of
Negotiations for Technical Services

Notice is hereby given of the commencement of negotiations for air and water balancing services and commissioning of mechanical and electrical systems for state construction projects for the six-month period from July 1 to December 31, 1998. Negotiations also are commencing for infrared testing services.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies that are of the same parent company as the designers or contractors of a particular project will not be considered for that project.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603-3288, (785) 233-9367, ext. 204. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying balancing, commissioning and infrared contractors and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or location in the state, that information also should be supplied with the response.

Any questions or expressions of interest should be directed to Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022507

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 6-1-98 through 6-7-98

Term	Rate
1-89 days	5.58%
3 months	5.28%
6 months	5.41%
9 months	5.47%
12 months	5.54%
18 months	5.58%
24 months	5.58%

Clyde Graeber
Acting Chairman

Doc. No. 022505

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for design and construction administration for the renovation of Ellsworth Hall at the University of Kansas, Lawrence. The project is a major remodeling and reconfiguration of dorm rooms into suites at a project cost of \$10,467,450. Bids for construction are expected to be received not later than April 1999.

For information regarding the scope of services, contact Jim Modig, Director of Design and Construction Management, University of Kansas, (785) 864-3431.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022514

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for surveying and soil testing services for state construction projects for the six-month period from July 1 to December 31, 1998. Soil testing services would include testing and reporting prior to construction and inspection services during construction. Firms that provide concrete, welding, asphalt, steel, lead paint and hazardous material testing also are being sought.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Gary Grimes, Deputy Director of Planning and Project Management, Division of Architectural Services, 625 Polk, Topeka, 66603-3288, (785) 233-9367, ext. 204. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying surveying and testing firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or location in the state, that information also should be supplied with the response.

Any questions or expressions of interest should be directed to Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022506

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. June 23 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

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

Gerstner Investments, Inc., dba Two Men and a Truck, 522 N. 7 Highway, Blue Springs, MO 64105; MC ID No. 156177; Patrick McMonigle, Attorney; Household goods.

Application for Certificate of Public Service:

Gerald D. Baier, dba J & J Trucking, 10529 Chmelka Road, Holcomb, KS 67851; MC ID No. 152114; General commodities (except Classes A and B explosives, hazardous materials and household goods).

Donron, Inc., dba Northcutt Trailer & Equipment, 5055 N. Broadway, Wichita, KS 67219; MC ID No. 154867; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Nolan Garber, dba Castle Rock Cartage, Route 3, Box 34, Quinter, KS 67752; MC ID No. 156176; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Jerry J. Hostetler, 58 N.W. 27th St., Trenton, MO 64683; MC ID No. 104732; General commodities (except household goods).

Frank Konwinski, Jr., dba Konwinski Trucking, Route 1, Box 51, Silver Creek, NE 68663; MC ID No. 156175; General commodities (except household goods).

Alton J. Ludolph, dba Ludolph Truck Line, 505 Garrison Ave., Westphalia, KS 66093; MC ID No. 156179; General commodities (except household goods and hazardous materials).

Dale Robinson and Clarence Bradford, 320 W. 3rd, Larned, KS 67550; MC ID No. 156178; General commodities (except household goods and hazardous materials).

**Application for Transfer of Certificate of
Public Service:**

Hartford Elevator, Inc., Main Street, Hartford, KS 66854, MC ID No. 113439, to: Hartford Trucking, Inc., 400 Commercial, Hartford, KS 66854; William Barker, Attorney; Grain, feed, feed ingredients, fertilizer, fertilizer ingredients, building and construction materials, concrete products, seed, salt, machinery and equipment (restricted against the transportation of hazardous materials).

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

Wheaton Van Lines, Inc., dba Wheaton World Wide Moving, 8010 Castleton Road, Indianapolis, IN 46250, MC ID No. 106954, to: Superior Moving Service, Inc., 2020 Walnut St., Kansas City, MO 64108; Household goods.

**Application for Name Change of Certificate of
Public Service:**

Shelby E. Unruh, Weldon Koehn, Wade R. Mastre, Randall G. Unruh and Dewayne R. Mastre, dba Unruh House Moving, P.O. Box 375, Moundridge, KS 67107, MC ID No. 100362, to: Unruh House Moving, Inc., 1326 22nd Ave., Galva, KS 67443; Joseph Weiler, Attorney; Frame houses, buildings and granaries.

Don Carlile
Administrator
Transportation Division

Doc. No. 022515

State of Kansas

State Emergency Response Commission

Notice of Meeting

The Kansas State Emergency Response Commission will meet at 9 a.m. Thursday, June 11, in Room 11 of the State Defense Building, 2800 S. Topeka Blvd., Topeka.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022509

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Duke Energy Field Services Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a natural gas compressor engine. Emissions of oxides of nitrogen, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

Duke Energy Field Services Inc., Denver, Colorado, owns and operates the stationary source located at NE 522-T30S-R34W; Haskell County, Kansas, at which the natural gas compressor engine is to be installed.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArter Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6477; at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 6.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business July 6 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022517

State of Kansas

Department of Administration
Division of Architectural ServicesNotice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for design and construction administration for the remodeling of an existing handball court area in Robinson Gym at the University of Kansas, Lawrence, into an 8,000-square-foot energy balance laboratory for the Department of Health, Sport and Exercise Sciences. The project cost is \$960,000.

For information regarding the scope of services, contact Jim Modig, Director of Design and Construction Management, University of Kansas, (785) 864-3431.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 19.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022513

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Ramada Inn Downtown, Topeka, until 2 p.m. June 17, and then publicly opened:

District One—Northeast

Brown—7 C-3466-01—Various locations in Brown County, signing. (state funds)

Douglas—23 U-1704-01—14th and Massachusetts in Lawrence, intersection improvement. (state funds)

Jackson—16-43 K-6645-01—K16, culvert 519, 3 miles (4.8 kilometers) east of Holton, culvert improvement. (state funds)

Leavenworth—52 C-3281-01—Leavenworth Road, 1.5 miles (2.4 kilometers) west of Basehor, 1 mile (1.6 kilometers), surfacing. (federal funds)

Shawnee—470-89 K-6712-01—Southbound I-470/U.S. 75 exit ramp at 29th Street in Topeka, ramp improvement. (federal funds)

Shawnee—70-89 K-7195-01—Bridge 026, Polk-Quincy Viaduct in Topeka, bridge repair. (state funds)

Shawnee-Wabaunsee—70-106 K-7191-01—I-70, from mile post 317.5 east to the Wabaunsee-Shawnee county line, 12.6 miles (25.4 kilometers), overlay. (state funds)

Johnson—46 N-0112-01—Shawnee Mission Parkway and Monticello, 0.3 mile (0.5 kilometer), grading and surfacing. (federal funds)

District Two—Northcentral

Dickinson—15-21 K-5876-01—Intersection of K-15 and 14th Street in Abilene, 0.18 mile (0.3 kilometer), intersection improvement. (state funds)

District Two—106 K-5926-98—Various locations in District Two, signing. (state funds)

Jewell—45 C-3339-01—County road 3.1 miles (5 kilometers) north and 3.7 miles (6 kilometers) east of Montrose, 0.19 mile (0.32 kilometer), grading and bridge. (federal funds)

Ottawa—81-72 K-6005-01—Safety rest area, 0.24 mile (0.4 kilometer) north of the Saline-Ottawa county line, safety rest area improvements. (state funds)

Washington—101 C-3441-01—County road 0.1 mile (0.16 kilometer) east and 0.2 mile (0.32 kilometers) north of Haddam, 0.2 mile (0.32 kilometer), grading and bridge. (state funds)

District Three—Northwest

Ellis—183-26 K-6623-01—U.S. 183, bridge 052, Saline River, bridge repair. (state funds)

Norton—36-69 K-7001-01—U.S. 36, from the west city limits of Norton east and southeast to the Norton-Phillips county line, 14.9 miles (24 kilometers), sealing. (state funds)

Osborne—24-71 K-6626-01—U.S. 24, bridges 001 and 005, south fork Solomon River drainage, bridge overlay. (state funds)

Phillips—36-74 K-6624-01—U.S. 36, bridge 014, Turner Creek, bridge overlay. (state funds)

Rawlins—77 C-3380-01—County road 1.2 miles (2 kilometers) south of McDonald, 0.5 mile (0.8 kilometer), grading. (federal funds)

Smith—92 C-3422-01—County road 4 miles (6.4 kilometers) east and 4 miles (6.4 kilometers) south of Gaylord, 0.4 mile (0.6 kilometer), grading and bridge. (federal funds)

Smith—36-92 K-6621-01—U.S. 36, bridge 013 (Spring Creek) and bridge 014 (CRI&P Railroad), bridge overlay. (state funds)

Smith—8-92 K-6625-01—K-8, bridge 031, Middle Beaver Creek, bridge overlay. (state funds)

Wallace—100 C-3442-01—Countywide signing project, signing. (federal funds)

Wallace—27-100 K-6622-01—K-27, bridge 017, Smoky Hill River, bridge overlay. (state funds)

District Four—Southeast

Anderson—2 C-3412-01—County road 8.5 miles (13.7 kilometers) east of Harris, 0.2 mile (0.32 kilometer), grading and bridge. (federal funds)

Districtwide—106 K-6254-98—Various locations in District Four, 246.9 miles (397.3 kilometers), signing. (state funds)

Hodgeman—156-42 K-6644-01—K-156, bridge 010, Buckner Creek drainage, bridge repair. (state funds)

Labette—59-50 K-6631-01—U.S. 59, bridge 008, Labette Creek, bridge overlay. (state funds)

Miami—69-61 K-5760-01—U.S. 69, 5.9 miles (9.5 kilometers) north of K-68 north to the Miami-Johnson county line, 2.3 miles (3.7 kilometers), surfacing and bridge. (federal funds)

Montgomery—63 C-3366-01—County road 1.2 miles (2 kilometers) south of Bolton, 0.1 mile (0.3 kilometer), grading, bridge and surfacing. (federal funds)

Neosho—169-67 K-5387-02—U.S. 169, 0.4 mile (0.6 kilometer) northeast of the Labette-Neosho county line northeast to the south city limits of Thayer, 6.8 miles (10.9 kilometers), surfacing. (federal funds)

Neosho—59-67 K-6629-01—U.S. 59, bridge 004 Neosho River 2.4 miles (3.9 kilometers) north of the south junction of K-57, bridge repair. (state funds)

District Five—Southcentral

Reno—50-78 K-6435-01—U.S. 50 at the east junction of K-61 in the City of Hutchinson, 0.12 mile (0.2 kilometer), intersection improvement. (state funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 022475

State of Kansas

Attorney General

Opinion No. 98-27

State Departments; Public Officers and Employees—Private Investigative or Security Operations—Licensure Required; Law Enforcement Officers Ineligible for License; Community Correctional Officer. Larry Welch, Director, Kansas Bureau of Investigation, Topeka, May 21, 1998.

In limited circumstances, a community correctional officer may assert custody over persons who have been convicted of crimes and are on probation, assigned to a community correctional services program, serving a nonprison sanction or are otherwise fulfilling conditions of a suspended sentence. In any of those circumstances, a community correctional services officer is authorized to make a warrantless arrest upon his judgment that a client has violated a condition of release or a nonprison sanction. However, this limited arrest authority is not coextensive with that of a law enforcement officer whose duties include maintaining public order and making arrests for crimes generally. A community correctional officer is thus not a "law enforcement officer" for purposes of the Private Investigative or Security Operations Act. Cited herein: K.S.A. 21-3110; 21-3409; 21-3411; 21-3414; 21-3415; K.S.A. 1997 Supp. 21-4201; 22-3716; 75-7b01, as amended by 1998 Senate Bill No. 234; 75-7b02; 75-7b03, as amended by 1998 Senate Bill No. 234; 75-5291, as amended by 1998 House Bill No. 3027; 75-5295. CN

Opinion No. 98-28

Livestock and Domestic Animals—Protection of Domestic Animals; Diseased Stock and Quarantine Regulations—Rules for Tuberculin Test; Sale of Animal; Payment to Owner. George Teagarden, Livestock Commissioner, Kansas Animal Health Department, Topeka, May 21, 1998.

Under K.S.A. 47-632, the Kansas Livestock Commissioner does not have a statutory responsibility to indemnify the owner of an individual domestic animal, except for a bovine, which the commissioner condemns due to the animal being affected with tuberculosis. By contrast, K.S.A. 47-633a applies when an entire herd of domestic animals, as defined, is condemned by the livestock commissioner because tuberculosis has been diagnosed in any animal within the herd. In that event, the Livestock Commissioner is required to indemnify the herd owner based on an established formula for animals in the condemned herd regardless of type, although maximum amounts are set for bovines. Thus, the livestock commissioner does not have a statutory responsibility to indemnify the owner of individual elk which the commissioner may condemn due to the animal being affected with tuberculosis, but does have such responsibility if an entire herd of elk are condemned. Cited herein: K.S.A. 47-632; 47-633a; K.S.A. 1997 Supp. 47-635; K.A.R. 9-29-1; L. 1911, Ch. 312, § 23; L. 1911, Ch. 322, § 26; L. 1945, Ch. 230, § 1; L. 1969, Ch. 259, § 1; L. 1969, Ch. 259, § 2; L. 1978, ch. 206, § 1; L. 1978, Ch. 206, § 2; L. 1993, Ch. 143, § 11; L. 1994, Ch. 79, § 4; L. 1996, Ch. 90, § 7. CN

Opinion No. 98-29

Counties and County Officers—General Provisions—Home Rule Powers; Limitations, Restrictions and Prohibitions; Authority of County to Offer Advance Tax Payment Option.

Taxation—Collection and Cancellation of Taxes—Time for Payment of Real Estate Taxes; Interest, When; Distribution of Interest to City, When; Authority of County to Offer Advance Payment Option. Gordon B. Stull, Pratt County Counselor, Pratt, May 21, 1998.

Counties are not prohibited by K.S.A. 79-2004 from establishing an advance installment plan for payment of real estate taxes pursuant to home rule authority. Pursuant to K.S.A. 1997 Supp. 19-101a, the provisions of such a plan may not conflict with any enactment of the Legislature which applies uniformly to all counties. Cited herein: K.S.A. 1997 Supp. 19-101a, as amended by 1998 House Bills No. 2584, 2950; K.S.A. 79-2004; 79-2024. JLM

Opinion No. 98-30

Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Against Property—Giving a Worthless Check; Administrative Handling Cost. David Maslen, Chautauqua County Attorney, Sedan, May 21, 1998.

The administrative handling cost paid by the issuer of a worthless check under K.S.A. 1997 Supp. 21-3707 should be deposited in a trust fund separate from the county general fund. Money in the trust fund should be used to defray the expenses of the county attorney in collecting on worthless checks or for the normal operating expenses of the county attorney's office. Expenditures from the trust fund should be debited against the trust fund. Cited herein: K.S.A. 1997 Supp. 21-3707; L. 1996, Ch. 203, § 1. DMV

Opinion No. 98-31

Constitution of the State of Kansas—Education—Finance; Tuition; Nonresident Pupils; Charge for Attendance; Constitutionality.

Schools—General Provisions Relating to School Districts—Nonresident Pupils; Charge for Attendance; Constitutionality. Representative Kay O'Connor, 14th District, Olathe, May 21, 1998.

The authority conferred under K.S.A. 1997 Supp. 72-1046a, which permits a unified school district to charge a fee to a nonresident pupil to offset the costs of allowing the pupil's attendance in the district, does not violate Section 6 of Article 6 of the Kansas Constitution. Cited herein: K.S.A. 72-977; 72-1046; K.S.A. 1997 Supp. 72-1046a; 72-1111; K.S.A. 72-6405; K.S.A. 1997 Supp. 72-6410, as amended by 1998 House Bill No. 2249; K.S.A. 72-6416; K.S.A. 1997 Supp. 72-8233; Kan. Const., Art. 6, § 6. RDS

Carla J. Stovall
Attorney General

Doc. No. 022523

State of Kansas

Board of Accountancy

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, August 28, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Board of Accountancy.

All interested parties may submit written comments prior to the hearing to the executive director of the Board of Accountancy, Suite 556, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Vickie Boose at (785) 296-2162. Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

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

74-2-7. Concentration in accounting. The revisions to this regulation set the amount of course requirements that may be waived by the board for exam candidates and update existing language. There is no economic impact to governmental agencies, the general public or exam candidates.

74-4-1. Permit to practice. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or permit-holding CPAs.

74-4-4. Experience requirement for permits. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or permit-holding CPAs.

74-4-7. Continuing education requirements. The revisions to this regulation amend the current mandatory requirement of 40 hours per year continuing education in the biennium period to a requirement of 80 hours in the biennium period with a minimum of 20 hours being obtained in each year. Further, it requires a penalty of an additional eight hours of continuing education within a prescribed period of time before a permit to practice is renewed if a permit applicant fails to obtain the continuing education required. In addition, revisions are made to update the existing language. There is no economic impact to governmental agencies or the general public. The economic impact to CPAs would only occur to those permit applicants who fail to meet the continuing education requirements, which would result in an increased cost of obtaining the additional continuing education.

74-4-8. Continuing education programs; requirements. The revisions to this regulation specify the total

amount of self-study continuing education hours that may be claimed by a permit applicant as a result of the revisions to 74-4-7, and update existing language. There is no economic impact to governmental agencies, the general public or permit-holding CPAs.

74-4-9. Continuing education controls and reporting. The revisions to this regulation incorporate reference to an exemption recently amended into K.S.A. 1-310 relative to the reporting of continuing education for licensees whose principal place of business is in another state, and update the existing language. There is no economic impact to governmental agencies, the general public or permit-holding CPAs.

74-4-10. Requirements of initial or reinstated permits. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or permit-holding CPAs.

74-5-202. Auditing standards. The revisions to this regulation update the publication dates of the AICPA professional standards and the Kansas municipal audit guide, and update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-5-203. Accounting principles. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-5-301. Confidential client information. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-5-406. Firm names. This regulation is being revised to update existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-5-407. Cooperation with the board. This regulation is revised to further compel a firm or an individual to cooperate with the board, either through written communication or appearing before the board or one or more of its members, in investigations of complaints or possible violations of the accountancy laws and regulations. There is no economic impact to governmental agencies, the general public or CPAs.

74-6-2. Management of an office. The revision to this regulation clearly sets out that each office shall have one resident manager in charge and updates existing language. There is no economic impact to governmental agencies, the general public or CPAs.

74-11-6 to 74-11-14 (Peer Review Program). These regulations are being revised to comply with changes to the peer review standards. There is no economic impact to governmental agencies, the general public or CPAs.

The complete text of the regulations and the economic impact statement may be obtained from the Board of Accountancy.

Susan L. Somers
Executive Director

Doc. No. 022511

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Friday, June 5, 1998

7732

Kansas Judicial Center—Furnish and install carpet

Monday, June 15, 1998

33139

Kansas State University—Printing of course schedules

33145

Kansas Lottery—T-shirts, promotional

7713

Department of Transportation—Mowers, various locations

7714

Kansas Correctional Industries—"Used" forklift

7724

Department of Social and Rehabilitation Services—Handicapped van modification, Shawnee

7725

Osawatomie State Hospital—Medication carts

Tuesday, June 16, 1998

33143

University of Kansas—Dry ice

7715

Department of Transportation—Forklift, Hutchinson

7733

Department of Transportation—Retroreflector meter

Wednesday, June 17, 1998

33102

Statewide—Plastic and rubber goods (Class 10)

33130

Wichita State University—Printing of course schedules

33149

University of Kansas—Dishwashing supplies

Thursday, June 18, 1998

A-8456

University of Kansas—Visitors Center parking lot

33138

Statewide—Animal cages and accessories

Friday, June 19, 1998

33144

University of Kansas—Fire alarm system

7744

Department of Transportation—Bituminous plant mix, Wichita

Monday, June 22, 1998

7719

Adjutant General's Department—All labor and materials to remodel office, Wichita Armory

Tuesday, June 23, 1998

A-8275(A)

Kansas State University—Sanitary sewer improvements, Rathbone Hall

A-8484

Department of Wildlife and Parks—New campground building, Elk City State Park

A-8485

Department of Wildlife and Parks—New campground building, Kanapolis State Park

A-8486

Department of Wildlife and Parks—New campground building, Milford State Park

A-8487

Department of Wildlife and Parks—New campground building, Cheney State Park

A-8531

Department of Wildlife and Parks—New campground building, El Dorado State Park

A-8534

University of Kansas—HVAC renovations, Summerfield Hall

7745

Department of Transportation—Dump trucks with spreaders, snow plows and anti-ice tanks, various locations

Thursday, June 25, 1998

A-8310

Beloit Juvenile Correctional Facility—ADA upgrades, various buildings

A-8483

Department of Wildlife and Parks—New campground building, Pomona State Park

A-8488

Department of Wildlife and Parks—New campground building, Lovewell State Park

A-8532

Department of Wildlife and Parks—New campground building, Webster State Park

7718

Adjutant General's Department—Nickell Barracks, renovation of building, Salina

Monday, July 6, 1998

32490

Department of Social and Rehabilitation Services—Informational technology services

Request for Proposals

Tuesday, June 16, 1998

7716

Crawler loader for the Department of Transportation

John T. Houlihan

Director of Purchases

Doc. No. 622518

(Published in the Kansas Register June 4, 1998.)

**Summary Notice of Bond Sale
\$130,000**

**Marshall County, Kansas
General Obligation Bonds
Series 1998A (Courthouse Project)**

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

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated June 1, 1998, sealed bids will be received by the county clerk of Marshall County, Kansas (the issuer), on behalf of the governing body of the county at the Marshall County Courthouse, 1201 Broadway, Marysville, KS 66508, until 10 a.m. Monday, June 15, 1998, for the purchase of \$130,000 principal amount of General Obligation Bonds, Series 1998A (Courthouse Project). 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 June 1, 1998, and will become due on September 1 in the years as follows:

Year	Principal Amount
1999	\$25,000
2000	25,000
2001	25,000
2002	25,000
2003	30,000

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

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 semi-annually on March 1 and September 1 in each year, beginning March 1, 1999.

Paying Agent and Bond Registrar

The 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 or a qualified financial surety bond in the amount of \$2,600 (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 at such bank or trust company in the contiguous United States as may be specified by the successful bidder without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the county for the year 1997 is \$75,265,783. The total general obligation indebtedness of the issuer as of

the date of the bonds, including the bonds being sold, is \$333,000.

Approval of Bonds

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 issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (785) 562-5361.

Dated June 1, 1998.

Marshall County, Kansas
Gayle Landoll, County Clerk
Marshall County Courthouse
1201 Broadway
Marysville, KS 66508

Doc. No. 022510

(Published in the Kansas Register June 4, 1998.)

**Summary Notice of Bond Sale
Salina Airport Authority
(Salina, Kansas)
\$4,440,000**

**General Obligation Improvement Bonds
Series 1998-A**

Sealed Bids

Subject to the terms and conditions of the complete notice of bond sale and preliminary official statement dated May 20, 1998, sealed bids on the official bid form will be received by Timothy F. Rogers, executive director of the Salina Airport Authority, at the Salina Municipal Airport, 3237 Arnold, Salina, KS 67402, on behalf of the governing body until 2 p.m. local time Wednesday, June 17, 1998, for the purchase of \$4,440,000 principal amount of General Obligation Improvement Bonds, Series 1998-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered. Each bid shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Bond Details

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated June 15, 1998, and will become due serially on September 1 in the years as follows:

Principal Amount	Maturity September 1
\$445,000	1999
445,000	2000

(continued)

(Published in the Kansas Register June 4, 1998.)

445,000	2001
445,000	2002
445,000	2003
445,000	2004
445,000	2005
445,000	2006
440,000	2007
440,000	2008

Summary Notice of Bond Sale
Jackson County, Kansas
\$1,065,000 General Obligation Bonds, Series 1998
 (General obligation bonds payable from unlimited ad valorem taxes)

Sale Particulars

Subject to the terms and conditions of the complete official notice of sale and the preliminary official statement, both dated June 4, 1998, of Jackson County, Kansas, in connection with the issuance of the county's General Obligation Bonds, Series 1998, written bids will be received at the office of the county clerk at the Jackson County Courthouse, 400 New York Ave., Holton, KS 66436, until 11 a.m. Monday, June 15, 1998, for the purchase of the bonds. All bids will be publicly opened, read aloud and tabulated on said date and at said time and will thereafter be immediately considered and acted upon by the governing body of the county.

No oral or auction bids for the bonds will be considered, and no bids for less than the entire principal amount of the bonds will be considered. No bid for less than 99.50 percent of the principal amount of the bonds and accrued interest thereon to date of delivery will be considered.

Bids will be accepted only on the official bid forms that have been prepared for the public bidding on the bonds, which may be obtained from the county clerk. Each bid for the the bonds must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the county and in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds in the principal amount of \$1,065,000 are to be dated June 15, 1998, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds will be payable semiannually on April 1 and October 1 in each year, commencing April 1, 1999.

The bonds will mature serially on October 1 as follows:

Maturity	Amount
2001	115,000
2002	120,000
2003	125,000
2004	130,000
2005	135,000
2006	140,000
2007	145,000
2008	155,000

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 March 1, 1999. Bonds maturing on September 1, 2006, and thereafter will be subject to redemption prior to maturity at the option of the Authority on September 1, 2005, and thereafter in whole at any time or in part on any interest payment date, in such principal amounts for such maturities as shall be determined by the Authority, at a redemption price of 100 percent of the principal amount redeemed, plus accrued interest, without a premium.

Paying Agent and Bond Registrar

The Kansas State Treasurer will be the paying agent and bond registrar for the bonds.

Delivery

The Authority 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 8, 1998, through the facilities of Depository Trust Company in New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed valuation for computation of bonded debt limitations for the year 1997 is \$280,589,963. The total general obligation indebtedness of the Authority as of the date of the bonds, including the bonds being sold, will be \$6,335,000.

Approval of Bonds

The bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving opinion as to the validity of the bonds will be furnished and paid for by the Authority and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from George K. Baum & Company, Kansas City, Missouri, (816) 474-1100, the Authority's financial advisor.

Dated May 20, 1998.

City of Salina, Kansas
 By Timothy F. Rogers, A.A.E.
 Executive Director
 Salina Municipal Airport
 3237 Arnold Ave.
 Salina, KS 67402
 (785) 827-3914

Doc. No. 022522

Certain of the bonds are subject to redemption prior to their maturities as provided in the complete official notice of sale and preliminary official statement.

Security for the Bonds

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

Delivery of the Bonds

The bonds, duly prepared, executed and registered, will be furnished and delivered in book-entry form only at the expense of the county through the facilities of the Depository Trust Company, New York, New York, on or before June 29, 1998.

Financial Matters

The total equalized assessed valuation of the taxable tangible property within the county for computation of bonded debt limitations for the year 1998 is \$62,279,230.

The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$2,265,000.

Additional Information

For additional information regarding the county, the bonds and the public sale, interested parties are invited to contact the county clerk at the address and telephone number shown below or the financial advisor to the county, J. O. Davidson & Associates, Inc., 745 N. Waco, Wichita, KS 67201, Attention: David Shupe, (316) 265-9411.

Dated June 4, 1998.

Kathy L. Mick, County Clerk
Jackson County Courthouse
400 New York Ave.
Holton, KS 66436
(785) 364-2891
Fax (785) 364-4202

Doc. No. 022521

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, August 4, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of one new rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the proposed regu-

lation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Marsha Schrempp at (785) 296-8962. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed rule and regulation is as follows:

K.A.R. 100-29-3a. Examination of written and oral English communication. This regulation, if adopted, would establish a means by which foreign trained physical therapy applicants, not receiving training in a school at which English was the language of instruction, could demonstrate their ability to communicate in written and oral English.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, (785) 296-3680.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 022508

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. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

Kansas Board of Barbering

Glynda L. Hunt, 225 Bluff Creek Road, Meriden, 66512. Term expires January 24, 2001. Reappointed.

Mark E. Strange, 401 N. Pershing, #3, Liberal, 67901. Term expires April 30, 2001. Reappointed.

Terry A. Stearman, Chair, 3809 N.E. Kimball Road, Topeka, 66617. Term expires February 16, 2001. Reappointed.

Kansas Development Finance Authority

Kenneth Frahm, President, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603. Serves at the pleasure of the Governor. Succeeds William Caton.

Ron Thornburgh
Secretary of State

Doc. No. 022529

State of Kansas

Secretary of State

I, Ron Thornburgh, 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.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register June 4, 1998.)

House Substitute for SENATE BILL No. 212

AN ACT concerning telecommunications services; relating to enhanced universal service and internet access; amending K.S.A. 1997 Supp. 66-2005, 66-2008 and 66-2011 and repealing the existing sections.

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

Section 1. K.S.A. 1997 Supp. 66-2005 is hereby amended to read as follows: 66-2005. (a) Each local exchange carrier shall file a network infrastructure plan with the commission on or after January 1, 1997, and prior to January 1, 1998. Each plan, as a part of universal service protection, shall include schedules, which shall be approved by the commission, for deployment of universal service capabilities by July 1, 1998, and the deployment of enhanced universal service capabilities by July 1, 2001-2003, as defined pursuant to subsections (p) and (q) of K.S.A. 1997 Supp. 66-1,187, and amendments thereto, respectively. With respect to enhanced universal service, such schedules shall provide for deployment of ISDN, or its technological equivalent, or broadband facilities, only upon a firm customer order for such service, or for deployment of other enhanced universal services by a local exchange carrier. After receipt of such an order and upon completion of a deployment plan designed to meet the firm order or otherwise provide for the deployment of enhanced universal service, a local exchange carrier shall notify the commission. The commission shall approve the plan unless the commission determines that the proposed deployment plan is unnecessary, inappropriate, or not cost effective, or would create an unreasonable or excessive demand on the KUSF. The commission shall take action within 90 days. If the commission fails to take action within 90 days, the deployment plan shall be deemed approved. This approval process shall continue until July 1, 2000. Each plan shall demonstrate the capability of the local exchange carrier to comply on an ongoing basis with quality of service standards to be adopted by the commission no later than January 1, 1997.

(b) In order to protect universal service, facilitate the transition to competitive markets and stimulate the construction of an advanced telecommunications infrastructure, each local exchange carrier shall file a regulatory reform plan at the same time as it files the network infrastructure plan required in subsection (a). As part of its regulatory reform plan, a local exchange carrier may elect traditional rate of return regulation or price cap regulation. Carriers that elect price cap regulation shall be exempt from rate base, rate of return and earnings regulation. However, the commission may resume such regulation upon finding, after a hearing, that a carrier that is subject to price cap regulation has violated minimum quality of service standards pursuant to subsection (l) of K.S.A. 1997 Supp. 66-2002 and amendments thereto; been given reasonable notice and an opportunity to correct the violation; and failed to do so. Regulatory reform plans also shall include:

(1) A commitment to provide existing and newly ordered point-to-point broadband services to: Any hospital as defined in K.S.A. 65-425, and amendments thereto; any school accredited pursuant to K.S.A. 72-1101 et seq., and amendments thereto; any public library; or other state and local government facilities at discounted prices close to, but not below, long-run incremental cost; and

(2) a commitment to provide basic rate ISDN service, or the technological equivalent, at prices which are uniform throughout the carrier's service area and which are designed to stimulate the development of an extensive residential market. Local exchange carriers shall not be required to allow retail customers purchasing the foregoing discounted services to resell those services to other categories of customers. Telecommunica-

tions carriers may purchase basic rate ISDN services, or the technological equivalent, for resale in accordance with K.S.A. 1997 Supp. 66-2003 and amendments thereto. The commission may reduce prices charged for services outlined in provisions (1) and (2) of this subsection, if the commitments of the local exchange carrier set forth in those provisions are not being kept.

(c) Subject to the commission's approval, all local exchange carriers shall reduce intrastate access charges to interstate levels as provided herein. Rates for intrastate switched access, and the imputed access portion of toll, shall be reduced over a three-year period with the objective of equalizing interstate and intrastate rates in a revenue neutral, specific and predictable manner. The commission is authorized to rebalance local residential and business service rates to offset the intrastate access and toll charge reductions. Any remaining portion of the reduction in access and toll charges not recovered through local residential and business service rates shall be paid out from the KUSF pursuant to K.S.A. 1997 Supp. 66-2008 and amendments thereto. Rural telephone companies shall reduce their intrastate switched access rates to interstate levels on March 1, 1997, and every two years thereafter, as long as amounts equal to such reductions are recovered from the KUSF.

(d) Beginning March 1, 1997, each rural telephone company shall have the authority to increase annually its monthly basic local residential and business service rates by an amount not to exceed \$1 in each 12 month period until such monthly rates reach an amount equal to the statewide rural telephone company average rates for such services. The statewide rural telephone company average rates shall be the arithmetic mean of the lowest flat rate as of March 1, 1996, for local residential service and for local business service offered by each rural telephone company within the state. In the case of a rural telephone company which increases its local residential service rate or its local business service rate, or both, to reach the statewide rural telephone company average rate for such services, the amount paid to the company from the KUSF shall be reduced by an amount equal to the additional revenue received by such company through such rate increase. In the case of a rural telephone company which elects to maintain a local residential service rate or a local business service rate, or both, below the statewide rural telephone company average, the amount paid to the company from the KUSF shall be reduced by an amount equal to the difference between the revenue the company could receive, if it elected to increase such rate to the average rate and the revenue received by the company.

(e) For regulatory reform plans in which price cap regulation has been elected, price cap plans shall have three baskets: Residential and single-line business, including touch-tone, switched access services, and miscellaneous services. The commission shall establish price caps at the prices existing when the regulatory plan is filed subject to rate rebalancing as provided in subsection (c) for residential services, including touch-tone services, and for single-line business services, including touch-tone services, within the residential and single-line business service basket. The commission shall establish a formula for adjustments to the price caps. The commission also shall establish price caps at the prices existing when the regulatory plan is filed for the miscellaneous services basket. The commission shall approve any adjustments to the price caps for the miscellaneous service basket, as provided in subsection (f).

(f) On or before January 1, 1997, the commission shall issue a final order in a proceeding to determine the price cap adjustment formula that shall apply to the price caps for the local residential and single-line business and the miscellaneous services baskets and for sub-categories, if any, within those baskets. In determining this formula, the commission shall balance the public policy goals of encouraging efficiency and promoting investment in a quality, advanced telecommunications network in the state. The commission also shall establish any informational filing requirements necessary for the review of any price cap tariff filings, including price increases or decreases within the caps, to verify such caps would not be exceeded by any proposed price change. The adjustment formula shall apply to the price caps for the local residential and single-line business basket after December 31, 1999, and to the miscellaneous services basket after December 31, 1997. The price cap formula, but not actual prices, shall be reviewed every five years.

(g) The price caps for the residential and single-line business service basket shall be capped at their initial level until January 1, 2000, except for any increases authorized as a part of the revenue neutral rate rebalancing under subsection (c). The price caps for this basket and for the categories in this basket, if any, shall be adjusted annually after December

31, 1999, based on the formula determined by the commission under subsection (f).

(h) The price cap for the switched access service basket shall be set based upon the local exchange carrier's intrastate access tariffs as of January 1, 1997, except for any revenue neutral rate rebalancing authorized in accordance with subsection (c). Thereafter, the cap for this basket shall not change except in connection with any subsequent revenue neutral rebalancing authorized by the commission under subsection (c).

(i) The price caps for the miscellaneous services basket shall be adjusted annually after December 31, 1997, based on the adjustment formula determined by the commission under subsection (f).

(j) A price cap is a maximum price for all services taken as a whole in a given basket. Prices for individual services may be changed within the service categories, if any, established by the commission within a basket. An entire service category, if any, within the residential and single-line business basket or miscellaneous services basket may be priced below the cap for such category. Unless otherwise approved by the commission, no service shall be priced below the price floor which will be long-run incremental cost and imputed access charges. Access charges equal to those paid by telecommunications carriers to local exchange carriers shall be imputed as part of the price floor for toll services offered by local exchange carriers on a toll service basis.

(k) A local exchange carrier may offer promotions within an exchange or group of exchanges. All promotions shall be approved by the commission and shall apply to all customers in a nondiscriminatory manner within the exchange or group of exchanges.

(l) Unless the commission authorizes price deregulation at an earlier date, intrastate toll services within the miscellaneous services basket shall continue to be regulated until the affected local exchange carrier begins to offer 1+ intraLATA dialing parity throughout its service territory, at which time intrastate toll will be price deregulated, except that prices cannot be set below the price floor.

(m) On or before July 1, 1997, the commission shall establish guidelines for reducing regulation prior to price deregulation of price cap regulated services in the miscellaneous services basket, the switched access services basket, and the residential and single-line business basket.

(n) Subsequent to the adoption of guidelines pursuant to subsection (m), the commission shall initiate a petitioning procedure under which the local exchange carrier may request rate range pricing. The commission shall act upon a petition within 21 days, subject to a 30-day suspension. The prices within a rate range shall be tariffed and shall apply to all customers in a nondiscriminatory manner in an exchange or group of exchanges.

(o) A local exchange carrier may petition the commission to designate an individual service or service category, if any, within the miscellaneous services basket, the switched access services basket or the residential and single-line business basket for reduced regulation. The commission shall act upon a petition for reduced regulation within 21 days, subject to a suspension period of an additional 30 days, and upon a good cause showing of the commission in the suspension order, or within such shorter time as the commission shall approve. The commission shall issue a final order within the 21-day period or within a 51-day period if a suspension has been issued. Following an order granting reduced regulation of an individual service or service category, the commission shall act on any request for price reductions within 7 seven days subject to a 30-day suspension. The commission shall act on other requests for price cap adjustments, adjustments within price cap plans and on new service offerings within 21 days subject to a 30-day suspension. Such a change will be presumed lawful unless it is determined the prices are below the price floor or that the price cap for a category, if any, within the entire basket has been exceeded.

(p) The commission may price deregulate within an exchange area, or at its discretion on a statewide basis, any individual service or service category upon a finding by the commission that there is a telecommunications carrier or an alternative provider providing a comparable product or service, considering both function and price, in that exchange area. The commission shall act upon a petition for price deregulation within 21 days, subject to a suspension period of an additional 30 days, and upon a good cause showing of the commission in the suspension order, or within such shorter time as the commission shall approve; provided that no such petition shall be filed prior to July 1997, unless the commission otherwise authorizes. The commission shall issue a final order within the 21-day period or within a 51-day period if a suspension has been issued.

(q) Upon complaint or request, the commission may investigate a

price deregulated service. The commission shall resume price regulation of a service provided in any exchange area by placing it in the appropriate service basket, as approved by the commission, upon a determination by the commission that there is no longer a telecommunications carrier or alternative provider providing a comparable product or service, considering both function and price, in that exchange area.

(r) The commission shall require that for all local exchange carriers all such price deregulated basic intraLATA toll services be geographically averaged statewide and not be priced below the price floor established in subsection (j).

(s) Cost studies to determine price floors shall be performed as required by the commission in response to complaints. In addition, notwithstanding the exemption in subsection (b), the commission may request information necessary to execute any of its obligations under the act.

(t) A local exchange carrier may petition for individual customer pricing. The commission shall respond expeditiously to the petition within a period of not more than 30 days subject to a 30-day suspension.

(u) No audit, earnings review or rate case shall be performed with reference to the initial prices filed as required herein.

(v) Telecommunications carriers shall not be subject to price regulation, except that: Access charge reductions shall be passed through to consumers by reductions in basic intrastate toll prices; and basic toll prices shall remain geographically averaged statewide. As required under K.S.A. 66-131, and amendments thereto; and except as provided for in subsection (c) of K.S.A. 1997 Supp. 66-2004 and amendments thereto, telecommunications carriers that were not authorized to provide switched local exchange telecommunications services in this state as of July 1, 1996, including cable television operators who have not previously offered telecommunications services, must receive a certificate of convenience based upon a demonstration of technical, managerial and financial viability and the ability to meet quality of service standards established by the commission. Any telecommunications carrier or other entity seeking such certificate shall file a statement, which shall be subject to the commission's approval, specifying with particularity the areas in which it will offer service, the manner in which it will provide the service in such areas and whether it will serve both business customers and residential customers in such areas. Any structurally separate affiliate of a local exchange carrier that provides telecommunications services shall be subject to the same regulatory obligations and oversight as a telecommunications carrier, as long as the local exchange carrier's affiliate obtains access to any services or facilities from its affiliated local exchange carrier on the same terms and conditions as the local exchange carrier makes those services and facilities available to other telecommunications carriers. The commission shall oversee telecommunications carriers to prevent fraud and other practices harmful to consumers and to ensure compliance with quality of service standards adopted for all local exchange carriers and telecommunications carriers in the state.

Sec. 2. K.S.A. 1997 Supp. 66-2008 is hereby amended to read as follows: 66-2008. On or before January 1, 1997, the commission shall establish the Kansas universal service fund, hereinafter referred to as the KUSF.

(a) The initial amount of the KUSF shall be comprised of local exchange carrier revenues lost as a result of rate rebalancing pursuant to subsection (c) of K.S.A. 1997 Supp. 66-2005 and amendments thereto and subsection (a) of K.S.A. 1997 Supp. 66-2007 and amendments thereto. Such revenues shall be recovered on a revenue neutral basis. The revenue neutral calculation shall be based on the volumes and revenues for the 12 months prior to September 30, 1996, adjusted for any rate changes.

(b) The commission shall require every telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services to contribute to the KUSF on an equitable and nondiscriminatory basis. Any telecommunications carrier, telecommunications public utility or wireless telecommunications service provider which contributes to the KUSF may collect from customers an amount equal to such carrier's, utility's or provider's contribution, except that before January 1, 2000, no such carrier, provider or utility shall collect from customers an amount in excess of 8.89% of its intrastate retail revenues as provided in commission docket no. 190-492-U but such carrier, provider or utility may collect a lesser amount from its customer.

Prior to January 1, 2000, with respect to wireless telecommunications

(continued)

service providers, an equitable and nondiscriminatory rate shall be an amount equal to the rate of contributions of wireline telecommunications service providers, as determined by the commission, reduced by the percentage minutes of usage initiated and terminated entirely over the wireless network as determined by the commission. The commission shall establish such rate for wireless telecommunications service providers no later than December 31, 1998. Any contributions in excess of distributions collected in any reporting year shall be applied to reduce the estimated contribution that would otherwise be necessary for the following year.

(c) Pursuant to the federal act, distributions from the KUSF shall be made in a competitively neutral manner to qualified telecommunications public utilities, telecommunications carriers and wireless telecommunications providers, that are deemed eligible both under subsection (e)(1) of section 214 of the federal act and by the commission.

(d) The commission shall periodically review the KUSF to determine if the costs of qualified telecommunications public utilities, telecommunications carriers and wireless telecommunications service providers to provide local service justify modification of the KUSF. If the commission determines that any changes are needed, the commission shall modify the KUSF accordingly.

(e) Any qualified telecommunications carrier, telecommunications public utility or wireless telecommunications service provider may request supplemental funding from the KUSF based upon a percentage increase in access lines over the 12-month period prior to its request. The supplemental funding shall be incurred for the purpose of providing services to and within the service area of the qualified telecommunications carrier, telecommunications public utility or wireless telecommunications service provider. Supplemental funding from the KUSF shall be used for infrastructure expenditures necessary to serve additional customers within the service area of such qualifying utility, provider or carrier. All affected parties shall be allowed to review and verify a request of such a qualified utility, carrier or provider for supplemental funding from the KUSF, and to intervene in any commission proceeding regarding such request. The commission shall issue an order on the request within 120 days of filing. Additional funding also may be requested for: The recovery of shortfalls due to additional rebalancing of rates to continue maintenance of parity with interstate access rates; shortfalls due to changes to access revenue requirements resulting from changes in federal rules; additional investment required to provide universal service and enhanced universal service, deployed subject to subsection (a) of K.S.A. 66-2005, and amendments thereto; and for infrastructure expenditures in response to facility or service requirements established by any legislative, regulatory or judicial authority. Such requests shall be subject to simplified filing procedures and the expedited review procedures, as outlined in the stipulation attached to the order of November 19, 1990 in docket no. 127,140-U (Phase IV).

(f) Additional supplemental funding from the KUSF, other than as provided in subsection (e) of this section, may be authorized at the discretion of the commission. However, the commission may require approval of such funding to be based upon a general rate case filing. With respect to any request for additional supplemental funding from the KUSF, the commission shall act expeditiously, but shall not be subject to the 120 day deadline set forth in subsection (e).

Sec. 3. K.S.A. 1997 Supp. 66-2011 is hereby amended to read as follows: 66-2011. (a) As used in this section, "the internet" means the international network of interconnected government, educational, and commercial computer networks. An "internet service provider" means an entity that provides end user access to the internet. Nothing in this section shall be construed to mean that the commission has any regulatory jurisdiction over internet service providers. The provisions of this section apply only to those locations of the state where local (7-digit) internet access, which supports at least 14.4 kilobits per second service with no more than 5% blockage during the busiest hour of the service, is not available on or after October 1, 1996. The provisions of this section also apply to those locations where local access has been discontinued as of October 1, 1996, or access to the service deteriorates to more than 5% blockage during the busiest hour of the service.

(b) On or after July 1, 1996 and prior to October 1, 1996, rural telephone companies shall file concurring tariffs to offer internet access in locations identified in subsection (a) to an intraLATA internet service provider of the customer's choice. All rural telephone companies, including local exchange carriers pursuant to subsection (c), shall provide dial-up access to support at least 14.4 kilobit per second service ubiquitously

throughout the exchange service area, with 28.8 19.2 kilobit per second service made available to any requesting customer on or on and after July 1, 1999. The commission shall increase the 19.2 kilobit per second requirement when the commission determines that more advanced technology is both technically and economically feasible.

(c) On or after July 1, 1996 and prior to October 1, 1996, all local exchange carriers, other than rural telephone companies, shall file tariffs with the commission for two flat-rate dial-up plans, which would provide internet access in locations identified in subsection (a) to an intraLATA internet service provider of the customer's choice. All such plans shall be approved by the commission if they meet the criteria established in this section. The first plan includes: (1) For off-peak users, a monthly rate of not more than \$15 per line for the hours of 5 p.m. through 7:59 a.m. weekdays and all hours on weekends and federal holidays. Calls placed outside this specified off-peak period shall be billed at prevailing toll rates. (2) For unlimited usage, the rate shall not exceed \$30 per line per month. The commission shall waive imputation considerations in reviewing and approving these service offerings.

(d) If a location was previously eligible for the plans provided in subsection (c) and a new internet service provider establishes a local presence in that location, the local exchange carrier serving the location shall:

(1) Notify all subscribers of the discounted internet access service that a local internet service provider is now available;

(2) continue to make the discounted internet access service available to existing subscribers of such service with no deterioration of such service; and

(3) allow no new subscribers of the discounted internet access service.

(e) Nothing in this section shall be construed to imply that the commission has any regulatory jurisdiction over the internet or internet service providers with respect to quality of service, rates, billing and collection practices, end-to-end bandwidth, technical support or any other aspects of the business of providing internet access service. However, the commission shall monitor the adequacy of connectivity to internet service providers. Upon complaints of inadequate access, commission staff shall request a seven-day traffic busy line study from the local exchange carrier serving the internet service provider. Commission staff shall analyze the study results to determine whether there is more than 5% access blockage and shall provide the analysis to the internet service provider for consideration and possible action. If the analysis indicates a need for additional capacity and the internet service provider fails to take a corrective action within 45 days after the analysis is provided to such provider by the commission staff, the internet service provider shall be removed from the commission's internet service provider registry and subscribers of such internet service subscriber shall be eligible for the plans provided in subsection (c) if there is no other local internet service provider serving the location.

(f) All internet service providers operating in the state shall register with the commission. Such registration shall include the name of the internet service provider and the provider's address, contact name, phone number, and access line numbers. This information shall be maintained by the commission and disseminated to all local exchange carriers and rural telephone companies providing access to internet service providers in accordance with provisions of this section. This information shall be used to validate customer service requests at the commission's internet home page (<http://www.kcc.state.ks.us>). This information shall be used to determine a requesting customer's eligibility for the plans provided in subsection (c) and to provide a single authoritative listing of internet service provider access numbers for local exchange carriers to use in processing service orders. Absent complaints to commission staff, internet service providers shall be assumed to provide service with 5% or less access blockage upon registration. If, upon complaint and subsequent investigation, access blockage is determined to exceed 5%, the provider shall be removed from the commission's registry.

(g) During the 1999 session of the Kansas legislature, the commission shall transmit a report to the chairperson, vice-chairperson and ranking minority member of the house standing committee on energy and natural resources, the senate standing committee on transportation and utilities and the joint committee on computers and telecommunications concerning implementation of this section. The report shall include recommendations for revisions in this section necessitated by technological innovation or market changes in the telecommunications industry. The report also may include an expiration date for this section.

New Sec. 4. (a) The commission shall establish a KUSF working

committee. The membership of the working committee shall be determined by the commission subject to the conditions set forth in subsection (b). The legislative coordinating council shall designate the chair of the committee and the chair shall be a legislative member. Meetings shall be on call of the chair.

(b) The membership of the KUSF working committee shall include:

(1) One representative for each of the following: Local exchange carriers subject to price cap regulation, interexchange carriers, cable companies, wireless telecommunications service providers, rural telephone companies, local exchange carriers certificated after January 1, 1996, competitive access providers, internet service providers, the citizens' utility ratepayer board;

(2) a faculty member from a Kansas university with expertise in telecommunications technology, a representative of elementary and secondary schools, a representative of a public library, a large business, other than a telecommunications public utility and a small business, other than a telecommunications public utility; and

(3) eight legislators as follows: two members of the house standing committee on utilities appointed by the speaker of the house of representatives, two members of such committee appointed by the minority leader of the house of representatives, two members of the senate standing committee on commerce appointed by the president of the senate and two members of such committee appointed by the minority leader of the senate. Legislators serving as members of the committee and those members described in paragraph (2) shall receive amounts provided by subsection (e) of K.S.A. 75-3223 and amendments thereto for each day of actual attendance at any meeting of the task force or any subcommittee meeting approved by the task force. Such amounts paid to members shall be paid from appropriations to the legislative coordinating council pursuant to vouchers prepared by the director of legislative administrative services and approved by the chairperson or vice-chairperson of the legislative coordinating council.

(c) The KUSF working committee shall discuss, identify and develop recommendations regarding technology issues, KUSF funding regulatory procedures, modifications to enhanced universal service and other issues identified by the committee, including but not limited to:

- (1) The definition of enhanced universal service;
- (2) how and when enhanced universal services should be deployed;
- (3) what mechanism is most appropriate for the recovery of capital costs; and
- (4) how to address internet access in light of changing technology.

(d) On or before December 1, 1998, the KUSF working committee shall submit a report and recommendations to the legislature based on the activities of the working committee.

(e) The legislative research department, the commission and office of the revisor of statutes shall provide staff support for the committee. Legislative staff shall prepare the report and any recommendations of the working committee.

New Sec. 5. (a) As used in this section:

(1) "Express authorization" means an express, affirmative act by a consumer clearly agreeing to the change in the consumer's telecommunications carrier or local exchange carrier to another carrier.

(2) "Telecommunications services" has the meaning provided by K.S.A. 66-1,187 and amendments thereto.

(b) No local exchange carrier or telecommunications carrier shall submit to a local exchange carrier an order to change a consumer's telecommunications carrier or local exchange carrier to another carrier without having obtained the express authorization of the consumer authorized to make the change. The local exchange carrier or telecommunications carrier requesting the change shall have the burden of proving the express authorization by a preponderance of the evidence.

(c) No local exchange carrier, telecommunications carrier or third party utilized to verify an order to change a consumer's telecommunications carrier or local exchange carrier to another carrier shall:

(1) Engage in any activity, conduct or representation while soliciting or verifying a change in a consumer's telecommunications carrier or local exchange carrier to another carrier that has the capacity to mislead, deceive or confuse the consumer;

(2) employ a box or container used to collect entries for sweepstakes, contests or drawings to gather letters of agency or other documents that constitute authorizations by consumers to change the consumers' telecommunications carrier or local exchange carrier to another carrier or to

change or add to the consumers' other telecommunications services; or

(3) use any methods not approved by the federal communications commission statutes, rules and regulations (as in effect on the effective date of this act) or state corporation commission rules and regulations to change a consumer's telecommunications carrier or local exchange carrier to another carrier.

(d) Any local exchange carrier or telecommunications carrier that violates subsection (b) or (c) shall be subject to a civil penalty of not less than \$5,000 nor more than \$20,000 for each such violation instead of the penalty provided for in subsection (a) of K.S.A. 50-636, and amendments thereto.

(e) Any violation of this section is a deceptive and unconscionable act or practice under the provisions of the Kansas consumer protection act and shall be subject to any and all of the enforcement provisions of the Kansas consumer protection act. Nothing in this section shall preclude the state corporation commission from exerting its authority as it pertains to intrastate services nor the attorney general from pursuing violations of any other provisions of the Kansas consumer protection act by a local exchange carrier or telecommunications carrier.

(f) All local exchange carriers shall offer consumers the option of notifying the local exchange carrier in writing that they do not desire any change of telecommunications carrier regardless of any orders to the contrary submitted by any third party. The consumer shall be permitted to cancel such notification or to change its telecommunications carrier by notifying the consumer's local exchange carrier accordingly. All local exchange carriers shall annually notify the consumers of the carrier's telecommunications services of the availability of this option.

(g) This section shall be part of and supplemental to the Kansas consumer protection act.

Sec. 6. K.S.A. 1997 Supp. 66-2005, 66-2008 and 66-2011 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: Sections of the following bill were line-item vetoed by the Governor and sustained by the Legislature. The Governor's line-item veto message is printed immediately following the bill.)

(Published in the Kansas Register June 4, 1998.)

SENATE BILL No. 495

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1998, and June 30, 1999; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 79-2964, 79-3425i and 79-34,147 and repealing the existing sections; also repealing K.S.A. 75-3730a and 75-3730b and section 23 of chapter 123 of the 1997 Session Laws of Kansas.

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

Section 1. (a) For the fiscal year ending June 30, 1998, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in sections 2 through 62 and sections 162, 171, 174, 177, 185, 186 and 187 of this act.

(b) For the fiscal year ending June 30, 1999, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in sections 63 through 192 of this act.

(c) 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.

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

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458 and amendments thereto, to the following claimants:

Aller, Buell, RR 4, Box 187B, Hiawatha, KS 66434.....	\$79.86
Anderes Farms/Ronald J. Anderes, 492 HWY 15, Hope, KS 67451.....	290.46
Applegate, Donald, 1294 N. Ridge Rd, Peck, KS 67120.....	35.94

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Bayless, Dennis, R. 1, Box 110, Havana, KS 67347	71.04
Becker, David, R. 1, Box 43, Oneida, KS 66522	93.00
Benfer, David, 1025 4th Rd, Longford, KS 67458	37.20
Bergin, Wayne W., RR 1, Box 149, Clay Center, KS 67432	93.00
Bina, Dean A., R. 3, Box 149, Marion, KS 66861	319.95
Boyce, Bill J., 1220 Old Number 4 HWY, Council Grove, KS 66846	253.80
Brown & Brown Inc, 124 Indiana St, Salina, KS 67401	22,357.62
Buckle, Edward E., 214 S. Valley, Eureka, KS 67045	225.72
Carter, Patsy, R. 2, Box 72, Sedan, KS 67361	19.74
Coffey County Engineer, 110 South 6th, Rm. 5, Burlington, KS 66839	7,939.89
Craney, Marvin or Carol, RR 1 Box 39, Wilsey, KS 66873	34.14
Davis, Raymond, 232 S. Highway 281, Portis, KS 67474-9209	33.42
Demel, Jerome A., 13587 SW 130th St., Rose Hill, KS 67133	36.48
Dillon, Gregory A., 502 Key Rd., Hope, KS 67451	127.38
Doherty, John R., 27780 Cedar Niles Rd., Paola, KS 66071	84.00
Dunafon Ranch (Doug), 10255 Shanok, Westmoreland, KS 66549	32.88
Eastes, Bob J., Park Hills, 337 Lake Rd., Box 104, Pratt, KS 67194	57.90
Ekholm, Wilmer, P.O. Box 75, 3060 Avenue P, Windom, KS 67491-9301	21.00
Farris, Jerry, 2153 Kingman Terr., Ottawa, KS 66067	170.26
Fleske, Edward, RR 1, Box 63, Garfield, KS 67529	16.00
Flora, Samuel E. Or Janelle, R. 3, Box 33, Quinter, KS 67752	372.60
Gans, Bill Jr., 119 N 210th Rd., New Cambria, KS 67470	449.06
Gans, Willis Sr., 2115 Aspen Rd., New Cambria, KS 67470	174.47
Garrett, Gary A., 2393 County Road 29, Gern, KS 67734	793.98
Garten Bros., Inc., (Clarence), 2305 Fair Rd., Abilene, KS 67410	318.33
Gitchee, Milo, R. 1, Box 47, Phillipsburg, KS 67661	140.78
Greely Co. Road Dept., P.O. Box 458, Tribune, KS 68789	2,807.82
Greig, Dean, 103 South 5th, Osborne, KS 67473	254.66
Hadley, Curtiss, 2501 N. Hendricks, Hutchinson, KS 67502	22.62
Hallgren, Greg, R. 1, Box 132, Alta Vista, KS 66834	36.30
Healzer, Gerald D., 12101 W. Castleton Rd., Partridge, KS 67566	35.40
Hegwald, Nadine F., RR 1, Box 169 Owl Creek, Humboldt, KS 66748	39.00
Herington Country Club, 803 N. C St., Herington, KS 67449	37.74
Herring, Tommy B., R. 2, Box 99, Benkelman, NE 69021	309.26
Highland Park Cemetery Assoc. Inc, 2025 S. Broadway, Pittsburg, KS 66762	29.64
Hoelting Bros., 1436 Road 75, Olpe, KS 66865	69.45
Jackson, William or Marlene, 16226 SE 90th St., Norwich, KS 67118	36.84
Jones, Robert R., 2635-17 Rd., Plainville, KS 67663	137.05
Karlin, Wilfric, 1963 B Emmeram Rd., Hays, KS 67601	711.34
Keller, Ernest F., Jr., R. 2, Box 106, Ellis, KS 67637	115.50
Kisner, Marvin, R. 1, Box 95A, Bison, KS 67520	93.00
Kruse, Dwight, R. 1, Box 9, Marion, KS 66861	200.72
Lohse, Melvin E., 2765 Big Bear Rd, Hanover, KS 66945	35.58
Long, D.R., R. 4, Box 183, Winfield, KS 67156	77.34
Long, Jack, 305 E. Main, Alden, KS 67512	38.82
Markley, Joseph L., 796 E, 1150 Rd, Baldwin, KS 66006	148.55
McAnany Construction, Inc., 15320 Midland Dr., Shawnee Mission, KS 66217	789.43
Meier's Ready Mix, Inc., P.O. Box 8477, Topeka, KS 66608	10,608.30
Merchant, John D., 304 Shawnee St., Hiawatha, KS 66434	190.35
Mills, Phil, Jr., 8930 NW Valencia Rd., Silver Lake, KS 66539	342.95
Monnich, Erwin, 241 Rain Rd., Herington, KS 67449	38.28
Moore, Delbert, R. 1, Box 65, Brownell, KS 67521	137.70
Morgan, Mildred, RR 1, Box 5, Alta Vista, KS 66834	57.00
Nelson Brothers, 150 S. 2260 Rd, White City, KS 66872	213.51
Nienke, Patricia, 366 16th Rd., Ellsworth, KS 67439	105.20
Nittler, Bert, 6248 NW Daisy Rd., Lake City, KS 67071	86.52
Olsen, Clarence, R. 1, Box 84, Eureka, KS 67045	55.38
Penka, Victor E., RR 1, Box 33, Healy, KS 67850	240.73
Pfaff, Tim and Danny, 19160 Ober Rd, Randolph, KS 66554	396.25
Pfannenstiel Bros-Greg, 1763 Norfolk Rd, Hays, KS 67601	181.62
Phelps, Clayton, R. 2, Box 46, Beverly, KS 67423	203.15
Quimby, Ronald J., R. 1, Box 136, Larned, KS 67550	40.80
R & R Farms, Inc., Rollin Herynk, R. 2, Kincaid, KS 66039	3.00
Reno County, 206 West 1st, Hutchinson, KS 67501	3,469.32
Richers Trucking, Inc., 1727 - 346th Ave., Wever, IA 52658	269.64
Riley County Public Works Dept., 110 Courthouse Plaza, Manhattan, KS 66502	322.74
Rutharauff, Virgil, 840 - 3800 St., Moran, KS 67755	296.46
Scheele, Robert D., 3039 - 29th Rd., Hanover, KS 66945	78.60
Schemper, Lonny, RR 2, Box 224, Holdrege, NE, 68949	139.20
Schmidt, Shane, 906 W. 160th St. S., Caldwell, KS 67022	21.00
Schmitz, Elmer L., 146 W. 17th St., Horton, KS 66439	427.35
Schraeder Inc., P.O. Box 667, Jetmore, KS 67854-0667	102.00
Shaw Enterprises, R. 4, Box 115, Chanute, KS 66720	445.50
Smith, Melvin, R. 1, Blue Mound, KS 66010	38.64
South West Butler Quarry, 9423 SW 165th, Augusta, KS 67610	25.50
SS Express Sanitation Service, 4120 S. Broadway, Bldg C, Wichita, KS 67217	687.96
Staab Cattle Co., 2049 - 280th Ave., Hays, KS 67601	929.39
Stepanich, Edward J., R. 1, Box 95, Cherryvale, KS 67335	91.20
Stevenson, Paul N., 4105 Legion Lane, St. George, KS 66535-9433	21.00
Stithem, Gayle, 15525 W. Road, Hoyt, KS 66440	52.86
Stoeckbrand, Lauren F., 1044 100th Road, Yates Center, KS 66783	109.38
Sutton, Victor K., R. 1, Box 156, Troy, KS 66087	38.10
Taylor, James J K Constr, 714 S. Eisenhower St., Junction City, KS 66441	173.82

Thieme, Larry M. & Elizabeth, 7434 NW 74th St., Topeka, KS 66618	40.26
Townsend, Richard, 6198 Road 14, Goodland, KS 67735	26.40
True, Lynn M., P.O. Box 658, Gaylord, KS 67638	413.59
Tucker, Allen D., P.O. Box 333, Elkhart, KS 67050	41.40
Vendors Supply of America, 10600 W. 79th St., Shawnee, KS 66214	1,650.78
Vinyl Plex, Inc., P.O. Box 431, Pittsburg, KS 66762	135.47
Walz, Robert or Gale, HC 1, Box 11, Saint Francis, KS 67756	442.80
Western Resources, 818 S. Kansas Ave., Topeka, KS 66612	155,098.32
Woodbury Farms, 23285 W. Stubbs Rd., Quenemo, KS 66528	363.69
Wurm Inc.-Rex Wurm, RR 1, Box 64, Oberlin, KS 67749	145.80
Zimmers, Marvin, R. 1, Box 37, Howard, KS 67349	180.63
Total	\$219,885.50

Sec. 3. (a) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for sales tax paid for materials and services incorporated in a tax exempt project to the following claimant:

Olathe, U.S.D. #233	
P.O. Box 2000	
Olathe, KS 66063-2000	\$3,591.67

(b) The department of revenue is hereby authorized and directed to pay the following amount from the suspense fund as a refund of cigarette machine licensing fees to the following claimant:

Hutchinson Vending Co.	
P.O. Box 804	
Hays, KS 67601	\$207.00

Sec. 4. The department of revenue is hereby authorized and directed to pay the total amount of \$4,820.98 from the escheat proceeds suspense fund to Laverda Czepiel, 4106 107th Avenue, Allegan, MI 49010, through her son and authorized agent Dale Lee Porter, 8121 Woodard Road, Rives Junction, MI 49277-9622, and to any other heirs at law of Goldie Bell Vanarsdal in such amounts as determined at an administrative hearing, which is hereby authorized and directed to be conducted by the secretary of revenue or the secretary's designee, in accordance with the provisions of the Kansas probate code.

Sec. 5. The department of transportation is hereby authorized and directed to pay the following amounts from the claims account of the state highway fund for reimbursement of tools used in the course and scope of their employment by the department which were stolen from the following claimants:

Frank Johnson, Jr.	
8529 Urish Rd.	
Auburn, KS 66402	\$2,578.32
Steve Colgrove	
21111 Stayard Rd.	
Tonganoxie, KS 66086	\$3,467.00

Sec. 6. The department of administration is hereby authorized and directed to pay the following amounts from the motor pool service fund for reimbursement of tools used in the course and scope of their employment by the department which were stolen from the following claimants:

Thomas J. McConaughy	
209 Sycamore	
Valley Falls, KS 66088	\$8,548.08
Clark D. Davis	
P.O. Box 245	
Lyndon, KS 66451	\$6,940.45

Sec. 7. The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund for payment of an expired warrant to the following claimant:

CIGNA Property and Casualty Insurance	
c/o Gary R. Terrill, Wallace, Saunders, Austin, Brown and Enoch	
P.O. Box 12290	
Overland Park, KS 66282	\$13,231.41

Sec. 8. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the amount allocated to Larned state hospital within the mental health and retardation services aid and assistance and state institutions operations account of the state general fund for payment of materials and services purchased by Larned state hospital, the invoice for which was submitted or processed in an untimely manner, to the following claimant:

Central Kansas Medical Center	
3515 Broadway	
Great Bend, KS 67530	\$132.98

(b) The department of social and rehabilitation services is hereby au-

thorized and directed to pay the following amount from the social welfare fund for payment of an expired warrant to the following claimant:

Associated Orthopedics
10600 Quivira, #130
Overland Park, KS 66215 \$56.30

Sec. 9. The department of education is hereby authorized and directed to pay the following amount from the school district capital improvement fund for a capital improvement aid claim which was not submitted in a timely manner to the following claimant:

Stafford U.S.D. No. 349
P.O. Box 400
Stafford, KS 67578 \$10,709.35

Sec. 10. (a) The state corporation commission is hereby authorized and directed to pay the following amount from the energy conservation plan-federal fund for postage, printing and supplies provided to the commission, an invoice for which was not presented in the proper fiscal year, to the following claimant:

Kansas State University
Division of Continuing Education
141 College Court Building
Manhattan, KS 66506-6015 \$2,931.34

(b) The state corporation commission is hereby authorized and directed to pay the following amount from the energy conservation plan-federal fund for materials and services relating to energy conservation technical assistance provided to the state corporation commission for which insufficient moneys were encumbered from appropriations for fiscal year 1997 to pay the amounts owed to the following claimant:

Kansas State University
Controller's Office
102 Anderson Hall
Manhattan, KS 66506-0108 \$8,294.02

Sec. 11. The department of corrections is hereby authorized and directed to pay the following amounts from the amount allocated for Lansing correctional facility within the facilities operations account of the state general fund for loss of or damage to claimant's personal property while in the care, custody and control of the personnel at the Lansing correctional facility to the following claimants:

Veronica Reynolds-Gilbreath
700 3rd St.
Tularosa, NM 88352 \$210.89
Aaron L. Beers #9334
P.O. Box 2
Lansing, KS 66043 \$76.30
Travis Earl Sinclair #62616
P.O. Box 2
Lansing, KS 66043 \$35.00

Sec. 12. (a) The department of corrections is hereby authorized and directed to pay the following amount from the amount allocated for the Hutchinson correctional facility within the facilities operations account of the state general fund for reimbursement for loss or damage of the claimant's personal property which was in the care, custody and control of the personnel of the Hutchinson correctional facility, to the following claimant:

Abel A. Vidal #57700
P.O. Box 546
Norton, KS 67654 \$100.00

(b) The department of corrections is hereby authorized and directed to pay the following amount from the amount allocated for the Hutchinson correctional facility within the facilities operations account of the state general fund for reimbursement for personal injuries sustained while in the course and scope of a work detail at the Hutchinson correctional facility, to the following claimant:

Darrell E. Luarks #40602
P.O. Box 1568
Hutchinson, KS 67504-1568 \$46.25

Sec. 13. The department of corrections is hereby authorized and directed to pay the following amount from the amount allocated for the Ellsworth correctional facility within the facilities operations account of the state general fund for reimbursement for loss or damage of the claimant's personal property which was in the care, custody and control of the personnel of the Ellsworth correctional facility, to the following claimant:

Melvin Lee White, Jr.
1975 Troup
Kansas City, KS 66104 \$50.00

Sec. 14. (a) The department of corrections is hereby authorized and

directed to pay the following amount from the central administration operations and parole and postrelease supervision operations account of the state general fund of the department of corrections as reimbursement for medical expenses incurred by Oklahoma law enforcement officials while holding an individual wanted on a Kansas parole violation warrant to the following claimant:

St. Joseph Regional Medical Center
P.O. Box 1270
Ponca City, OK 74602 \$8,045.95

(b) The department of corrections is hereby authorized and directed to pay the following amount from the central administration operations and parole and postrelease supervision operations account of the state general fund of the department of corrections for services rendered in providing expert testimony in a deposition, an invoice for which was not presented in the proper fiscal year, to the following claimant:

Dr. Linda W. Eddy
8080 Ward Parkway, Suite 334
Kansas City, MO 64114 \$326.25

Sec. 15. (a) Except as otherwise provided by sections 2 through 14 of this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 14 of this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 3 through 14 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 16. DEPARTMENT OF ADMINISTRATION
(a) On the effective date of this act, of the \$130,747 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 45(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the policy analysis initiatives account, the sum of \$96,316 is hereby lapsed.

(b) On the effective date of this act, of the \$19,113 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 9(a) of chapter 150 of the 1997 Session Laws of Kansas from the state general fund in the memorial hall bond anticipation note account, the sum of \$2,555 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 45(b) of chapter 123 of the 1997 Session Laws of Kansas on the state buildings operating fund, is hereby decreased from \$11,115,831 to \$10,191,588.

(d) On June 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$35,715,096 from the state general fund to the state budget stabilization fund.

(e) In addition to the other purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing for the fiscal year ending June 30, 1998, the director of accounts and reports is hereby authorized and directed to pay on June 15, 1998, or as soon after such date as moneys are available, the following amounts from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing, to the following organizations:

Cosmosphere, Hutchinson, KS \$1,500,000
Boot Hill museum, Front Street, Dodge City, KS 67801 \$150,000
Exploration Place, Wichita, KS \$1,500,000

Provided, That the above expenditures for fiscal year 1998 shall be in addition to any expenditure limitation imposed on the Kansas economic development endowment account of the state economic development initiatives fund or on the state economic development initiatives fund of the department of commerce and housing.

(f) On June 15, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,250,000 from the state general fund to the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing.

(continued)

Sec. 17.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 4(a) of chapter 123 of the 1997 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$3,684,553 to \$3,604,322.

Sec. 18.

STATE HISTORICAL SOCIETY

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

Operating expenditures \$24,860

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1998, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

EDIF—friends of the free state capitol grant fund \$100,000

Provided, That no expenditures shall be made from the EDIF—friends of the free state capitol grant fund until a valid purchase agreement that provides for the purchase of the buildings located at 427-431 South Kansas Avenue in Topeka, KS, has been entered into: Provided further, That the expenditures from this fund for the purchase of the buildings located at 427-431 South Kansas Avenue in Topeka, KS, shall not exceed \$70,000: And provided further, That the expenditures from this fund for purposes related to structural stabilization of the buildings located at 427-431 South Kansas Avenue in Topeka, KS, shall not be less than \$30,000: And provided further, That the buildings located at 427-431 South Kansas Avenue in Topeka, KS, are not and shall not be considered historic sites under the control of the state historical society: And provided further, That no expenditures shall be made from this fund until the state historical society has entered into a signed agreement with the entity receiving the grant which provides that no additional state funding will be sought for the buildings at 427-431 South Kansas Avenue in Topeka, KS, for a period of at least five years.

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—friends of the free state capitol grant fund of the state historical society.

Sec. 19.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 14(a) of chapter 123 of the 1997 Session Laws of Kansas on the board of nursing fee fund is hereby increased from \$994,300 to \$1,019,300.

Sec. 20.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 16(a) of chapter 123 of the 1997 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$463,017 to \$475,967: Provided, That the state board of pharmacy shall begin planning for the inspection of oxygen distributors as may be required under federal law.

Sec. 21.

KANSAS, INC.

(a) On the effective date of this act, the expenditure limitation established by section 52(b) of chapter 123 of the 1997 Session Laws of Kansas on the EDIF fund is hereby increased from \$224,996 to \$264,996.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$45,787 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF fund of Kansas, Inc.

Sec. 22.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 6(a) of chapter 123 of the 1997 Session Laws of Kansas on the behavioral sciences regulatory board fee fund is hereby increased from \$363,342 to \$380,342.

Sec. 23.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established by section 40(b) of chapter 123 of the 1997 Session Laws of Kansas on the expenditures for agency operations from the Kansas public employees retirement fund is hereby reduced from \$4,604,989 to \$4,602,665.

(b) On the effective date of this act, the expenditure limitation established by section 40(b) of chapter 123 of the 1997 Session Laws of Kansas on the expenditures for investment related expenses from the Kansas

public employees retirement fund is hereby increased from \$20,151,757 to \$22,212,030.

Sec. 24.

KANSAS DENTAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 1998, by section 10(a) of chapter 123 of the 1997 Session Laws of Kansas on the dental board fee fund is hereby increased from \$194,248 to \$225,848.

Sec. 25.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established by section 2(c) of chapter 192 of the 1997 Session Laws of Kansas on the division on vehicles operating fund is hereby increased from \$28,864,978 to \$29,152,237.

(b) On the effective date of this act, the expenditure limitation established by section 2(d) of chapter 192 of the 1997 Session Laws of Kansas on the salaries and wages account of the division of vehicles operating fund is hereby decreased from \$16,780,470 to \$16,210,433.

(c) On the effective date of this act, the expenditure limitation established by section 48(b) of chapter 123 of the 1997 Session Laws of Kansas on the state bingo regulation fund is hereby increased from \$366,786 to \$466,044.

(d) On the effective date of this act, the expenditure limitation established by section 48(b) of chapter 123 of the 1997 Session Laws of Kansas on the cigarette/tobacco products regulation fund is hereby increased from \$60,000 to No limit.

(e) In addition to purposes for which expenditures may be made by the above agency from the operating expenditures account of the state general fund for the fiscal year ending June 30, 1998, as authorized by section 48(a) of chapter 123 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the operating expenditures account of the state general fund for fiscal year 1998 for official hospitality: Provided, That expenditures for such purpose from the operating expenditures account of the state general fund for fiscal year 1998 shall not exceed \$1,500.

(f) In addition to purposes for which expenditures may be made by the above agency from the special training fund, established pursuant to K.S.A. 79-1478a and amendments thereto, for the fiscal year ending June 30, 1998, as authorized by section 48(b) of chapter 123 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the special training fund for the fiscal year 1998 for operating expenditures, including official hospitality, incurred for conferences; training seminars, workshops and examinations: Provided, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: Provided further, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: And provided further, That all fees received for conferences, training seminars, workshops, and examinations shall be deposited in the state treasury and credited to the special training fund.

Sec. 26.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Operating expenditures \$994,396

Sec. 27.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) On the effective date of this act, the expenditure limitation established by section 35(b) of chapter 123 of the 1997 Session Laws of Kansas on the operating expenditures account of the health care stabilization fund is hereby decreased from \$833,019 to \$828,295.

(b) In addition to purposes for which expenditures may be made by the above agency from the operating expenditures account of the health care stabilization fund for the fiscal year ending June 30, 1998, as authorized by section 35(b) of chapter 123 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the operating expenditures account of the health care stabilization fund for fiscal year 1998 for official hospitality: Provided, That expenditures for such purpose from the operating expenditures account of the health care stabilization fund for fiscal year 1998 shall not exceed \$300.

Sec. 28.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the position limitation established by section 46 of chapter 123 of the 1997 Session Laws of Kansas for the citizens' utility ratepayer board is hereby increased from 2.0 to 3.0.

Sec. 29.

DEPARTMENT OF HUMAN RESOURCES

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

Welfare to work grant—state match \$3,334,200

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

Welfare to work grant—federal fund No limit

(c) On the effective date of this act, the expenditure limitation established by section 56(b) of chapter 123 of the 1997 Session Laws of Kansas on the occupational health and safety—federal fund is hereby increased from \$368,731 to \$393,000.

(d) On the effective date of this act, the expenditure limitation established by section 56(b) of chapter 123 of the 1997 Session Laws of Kansas on the occupational information system—federal fund is hereby increased from \$106,236 to \$169,789.

Sec. 30.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

Community based services \$1,953,313
Other medical assistance \$1,071,291
Youth services aid and assistance \$3,916,632
Cash Assistance \$9,715,382

(b) On the effective date of this act, of the \$89,919,499 appropriated for the above agency by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$8,342,979 is hereby lapsed.

(c) On the effective date of this act, of the \$7,770,743 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the adult care homes account, the sum of \$633,914 is hereby lapsed.

(d) On the effective date of this act, of the \$2,553,058 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$146,177 is hereby lapsed.

(e) On the effective date of this act, of the \$3,819,106 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 28(g) of chapter 192 of the 1997 Session Laws of Kansas from the state general fund in the SB 140 implementation account, the sum of \$613,106 is hereby lapsed.

(f) On the effective date of this act, of the \$4,895,705 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$675,542 is hereby lapsed.

(g) On the effective date of this act, of the \$164,588,114 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the mental health and retardation services aid and assistance and state institutions operations account, the sum of \$2,445,979 is hereby lapsed.

(h) On the effective date of this act, the \$160,556 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 61(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the adult services aid and assistance account, is hereby lapsed.

(i) On the effective date of this act, the expenditure limitation established by section 28(k) of chapter 192 of the 1997 Session Laws of Kansas on the social welfare fund is hereby increased from \$47,499,992 to \$59,402,687.

(j) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 123 of the 1997 Session Laws of Kansas on the social services block grant—federal fund is hereby increased from \$23,170,260 to \$33,170,260.

(k) On the effective date of this act, the director of accounts and reports shall transfer \$10,000,000 from the temporary assistance to needy families federal fund to the social services block grant—federal fund.

(l) On the effective date of this act, the expenditure limitation established by section 28(c) of chapter 192 of the 1997 Session Laws of Kansas on the state operations account of the social services clearing fund is hereby increased from \$237,262,031 to \$242,359,423.

(m) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 123 of the 1997 Session Laws of Kansas on the Kansas neurological institute—foster grandparents program—federal fund is hereby increased from \$217,621 to \$270,000.

(n) On the effective date of this act, the expenditure limitation established by section 61(b) of chapter 123 of the 1997 Session Laws of Kansas on the Rainbow mental health facility fee fund is hereby increased from \$96,665 to \$116,665.

Sec. 31.

DEPARTMENT ON AGING

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

Administration \$4,812,236
Program grants \$3,693,362

(b) On the effective date of this act, of the \$115,409,383 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 59(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the long term care account, the sum of \$3,570,528 is lapsed.

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

General fees fund No limit

Provided, That the secretary of aging is hereby authorized to fix, charge and collect fees for searching, copying and transmitting copies of public records, fees to be paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and fees for other miscellaneous purposes. Provided further, That all moneys received from such fees or from the sale of surplus property shall be deposited in the state treasury and credited to the general fees fund. And provided further, That expenditures shall be made from this fund to meet the obligations of the department on aging or to benefit and meet the mission of the department on aging.

Medical resources and collection fund No limit

Provided, That all moneys received or collected by the secretary of aging due to medicaid overpayments shall be deposited in the state treasury and credited to the medical resources and collection fund. Provided further, That all expenditures from this fund shall be made for medicaid program-related expenses and used to reduce expenditures from the state general fund for the medicaid program. And provided further, That all moneys received or collected by the secretary of aging due to civil penalty assessments against adult care homes shall be deposited in the state treasury and credited to this fund and expenditures shall be made to protect the health or property of adult care home residents as required by federal law.

Sec. 32.

DEPARTMENT OF REVENUE—HOMESTEAD PROPERTY TAX REFUNDS

(a) On the effective date of this act, of the \$12,000,000 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 55(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the homestead tax refunds account, the sum of \$3,259,937 is hereby lapsed.

Sec. 33.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, the expenditure limitation established by section 57(b) of chapter 123 of the 1997 Session Laws of Kansas on the Kansas commission on veterans affairs fund is hereby increased from \$82,000 to \$86,762.

(b) On the effective date of this act, the expenditure limitation established by section 57(b) of chapter 123 of the 1997 Session Laws of Kansas on the soldiers' home fee fund is hereby decreased from \$3,379,876 to \$3,367,320.

(c) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Fuel contamination clean-up.

(d) On the effective date of this act, of the amount of the unencumbered balance in the water contamination clean-up account of the state institutions building fund appropriated for the above agency for the fiscal year ending June 30, 1998, by section 60 of chapter 192 of the 1997 Session Laws of Kansas, the sum of \$15,572 is hereby lapsed.

(continued)

Sec. 34.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On the effective date of this act, the expenditure limitation established by section 74(b) of chapter 123 of the 1997 Session Laws of Kansas on the general fees fund is hereby increased from \$4,610,221 to \$4,615,500.

Sec. 35.

KANSAS STATE UNIVERSITY

(a) On the effective date of this act, the expenditure limitation established by section 72(b) of chapter 123 of the 1997 Session Laws of Kansas on the interest on endowment fund is hereby increased from \$75,000 to \$154,683.

Sec. 36.

WICHITA STATE UNIVERSITY

(a) On or after the effective date of this act and notwithstanding the provisions of section 16(f) of chapter 272 of the 1996 Session Laws of Kansas, upon a finding by the director of the budget that Wichita state university realized an increase in receipts to the general fees fund in the summer 1996 session, fall 1996 semester or spring 1997 semester above the comparable periods in the preceding year, which increase in receipts resulted from increases in enrollment, changes in resident and nonresident student mix, or the imposition of a more restrictive tuition waiver policy, the director of the budget shall certify such amount of increased receipts to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the general fees fund of Wichita state university to the tuition accountability fund of Wichita state university.

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

Operating expenditures (including official hospitality) \$222,186

Sec. 37.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, the expenditure limitation established by section 78(b) of chapter 123 of the 1997 Session Laws of Kansas on the medical scholarship and loan repayment fund is hereby increased from \$1,584,528 to \$2,334,377.

Sec. 38.

EMPORIA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) \$51,393

(b) On the effective date of this act, the expenditure limitation established by section 75(b) of chapter 123 of the 1997 Session Laws of Kansas on the general fees fund is hereby decreased from \$7,981,106 to \$7,929,713.

Sec. 39.

FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, of the \$26,363,893 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 71(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$170,027 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established by section 21(c) of chapter 192 of the 1997 Session Laws of Kansas on the general fees fund is hereby increased from \$7,677,731 to \$7,779,177.

Sec. 40.

PITTSBURG STATE UNIVERSITY

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

Operating expenditures (including official hospitality) \$115,674

(b) On the effective date of this act, the expenditure limitation established by section 22(c) of chapter 192 of the 1997 Session Laws of Kansas on the general fees fund is hereby decreased from \$9,909,269 to \$9,793,595.

Sec. 41.

KANSAS ARTS COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 66(b) of chapter 123 of the 1997 Session Laws of Kansas on the state operations from the Kansas arts commission gifts, grants and bequests fund is hereby increased from \$134,152 to \$172,539.

Sec. 42.

JUVENILE JUSTICE AUTHORITY

(a) In addition to purposes for which expenditures may be made by the above agency from the operating expenditures account of the state general fund for the fiscal year ending June 30, 1998, as authorized by section 39(a) of chapter 192 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the operating expenditures account of the state general fund for fiscal year 1998 for official hospitality: Provided, That expenditures for such purpose from the operating expenditures account of the state general fund for fiscal year 1998 shall not exceed \$1,000.

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

Larned juvenile correctional facility fee fund No limit

Sec. 43.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established by section 83(a) of chapter 123 of the 1997 Session Laws of Kansas on the fire marshal fee fund is hereby decreased from \$2,257,241 to \$2,236,734.

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

Gifts, grants and donations fund \$45,000

Sec. 44.

OMBUDSMAN OF CORRECTIONS

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

Adult corrections oversight \$2,356

Sec. 45.

KANSAS PAROLE BOARD

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

Parole from adult correctional institutions \$2,931

Sec. 46.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, the expenditure limitation established by section 86(b) of chapter 123 of the 1997 Session Laws of Kansas on the KBI general fees fund is hereby increased from \$1,264,139 to No limit.

Sec. 47.

KANSAS SENTENCING COMMISSION

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

Operating expenditures \$27,926

State matching funds \$89,367

Sec. 48.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, the expenditure limitation established by section 96(b) of chapter 123 of the 1997 Session Laws of Kansas on the water appropriation certification fund is hereby decreased from \$366,799 to \$365,775.

(b) On the effective date of this act, the expenditure limitation established by section 96(b) of chapter 123 of the 1997 Session Laws of Kansas on the water plan special revenue fund is hereby increased from \$975,056 to \$1,151,988.

(c) On the effective date of this act, the expenditure limitation established by section 96(b) of chapter 123 of the 1997 Session Laws of Kansas on the pesticide use fee fund is hereby decreased from \$477,539 to \$416,010.

(d) On the effective date of this act, the expenditure limitation established by section 3(a) of chapter 192 of the 1997 Session Laws of Kansas on the warehouse fee fund is hereby increased from \$410,105 to \$475,898.

(e) On the effective date of this act, the position limitation established by section 3(b) of chapter 192 of the 1997 Session Laws of Kansas for the Kansas department of agriculture is hereby decreased from 316.8 to 316.0.

(f) On the effective date of this act, the expenditure limitation established by section 96(b) of chapter 123 of the 1997 Session Laws of Kansas on the fertilizer fee fund is hereby increased from \$476,282 to \$526,282.

Sec. 49.

KANSAS WHEAT COMMISSION

(a) On the effective date of this act, the expenditure limitation established by section 100(a) of chapter 123 of the 1997 Session Laws of Kansas on the Kansas wheat commission fund is hereby decreased from \$2,586,004 to \$2,574,308.

Sec. 50.

STATE FAIR BOARD

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

Storm damage—horse barn razing..... \$23,000

(b) During fiscal year ending June 30, 1998, the state fair board is hereby authorized to make expenditures to raze the horse barn, building number 5, at the state fairgrounds in Hutchinson, Kansas.

(c) On the effective date of this act, the \$115,000 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 99(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the operating expenditures account, is hereby lapsed.

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

EDIF—operating expenditures fund..... \$115,000
Provided, That expenditures from the EDIF—operating expenditures fund for official hospitality shall not exceed \$2,000.

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$115,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—operating expenditures fund of the state fair board.

Sec. 51.

STATE CONSERVATION COMMISSION

(a) On June 30, 1998, the director of accounts and reports shall transfer the amount equal to the aggregate of the unencumbered balances as of June 30, 1998, in all accounts of the water plan special revenue fund of the state conservation commission, which are lapsed on June 30, 1998, by section 101(d) of chapter 123 of the 1997 Session Laws of Kansas, from the water plan special revenue fund of the state conservation commission to the state water plan fund of the Kansas water office.

Sec. 52.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the air quality fee fund is hereby increased from \$3,723,926 to \$4,089,544.

(b) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the mined-land conservation and reclamation fee fund is hereby increased from \$90,347 to \$101,529.

(c) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the insurance statistical plan fund is hereby increased from \$298,057 to \$329,385.

(d) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the solid waste management fund is hereby increased from \$5,387,791 to \$5,760,975.

(e) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the public water supply fee fund is hereby increased from \$207,426 to \$246,508.

(f) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the waste tire management fund is hereby increased from \$1,201,433 to \$1,253,309.

(g) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the aboveground petroleum storage tank release trust fund is hereby increased from \$1,417,686 to \$1,433,117.

(h) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the underground petroleum storage tank release fund is hereby increased from \$19,996,713 to \$20,233,041.

(i) On the effective date of this act, the expenditure limitation established by section 58(b) of chapter 123 of the 1997 Session Laws of Kansas on the drycleaning facility release trust fund is hereby increased from \$1,310,254 to \$1,327,447.

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

AIDS medication shortfall..... \$235,000
 Year 2000 computer repair..... \$1,106,158

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

Child care facilities licensure fund..... \$1,000,000

(l) On and after the effective date of this act, all expenditures from the aid to local units account or the AIDS medication shortfall account of the state general fund shall be subject to the condition that each individual who is currently on AIDS drug assistance shall continue to receive AIDS drug assistance and shall not be denied such AIDS drug assistance. *Provided, further*, That the secretary of health and environment shall administer all such expenditures so that such condition is fully complied with by the recipients of moneys in the aid to local units account or the AIDS medication shortfall account of the state general fund.

Sec. 53.

ADJUTANT GENERAL

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

Operating expenditures..... \$45,800

Sec. 54.

INSURANCE DEPARTMENT

(a) In addition to the purposes for which expenditures may be made by the above agency from the senior health insurance counseling for Kansans fund for the fiscal year ending June 30, 1998, as authorized by section 19(a) of chapter 151 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the senior health insurance counseling for Kansans fund for official hospitality. *Provided*, That expenditures from the senior health insurance counseling for Kansans fund for fiscal year 1998 for official hospitality shall not exceed \$750.

Sec. 55.

KANSAS LOTTERY

(a) On the effective date of this act, the position limitation established by section 54(a) of chapter 123 of the 1997 Session Laws of Kansas for the Kansas lottery is hereby decreased from 95.0 to 89.0.

(b) On the effective date of this act, the expenditure limitation established by section 49(a) of chapter 123 of the 1997 Session Laws of Kansas on the expenditures from the lottery operating fund is hereby decreased from \$8,171,243 to \$8,059,908.

Sec. 56.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established by section 54 of chapter 123 of the 1997 Session Laws of Kansas for the Kansas racing and gaming commission—state racing operations is hereby increased from 39.0 to 42.0.

(b) On the effective date of this act, the position limitation established by section 54(a) of chapter 123 of the 1997 Session Laws of Kansas for the Kansas racing and gaming commission—state gaming agency is hereby increased from 13.0 to 17.0.

Sec. 57.

JUDICIAL BRANCH

(a) In addition to the other purposes for which expenditures may be made by the above agency from the permanent families account of the family and children investment fund for the fiscal year ending June 30, 1998, as authorized by section 56(b) of chapter 192 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the permanent families account of the family and children investment fund for fiscal year 1998 for compensation, subsistence allowances, mileage and other expenses for legislative members of the permanent families account advisory committee as provided in K.S.A. 75-3223 and amendments thereto.

Sec. 58.

STATE BOARD OF TAX APPEALS

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

Operating expenditures..... \$31,118

(continued)

(b) On the effective date of this act, the expenditure limitation imposed by section 47(a) of chapter 123 of the 1997 Session Laws of Kansas on the expenditures from the reappropriated balance in the operating expenditures account of the state general fund is hereby increased from \$215,153 to \$248,965.

Sec. 59. (a) On the effective date of this act, the director of accounts and reports shall transfer the following amounts from the federal grant contracts clearing fund to the funds specified therefore: (1) The sum of \$200,000 to the state general fund, (2) the sum of \$300,000 to the Kansas educational building fund, and (3) the sum of \$100,000 to the state institutions building fund.

(b) Upon completion of the transfers prescribed by this section, the federal grant contracts clearing fund is hereby abolished.

Sec. 60.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the position limitation established by section 42(a) of chapter 192 of the 1997 Session Laws of Kansas for the above agency is hereby decreased from 3,139.5 to 3,129.5.

(b) On the effective date of this act, the expenditure limitation established by section 105(b) of chapter 123 of the 1997 Session Laws of Kansas on the expenditures for the above agency from the agency operations account of the state highway fund is hereby decreased from \$194,558,963 to \$194,307,525.

Sec. 61.

DEPARTMENT OF COMMERCE AND HOUSING

(a) In accordance with the provisions of section 51(d) of chapter 123 of the 1997 Session Laws of Kansas and the provisions of this section, the secretary of commerce and housing shall disburse the grant to the Mid-America world trade center located in Wichita, Kansas, from the Kansas economic development endowment account of the state economic development initiatives fund in the amount of \$50,000. *Provided*, That such grant shall be disbursed with only the requirement that an annual report of activities of the Mid-America world trade center shall be provided to the joint committee on economic development prior to the commencement of the 1999 regular session of the legislature. *Provided further*, That such grant shall be disbursed directly to the Mid-America world trade center without any additional requirements or further procedures.

Sec. 62.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$3,219,655 appropriated for the above agency for the fiscal year ending June 30, 1998, by section 31(a) of chapter 123 of the 1997 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$200,000 is hereby lapsed.

Sec. 63.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 2(a) of chapter 123 of the 1997 Session Laws of Kansas on the abstracters' fee fund is hereby increased from \$19,013 to \$19,119.

Sec. 64.

BOARD OF ACCOUNTANCY

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 3(a) of chapter 123 of the 1997 Session Laws of Kansas on the board of accountancy fee fund is hereby increased from \$177,584 to \$178,964.

Sec. 65.

STATE BANK COMMISSIONER

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 4(a) of chapter 123 of the 1997 Session Laws of Kansas on the bank commissioner fee fund is hereby decreased from \$3,842,198 to \$3,803,313.

(b) On July 1, 1998, the position limitation established for the fiscal year ending June 30, 1999, by section 22 of chapter 123 of the 1997 Session Laws of Kansas for the state bank commissioner is hereby decreased from 72.0 to 70.0.

Sec. 66.

KANSAS BOARD OF BARBERING

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 5(a) of chapter 123 of the 1997 Session Laws of Kansas on the barber examiner fee fund is hereby increased from \$105,736 to \$106,371.

Sec. 67.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 6(a) of chapter 123 of the 1997 Session Laws of Kansas on the behavioral sciences regulatory board fee fund is hereby increased from \$371,612 to \$374,780.

Sec. 68.

STATE BOARD OF HEALING ARTS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 41(b) of chapter 192 of the 1997 Session Laws of Kansas on the healing arts fee fund is hereby increased from \$1,671,279 to \$1,679,884.

Sec. 69.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 8(a) of chapter 123 of the 1997 Session Laws of Kansas on the cosmetology fee fund is hereby increased from \$493,822 to \$498,100.

Sec. 70.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 9(a) of chapter 123 of the 1997 Session Laws of Kansas on the credit union fee fund is hereby increased from \$768,491 to \$777,140.

Sec. 71.

KANSAS DENTAL BOARD

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 10(a) of chapter 123 of the 1997 Session Laws of Kansas on the dental board fee fund is hereby increased from \$195,495 to \$219,707.

Sec. 72.

STATE BOARD OF MORTUARY ARTS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 11(a) of chapter 123 of the 1997 Session Laws of Kansas on the mortuary arts fee fund is hereby increased from \$186,409 to \$188,566.

Sec. 73.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 12(a) of chapter 123 of the 1997 Session Laws of Kansas on the hearing aid board fee fund is hereby increased from \$14,428 to \$14,499.

Sec. 74.

CONSUMER CREDIT COMMISSIONER

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 13(a) of chapter 123 of the 1997 Session Laws of Kansas on the consumer credit fee fund is hereby increased from \$398,566 to \$405,411.

Sec. 75.

BOARD OF NURSING

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 14(a) of chapter 123 of the 1997 Session Laws of Kansas on the board of nursing fee fund is hereby increased from \$986,191 to \$1,171,391.

Sec. 76.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 15(a) of chapter 123 of the 1997 Session Laws of Kansas on the optometry fee fund is hereby increased from \$82,686 to \$83,020.

Sec. 77.

STATE BOARD OF PHARMACY

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 16(a) of chapter 123 of the 1997 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$474,077 to \$492,276. *Provided*, That the state board of pharmacy shall begin planning for the inspection of oxygen distributors as may be required under federal law.

Sec. 78.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 17(a) of chapter 123 of the 1997 Session Laws of Kansas on the appraiser fee fund is hereby increased from \$172,490 to \$174,693.

Sec. 79.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 18(a) of chapter 123 of the 1997 Session Laws of Kansas on the real estate fee fund is hereby increased from \$614,525 to \$620,926.

Sec. 80.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 32(d) of chapter 192 of the 1997 Session Laws of Kansas on the securities act fee fund is hereby increased from \$1,745,254 to \$1,798,564.

Sec. 81.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 34(c) of chapter 192 of the 1997 Session Laws of Kansas on the technical professions fee fund is hereby increased from \$464,303 to \$469,318.

Sec. 82.

STATE BOARD OF VETERINARY EXAMINERS

(a) On July 1, 1998, the expenditure limitation established for the fiscal year ending June 30, 1999, by section 21(a) of chapter 123 of the 1997 Session Laws of Kansas on the veterinary examiners fee fund is hereby increased from \$221,612 to \$244,153.

(b) On July 1, 1998, the position limitation established for the fiscal year ending June 30, 1999, by section 22 of chapter 123 of the 1997 Session Laws of Kansas for the state board of veterinary examiners is hereby increased from 2.0 to 3.0.

Sec. 83.

Kansas savings incentive program.

(a) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 1999 from any account of the state general fund reappropriated by this or any other appropriation act of the 1998 regular session of the legislature for fiscal year 1999 for any state agency named in section 22 of chapter 123 of the 1997 Session Laws of Kansas for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 1999 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided, however*, That the total of all such expenditures from such account of the state general fund for fiscal year 1999 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of the June 30, 1998; in such account of the state general fund that is reappropriated for fiscal year 1999 and that is in excess of the amount authorized to be expended for fiscal year 1999 from such reappropriated balance, as determined by the director of accounts and reports: *Provided further*, That the total gross amount of any such salary bonus payments to any individual employee during fiscal year 1999 that are paid under subsection (b) or this subsection shall not exceed \$1,000: *And provided further*, That the provisions of this subsection shall apply only to that portion of any such account from which expenditures may be made for state operations: *And provided further*, That all such expenditures from the reappropriated balance in any such account for fiscal year 1999 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 1999.

(b) In addition to other expenditures authorized by law, expenditures may be made for fiscal year 1999 from any special revenue fund appropriated by this or any other appropriation act of the 1998 regular session of the legislature for fiscal year 1999 for a state agency named in section 22 of chapter 123 of the 1997 Session Laws of Kansas for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 1999 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for fiscal year 1999 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 1999: *Provided, however*, That the total amount of such expenditures from such fund for fiscal year 1999 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for fiscal year 1998 for state operations, as determined by the director of accounts and

reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further*, That the total gross amount of any such salary bonus payments to any individual employee during fiscal year 1999 that are paid under subsection (a) or this subsection shall not exceed \$1,000: *And provided further*, That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) (1) Any unencumbered balance in excess of \$100 as of June 30, 1998, in any account of any special revenue fund of any state agency named in section 22 of chapter 123 of the 1997 Session Laws of Kansas, which was appropriated by section 110 of chapter 123 of the 1997 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1998 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1999, and may be expended for fiscal year 1999 for the purposes authorized in subsections (a) and (b). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for fiscal year 1999.

(2) On July 1, 1998, each Kansas quality management account and each KQM expenditure account of the state general fund and each Kansas quality management account and each KQM expenditure account of any special revenue fund reappropriated by this subsection (c) are hereby redesignated as Kansas savings incentive accounts.

(d) No salary bonus payment paid pursuant to this section during fiscal year 1999 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

Sec. 84.

LEGISLATIVE COORDINATING COUNCIL

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

Legislative coordinating council—operations.....	\$558,063
<i>Provided</i> , That any unencumbered balance in the legislative coordinating council—operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.	
Legislative research department—operations.....	\$2,271,567
<i>Provided</i> , That any unencumbered balance in the legislative research department—operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.	
Office of revisor of statutes—operations.....	\$2,053,047
<i>Provided</i> , That any unencumbered balance in the office of revisor of statutes—operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.	

Sec. 85.

LEGISLATURE

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

Operations (including official hospitality).....	\$13,725,565
<i>Provided</i> , That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: <i>Provided further</i> , That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: <i>And provided further</i> , That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council.	

(b) There is appropriated for the above agency from the following special revenue fund or funds all moneys now or hereafter lawfully cred-

(continued)

ited to and available in such fund or funds, except that expenditures shall not exceed the following:

Legislative special revenue fund No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212 and amendments thereto for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a and amendments thereto for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that (1) the legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee, and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation. Provided further, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council. And provided further, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council. And provided further, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto. And provided further, That all such amounts received shall be deposited in the state treasury to the credit of the legislative special revenue fund.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or in the legislative special revenue fund for fiscal year 1999 by this or other appropriation act of the 1998 regular session of the legislature, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or in the legislative special revenue fund for fiscal year 1999 for the SRS transition oversight committee which was established by K.S.A. 1997 Supp. 46-2701, which is composed of 12 members and which is hereby specifically continued in existence for fiscal year 1999, notwithstanding any provisions of K.S.A. 1997 Supp. 46-2701 to the contrary, in accordance with this subsection: Provided, That the terms of office of all members of the SRS transition oversight committee serving on June 30, 1998, are hereby continued until January 11, 1999, and the terms of office of the chairperson and the vice-chairperson serving in such offices on June 30, 1998, are hereby continued until January 11, 1999. Provided further, That on or after January 11, 1999, (1) three members of the house of representatives who are members of the committee on appropriations, two who are members of the majority party and one who is a member of the minority party, shall be appointed by the chairperson of the committee on appropriations as members of the SRS transition oversight committee for terms ending on June 30, 1999, (2) three members of the senate who are members of the committee on ways and means, two who are members of the majority party and one who is a member of the minority party, shall be appointed by the chairperson of the committee on ways and means as members of the SRS transition oversight committee for terms ending on June 30, 1999, (3) three members of the house of representatives who are members of the committee on health and human services, two who are members of the majority party and one who is a member of the minority party, shall be appointed by the speaker of the house of representatives as members of the SRS transition oversight committee for terms ending on June 30, 1999, and (4) three members of the senate who are members of the committee on public health and welfare, two who are members of the majority party and one who is a member of the minority party, shall be appointed by the president of the senate as members of the SRS transition oversight committee for terms ending on June 30, 1999. And provided further, That for the period from January 11, 1999, through June 30, 1999, the chairperson of the SRS transition oversight committee shall be a senator appointed by the chairperson of the committee on ways and means and the vice-chairperson of the SRS transition oversight committee shall be a representative who is appointed by the chairperson of the committee on appropriations. And provided further, That if a vacancy occurs in the office of any member of the SRS transition oversight committee, a successor shall be appointed in the same manner as the original appointment. And provided further, That the SRS transition oversight committee shall meet on call of the chairperson and all such meetings shall be held in Topeka unless authorized to be held in a different place by the legislative coordinating council. And provided further, That members of the SRS

transition oversight committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212 and amendments thereto when attending meetings of such committee. And provided further, That the SRS transition oversight committee shall have the following duties:

(1) The SRS transition oversight committee shall monitor implementation of the transfer of long-term care programs from the secretary of social and rehabilitation services to the secretary of aging; the committee shall specifically examine transfer cost neutrality and the need for additional funding to finance transition costs; the oversight committee shall ensure that the transfer of the long-term care programs does not lead to a loss of services by consumers;

(2) the SRS transition oversight committee (A) shall monitor, review and make recommendations relating to privatization efforts at the state hospitals, the closure of hospital beds, the downsizing of staff, the closure of Topeka state hospital and Winfield state hospital and training center, the funding of community services and the availability of adequate community services, and (B) shall monitor and review preparation of the evaluation of the hospital closure process which emphasizes how the process might be improved if additional closure efforts are necessary in future years;

(3) the SRS transition oversight committee shall monitor, review and make recommendations relating to (A) privatization of children and youth service programs of the department of social and rehabilitation services including family preservation, foster care, adoption and child support collection programs, (B) privatization of any other programs of the department of social and rehabilitation services, and (C) privatization of any programs of the department on aging;

(4) the SRS transition oversight committee shall monitor, review and make recommendations relating to federal social welfare reform laws and the regulations and policies implementing such laws and the activities of the department of social and rehabilitation services relating to federal laws, regulations and policies;

(5) the SRS transition oversight committee shall:

(A) Prepare an interim report on findings and recommendations which shall be provided to the legislature on or before the first day of the regular session of the legislature in 1999;

(B) prepare a final report on findings and recommendations which shall be provided to the legislative coordinating council on or before June 30, 1999; and

(C) prepare an additional interim report relating to how the closure process could be improved, including recommendations for improvements in the closure process should closure of similar institutions occur in future years, to be presented separately on or before the first day of the regular session of the legislature in 1999, and to prepare an additional final report on such issues to be presented separately to the legislative coordinating council on or before June 30, 1999. And provided further, That the SRS transition oversight committee is hereby abolished on June 30, 1999.

Sec. 86.

DIVISION OF POST AUDIT

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

Operations (including legislative post audit committee) \$1,492,450

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

Audit services fund No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies. Provided further, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto. And provided further, That all moneys received for such fees shall be deposited in the state treasury to the credit of the audit services fund. And provided further, That all moneys received by the division of post audit during fiscal year 1999 from the department of social and rehabilitation services under the contract entered into by the post auditor and the secretary of social and rehabilitation services pursuant to section 71(a) of chapter 292 of the 1993 Session Laws of Kansas to reimburse all or part of the operating services incurred by the division of post audit for the performance audit related to a settlement agreement regarding Sheila A., et al. v. Joan Finney, et al., Case No. 89-CV-33, Shawnee County District Court, shall be credited to the audit services fund.

Conversion of materials and equipment fund	No limit
State agency audits fund	No limit

Sec. 87.

GOVERNOR'S DEPARTMENT

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

Governor's department	\$1,804,157
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Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided further*, That expenditures may be made from this account for contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 1999, by subsection (a) from the state general fund in the governor's department account.

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

Conversion of materials and equipment fund	No limit
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Sec. 88.

LIEUTENANT GOVERNOR

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

Operations	\$100,556
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Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

(b) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 1999, in the operations account.

(c) Expenditures may be made by the above agency, for official hospitality from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 1999, in the operations account, except that such expenditures shall not exceed \$2,000.

Sec. 89.

ATTORNEY GENERAL

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

Operating expenditures	\$3,366,433
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$600: *And provided further*, That expenditures may be made from this account to reimburse the department of administration for the services or to pay the salary and benefits of an architect for the purpose of providing ongoing technical consultation to the attorney general in overseeing enforcement of the architectural accessibility standards act, K.S.A. 58-1301 et seq. and amendments thereto: *And provided further*, That the office of attorney general and the department of administration are hereby authorized to enter into an agreement for the provisions of such architectural services: *And provided further*, That the architect assigned by the department of administration to provide such services to the attorney general shall be considered an employee of the department of administration for all purposes, except that the supervision of the duties of such architect may be governed by the agreement between the attorney general and the department of administration.

Litigation costs	\$80,443
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Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Additional operating expenditures for investigation and litigation regarding interstate water rights	\$938,423
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 1998, in the additional operating expenditures for investigation and litigation regarding interstate water rights account is hereby reappropriated for fiscal year 1999.

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Operating expenditures relating to interstate water rights regarding the Republican river and its tributaries.

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

Court cost fund	No limit
Bond transcript review fee fund	No limit
Conversion of materials and equipment fund	No limit

Attorney general's antitrust special revenue fund	No limit
Private gifts fund	No limit
Attorney general's antitrust suspense fund	No limit
Attorney general's consumer protection clearing fund	No limit
Attorney general's committee on crime prevention fee fund	No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury and credited to this fund.

Tort claims fund	No limit
Work-study reimbursement fund	No limit
Crime victims compensation fund	No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$247,362: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Child exchange and visitation fund	No limit
Federal preventive health and health services block grant fund	No limit

Provided, That all expenditures from the federal preventive health and health services block grant fund shall be to provide services to rape victims and for rape prevention in accordance with a contract that is hereby authorized to be entered into between the secretary of health and environment and the attorney general which may require not more than one report from the attorney general on such expenditures for the entire fiscal year 1999.

Crime victims assistance fund	No limit
Protection from abuse fund	No limit
Drug free schools and communities fund	No limit
Victims of crime act—federal fund	No limit
Victims of crime assistance act—federal fund	No limit
Family violence prevention and services fund—federal	No limit
Violence against women grant fund	No limit
Crime victims grants and gifts fund	No limit

Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Attorney general's medicaid fraud control fund	No limit
Other federal grants and reimbursement fund	No limit
Debt collection administration cost recovery fund	No limit

Provided, That the attorney general shall deposit to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719 and amendments thereto: *Provided further*, That the attorney general shall authorize the director of accounts and reports to transfer \$30,000 from this fund to the state general fund at such time as receipts to this fund are sufficient to sustain expenditures for administering and monitoring such contracts as well as to repay the state general fund for money advanced for such purpose: *And provided further*, That, upon receipt of such authorization, the director of accounts and reports shall transfer \$30,000 from the debt collection administration cost recovery fund to the state general fund.

Medicaid fraud reimbursement fund	No limit
Medicaid fraud prosecution revolving fund	No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That the attorney general shall authorize the director of accounts and reports to transfer \$29,082 from this fund to the state general fund at such time as receipts to this fund are sufficient to meet the federal matching requirement from nonfederal sources as well as to repay the state general fund for money advanced for such purpose: *And provided further*, That, upon receipt of such authorization, the director of accounts and reports shall transfer \$29,082 from the medicaid fraud prosecution revolving fund to the state general fund: *And provided further*, That the attorney general shall make a report during the 1999 regular session of the legislature to the subcommittee of the house of representatives committee on appropriations and the subcommittee of the senate committee on ways and means that review the above agency's budget on the amount of recouped money credited to the medicaid fraud prosecution revolving fund and estimate of the money the agency has expended for medicaid fraud control activities.

Interstate water litigation fund	No limit
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(c) No moneys appropriated for the attorney general by this or other appropriation act of the 1998 regular session of the legislature from the state general fund or any special revenue fund for the fiscal year ending June 30, 1999, shall be expended for preparing or publishing any book containing the opinions of the attorney general, or any summaries or indexes of such opinions, or for preparing or publishing any other hard-copy printing, softbound or hardbound, of such opinions, summaries or indexes.

Sec. 90.

SECRETARY OF STATE

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

(continued)

Operating expenditures \$1,501,360

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, and any unencumbered balance in the official hospitality account in excess of \$100 as of June 30, 1998, are hereby reappropriated to the operating expenditures account for fiscal year 1999: Provided further, That expenditures from this account for official hospitality shall not exceed \$2,500.

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

Table listing various funds such as Cemetery and funeral audit fee fund, Conversion of materials and equipment fund, Information and copy service fee fund, etc., with 'No limit' as the amount.

Sec. 91.

STATE TREASURER

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

Operating expenditures \$1,743,432

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided further, That expenditures from this account for official hospitality shall not exceed \$750.

Banking services \$330,000

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

Table listing various funds such as Fiscal agency fund, Bond services fee fund, City bond finance fund, Taylor grazing fees—federal fund, etc., with 'No limit' as the amount.

Provided, That on or before the fifth day of each month of the fiscal year ending June 30, 1999, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: Provided further, That prior to the 10th day of each month during the fiscal year ending June 30, 1999, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: And provided further, That the aggregate of all expenditures for banking fees from the pooled money investment portfolio fee fund during the fiscal year ending June 30, 1999, shall not exceed the lesser of either (1) \$100,000 or (2) the aggregate amount of banking fees incurred by the state treasurer during the period from June 1, 1998, through May 31, 1999, that are attributable to the investment of the pooled money investment portfolio during such period, as determined by the pooled money investment board.

Conversion of materials and equipment fund No limit
Tax increment financing revenue replacement fund No limit

(c) On July 1, 1998, the director of accounts and reports shall transfer \$113,327 from the state highway 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.

Sec. 92.

INSURANCE DEPARTMENT

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

Insurance department service regulation fund \$6,504,003

Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$750: Provided further, That any transfers from this fund to the insurance building principal and interest payment fund or the insurance department rehabilitation and repair fund of the department of insurance shall be in addition to any expenditure limitation imposed on this fund.

Table listing various funds such as Insurance company examination fund, Insurance company annual statement examination fund, Insurance company examiner training fund, etc., with 'No limit' as the amount.

Provided, That expenditures may be made from the commissioner's travel reimbursement 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 non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund No limit

Provided, That expenditures from the workers compensation 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 listing various funds such as State firefighters relief fund, Suspense fund, Insurance company tax and fee refund fund, etc., with 'No limit' as the amount.

Provided, That expenditures from the senior health insurance counseling for Kansans fund for official hospitality shall not exceed \$750.

Insurance education and training fund No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: Provided further, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: And provided further, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such training programs shall be deposited in the state treasury and credited to this fund.

Sec. 93.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

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

Health care stabilization fund No limit

(b) Expenditures from the health care stabilization fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures \$858,687

Provided, That expenditures from the operating expenditures account for official hospitality shall not exceed \$300.

Fees—legal and professional services No limit

Provided, That expenditures from the fees—legal and professional services account for attorney fees and other professional service fees may be made regardless of when services were rendered or when the judgment or settlement was made.

Claims and benefits No limit

Provided, That expenditures from the claims and benefits account for claim and benefit payments may be made regardless of when services were rendered or when the judgment or settlement was made.

Sec. 94. Position limitations. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Table listing positions for Attorney General (86.8), Secretary of State (55.0), State Treasurer (56.5), Insurance Department (161.5).

Provided, That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation

imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 1999 for the department of insurance.

Health Care Stabilization Fund Board of Governors 16.0
 Sec. 95.

JUDICIAL COUNCIL

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

Operating expenditures \$246,903

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$4,785 except upon approval of the state finance council: *Provided further*, That no expenditures shall be made from this account for any study requested by one or more members of the legislature unless the study request was submitted in writing to the legislative coordinating council and the study request was approved by the legislative coordinating council prior to the study request being submitted to the judicial council: *And provided further*, That such limitation shall not apply to any study requested by a standing committee of either house of the legislature or any legislative committee established by statute.

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

Grants and gifts fund No limit

Provided, That all private grants and gifts and federal grants received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation, publication and distribution of legal publications: *Provided further*, That the judicial council is hereby authorized to fix, charge and collect fees for sale and distribution of legal publications in order to recover direct and indirect costs incurred for preparation, publication and distribution of legal publications: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the publications fee fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of legal publications shall be deposited in the state treasury to the credit of the publications fee fund.

Sec. 96.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Operating expenditures \$11,908,942

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1998, in the operating expenditures account is hereby reappropriated to the operating expenditures account for fiscal year 1999: *Provided further*, That any expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *And provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto and shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto.

Capital defense operations \$1,273,319

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1998, in the capital defense operations account is hereby reappropriated for fiscal year 1999.

Legal services for prisoners \$480,220

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Regional defense delivery system expansion operations; agency enhancements.

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

Indigents' defense services fund No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury and credited to the inservice education workshop fee fund.

Sec. 97. *Position limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and tempo-

rary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Judicial Council 4.0

Sec. 98.

JUDICIAL BRANCH

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

Judiciary operations \$74,057,667

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$360,143 except upon approval of the state finance council: *Provided further*, That contracts for computer input of judicial opinions under this appropriation shall be executed in the name of the supreme court by the chief justice and may be interrelated with contracts for the comprehensive legislative information system: *And provided further*, That all such contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto: *And provided further*, That expenditures may be made from the judicial operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judicial operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judicial operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judicial operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases: *And provided further*, That the Kansas citizens justice initiative should incorporate a consideration of the recommendations of the performance audit report by the legislative division of post audit entitled "Reviewing the Kansas Court System's Allocation of Staff Resources to the District Courts" in its final report.

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

Library report fee fund No limit

Judiciary technology fund No limit

Provided, That no expenditures shall be made from the judiciary technology fund for a study of automation needs in the district courts until the criminal justice coordinating council receives and accepts a plan to define an integrated statewide criminal justice information system.

Judicial branch gifts fund No limit

Dispute resolution fund No limit

Judicial branch education fund No limit

Conversion of materials and equipment fund No limit

Child welfare federal grant fund No limit

Duplicate law book fund No limit

Child support enforcement contractual agreement fund No limit

Bar admission fee fund No limit

Permanent families account—family and children investment fund No limit

Provided, That expenditures may be made from the permanent families account of the family and children investment fund for compensation, subsistence allowances, mileage and other expenses for legislative members of the permanent families account advisory committee as provided by K.S.A. 75-3223 and amendments thereto.

Court reporter fund No limit

Access to justice fund No limit

CSE contract agreement fund No limit

Judicial technology and building and grounds fund No limit

Provided, That all expenditures from the judicial technology and building and grounds fund shall be for the purposes of capital equipment and other acquisitions for technology improvements for the judicial branch and capital improvements for the judicial center building and ground: *Provided further*, That all moneys received from any nonstate source for any of the purposes for which expenditures may be made from this fund, which moneys are hereby authorized to be requested for, received and accepted by the chief justice, shall be deposited in the state treasury to the credit of this fund.

(c) On June 30, 1999, the director of accounts and reports shall transfer any unencumbered balance in the judiciary operations account of the state general fund in an amount not to exceed \$100,000 from the judiciary operations account of the state general fund to the judicial center technology and building and grounds fund.

Sec. 99.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

Kansas public employees retirement fund No limit

Provided, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

(b) Expenditures may be made from the Kansas public employees retirement fund for the following specified purposes: *Provided, however*,

(continued)

That expenditures from the Kansas public employees retirement fund for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations \$4,675,482

Provided, That expenditures from the agency operations account for official hospitality shall not exceed \$3,000: Provided further, That any expenditure from the agency operations account of the Kansas public employees retirement fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the agency operations account of such fund for the fiscal year ending June 30, 1999.

Investment related expenses \$23,164,887

Provided, That the following subaccounts of the investment related expenses account shall be maintained for purposes of accounting for expenditures from the investment related expenses account: Direct placement management fees, real estate management fees, publicly traded securities management fees, direct placement investment program, custodial bank fees and expenses, investment consultant fees, and investment related litigation expenses: Provided further, That all expenditures from the investment related expenses account or any other account of this fund for payments to direct placement investment managers pursuant to indemnity provisions of indemnification agreements between the board of trustees of the Kansas public employees retirement system and direct placement investment managers shall be in addition to any expenditure limitation imposed on this fund or any account thereof, except that no such indemnity provision shall provide indemnification in an amount greater than 20% of the total value of the assets being managed by a direct placement investment manager.

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

Actuarial funding - 3% postretirement benefit increase \$29,342,761

Provided, That all expenditures from the actuarial funding - 3% postretirement benefit increase account shall be to finance the amount required to fund the actuarial liability of the state obligation for the one-time postretirement benefit increase for persons who retired prior to July 1, 1993, and for whom the state paid employer contributions (1) under the Kansas public employees retirement system for those persons who were eligible for assistance from the state board of regents in the purchase of annuities as provided by K.S.A. 74-4925, and amendments thereto, (2) under the Kansas public employees retirement system for those persons who were employed by eligible employers described by K.S.A. 74-4931, and amendments thereto, and for whom employer contributions were paid as provided by K.S.A. 74-4939, and amendments thereto, (3) under the Kansas police and firemen's retirement system as provided by K.S.A. 74-4951 et seq., and amendments thereto, or (4) under the retirement system for judges as provided by K.S.A. 20-2601 et seq., and amendments thereto.

Sec. 100.

KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

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

Operating expenditures \$351,781

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

Kansas commission on governmental standards and conduct fee fund \$147,653

Sec. 101.

KANSAS HUMAN RIGHTS COMMISSION

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

Operating expenditures \$1,439,671

Provided, That any unencumbered balance in the operating expenditures account and in the contract investigative services account in excess of \$100 as of June 30, 1998, is hereby reappropriated to the operating expenditures account for fiscal year 1999: Provided, however, That expenditures from this account for official hospitality shall not exceed \$150: Provided further, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

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

Federal fund No limit
Conversion of materials and equipment fund No limit
Annual banquet fund No limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: Provided further, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: And provided further, That all fees received for such banquet shall be credited to this fund.

Education and training fund No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public: Provided further, That the executive director is hereby authorized to fix, charge and collect fees for such programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such programs shall be credited to this fund.

Sec. 102.

STATE CORPORATION COMMISSION

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

Public service regulation fund No limit

Provided, That all transfers of money from the public service regulation fund to the utility regulatory fee fund of the citizens' utility ratepayer board shall be in addition to any limitation imposed on this fund.

Motor carrier license fees fund No limit

Conservation fee fund No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: Provided further, That expenditures may be made from this fund for debt collection and set-off administration: And provided further, That a percentage of the fees collected, not to exceed 27%, shall be transferred to the department of administration accounting services recovery fund for services rendered in collection efforts: And provided further, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: And provided further, That the state corporation commission shall include as part of the fiscal year 2000 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2000, 2001 and 2002.

Gas pipeline inspection fee fund No limit

Abandoned oil and gas well fund No limit

Gas pipeline safety program - federal fund No limit

Energy grants management fund No limit

Alternative fuels and transportation initiatives grant - federal fund No limit

Energy conservation plan - federal fund No limit

Underground injection control class II - federal fund No limit

Inservice education workshop fee fund No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: Provided further, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: And provided further, That all moneys received for such fees shall be deposited in the state treasury and credited to this fund.

Base state registration clearing fund No limit

Suspense fund No limit

Data management system fund No limit

(b) Expenditures for the fiscal year ending June 30, 1999, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$12,745,569: Provided, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 1999 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$600.

Sec. 103.

CITIZENS' UTILITY RATEPAYER BOARD

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

Utility regulatory fee fund \$439,190

Provided, That expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund pursuant to contracts for professional services, which are hereby authorized to be entered into by the board: Provided further, That such professional services shall include but are not limited to the services of engineers, accountants, attorneys and economists, to assist in carrying out the duties of the board, which assistance may include preparation and presentation of expert testimony, when the expenses of such professional services are required to be assessed under K.S.A. 66-1502 and amendments thereto against the public utilities involved: And provided further, That such contracts shall be negotiated by a negotiating committee composed of the following persons: The consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee, the director of the budget or that director's designee, the director of accounts and reports or that director's designee, and the chairperson of the citizens' utility ratepayer board or the chairperson's designee: And provided further, That the consumer counsel of the citizens' utility ratepayer board or the consumer counsel's designee shall convene the negotiating committee for each such contract and the negotiating committee shall consider all proposals by persons applying to perform such contract and shall award the contract: And provided further, That such

contracts shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto or to the provisions of the acts contained in article 58 of chapter 75 of the Kansas Statutes Annotated.

Gifts and donations fund No limit
Provided, That all moneys received by the citizens' utility ratepayer board for gifts and donations shall be deposited in the state treasury to the credit of the gifts and donations fund.

(b) On July 1, 1998, October 1, 1998, January 1, 1999, and April 1, 1999, or as soon after each such date as moneys are available, and upon receipt of certification by the state corporation commission of the amount to be transferred, the director of accounts and reports shall transfer from the public service regulation fund of the state corporation commission to the utility regulatory fee fund of the citizens' utility ratepayer board all moneys assessed by the state corporation commission for the citizens' utility ratepayer board under K.S.A. 66-1502 or 66-1503 and amendments thereto and deposited in the state treasury to the credit of the public service regulation fund.

Sec. 104.

DEPARTMENT OF ADMINISTRATION

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

General administration \$1,179,118
Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures for such reappropriated balance shall not exceed \$11,559 except upon approval of the state finance council: *Provided, further*, That in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from this account for two employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Accounting and reporting services \$2,671,278
Provided, That any unencumbered balance in the accounting and reporting services account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$13,886 except upon approval of the state finance council.

Budget analysis \$1,305,161
Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$34,739 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$750.

Personnel services \$3,089,554
Provided, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$27,907 except upon approval of the state finance council: *Provided further*, That expenditures may be made from the above account for a study of the implications of those sections of 1997 House Bill No. 2064 which restrict unclassified personnel who has participated in making contracts on behalf of the state from accepting a position with the contracting business as an employee, contractor or subcontractor until two years after that entity's contract with the state is completed or until two years after that individual ends state service, whichever is sooner: *And provided further*, That the director of personnel services shall present the results of the study, including characteristics of the employees effected and any recommendations for statutory changes, to the 1999 legislature.

Purchasing \$1,240,253
Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$7,273 except upon approval of the state finance council.

Architectural services and planning \$1,269,759
Provided, That any unencumbered balance in the architectural services and planning account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$35,557 except upon approval of the state finance council.

Facilities management \$2,366,051
Provided, That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$8,287 except upon approval of the state finance council: *Provided further*, That in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from this account for one employee in the unclassified service under the Kansas civil service act.

Insurance for state buildings \$336,510
Provided, That any unencumbered balance in the insurance for state buildings account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$2,490 except upon approval of the state finance council.

Department of administration systems \$5,540,534
Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999:

Provided, however, That expenditures from such reappropriated balance shall not exceed \$14,347 except upon approval of the state finance council.

Public broadcasting council operating grants \$1,695,977
Provided, That any unencumbered balance in the public broadcasting council operating grants account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Public broadcasting capital equipment grants \$250,000
Provided, That all expenditures from the public broadcasting capital equipment grants account shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *Provided further*, That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any non-state source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any non-state source without first applying for federal capital equipment grants: *And provided further*, That any unencumbered balance in the public broadcasting capital equipment grants account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Gubernatorial transition \$100,000
Policy analysis initiatives \$132,054
Provided, That any unencumbered balance in the policy analysis initiatives account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Performance review board \$260,237
Provided, That any unencumbered balance in the performance review board account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures for such reappropriated balance shall not exceed \$37,161 except upon approval of the state finance council.

Actuarial study \$40,000
 Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Year 2000 computer repair for state agencies.

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

Federal cash management fund No limit
Kansas performance review board fund No limit
Closure health insurance fund No limit
Closure term life insurance fund No limit
Retirement salary recapture fund No limit

Provided, That pursuant to policies and procedures prescribed by the secretary of administration, the director of accounts and reports shall transfer an amount equal to the amount of reductions from state general fund accounts pursuant to subsection (d)(1) of K.S.A. 75-6801 and amendments thereto to the retirement salary recapture fund: *Provided further*, That if expenditure authority in any state general fund account or accounts is restored pursuant to subsection (c)(1) of K.S.A. 75-6801 and amendments thereto and such amount has been transferred to this fund, the director of accounts and reports, pursuant to policies and procedures prescribed by the secretary of administration, shall transfer the amount of the increase in such expenditure authority from the retirement salary recapture fund to the appropriate accounts of the state general fund.

State leave payment reserve fund No limit
State budget stabilization fund \$0
Building and ground fund No limit
General fees fund No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including training programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs and all fees received under the open records act for providing access to or furnishing copies of public records shall be credited to this fund.

Budget fees fund No limit
Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be credited to this fund.

Purchasing fees fund No limit
Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information and for vendor applications and to administer state contracts: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all moneys received for such fees and all moneys received pursuant to the state travel services contract shall be deposited in the state treasury to the credit of this fund.

(continued)

Architectural services fee fund No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: Provided further, That the director of architectural services is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: And provided further, That all fees received for such reproduction and distribution of architectural information shall be credited to this fund.

Municipal accounting and training services recovery fund No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: Provided further, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services and programs, including official hospitality: And provided further, That all fees received for such services and programs, including official hospitality, shall be credited to this fund.

Budget equipment conversion fund No limit

Conversion of materials and equipment fund No limit

Architectural services equipment conversion fund No limit

Property contingency fund No limit

Flood control emergency—federal fund No limit

Information technology fund No limit

Information technology reserve fund No limit

Computer services recovery fund No limit

Provided, That expenditures may be made from the computer services recovery fund to provide central computer system development services, which shall be in addition to data processing services provided under K.S.A. 75-4704 and amendments thereto to other state agencies: Provided further, That the secretary of administration is hereby authorized, in accordance with the procedures and guidelines prescribed by K.S.A. 75-4703 and amendments thereto, to fix, charge and collect fees for such central computer system development services to other state agencies: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: And provided further, That all fees received for such services shall be credited to this fund: And provided further, That all expenditures for the personnel/payroll project shall be made from the personnel/payroll project program account of this fund: And provided further, That amounts may be transferred into this account from any state general fund account or any special revenue fund of the department of administration or any other state agency.

State buildings operating fund No limit

Accounting services recovery fund No limit

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures of the department of administration: Provided further, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: And provided further, That all fees received for such services or sales shall be credited to this fund.

Architectural services recovery fund \$1,226,734

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of architectural services: Provided further, That notwithstanding the provisions of subsection (b) of K.S.A. 75-4403 and amendments thereto, the director of architectural services may exchange an employee with the attorney general's office to assist in the enforcement of K.S.A. 58-1301 et seq.: And provided further, That the director of architectural services is hereby authorized to charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: And provided further, That the director of architectural services is hereby authorized to charge and collect (1) a fee equal to 1% of the estimated cost of each capital improvement project for a state agency which is not financed, in whole or in part, by gifts, bequests, or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services or, in the case of any capital improvement project for a state agency which is partially financed by gifts, bequests or donations made by one or more private individuals or other private entities, a fee equal to 1% of the proportional amount of the estimated cost of such capital improvement project which is not financed by gifts, bequests or donations made by one or more private individuals or other private entities and for which the division provides architectural, engineering or management services, and (2) an additional fee equal to 6% of the construction cost of each capital improvement project for which the division provides in-house architectural and engineering design services: And provided further, That such services shall be subject to the limitations of K.S.A. 75-1253 and amendments thereto: And provided further, That all fees received for such services shall be credited to this fund.

Motor pool service fund \$2,693,843

Provided, That expenditures from the motor pool service fund for motor vehicle registrations shall be in addition to any expenditure limitation imposed on this fund.

Motor pool service depreciation reserve fund No limit

Kansas public employees retirement clearing fund No limit

Intragovernmental printing service fund No limit

Intragovernmental printing service depreciation reserve fund No limit

Central aircraft fund No limit

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

Canceled warrants payment fund No limit

Executive mansion gifts fund No limit

Veterans memorial fund No limit

State emergency fund No limit

Bid and contract deposit fund No limit

State workers compensation self-insurance fund No limit

Provided, That expenditures shall be made from the state workers compensation self-insurance fund for a contract with the secretary of human resources to implement and administer the state workplace health and safety program for state employees in accordance with K.S.A. 44-575 and amendments thereto, which contract is hereby authorized and directed to be entered into between the secretary of administration and the secretary of human resources: Provided further, That, pursuant to policies and procedures prescribed by the secretary of administration, the director of accounts and reports shall transfer an amount certified pursuant to such contract by the secretary of administration from the state workers compensation self-insurance fund of the department of administration to the state workplace health and safety program fund of the department of human resources.

Health and hospitalization insurance clearing fund No limit

Provided, That no expenditures may be made from the health and hospitalization insurance clearing fund for entering into any state employee health or hospitalization insurance contract which provides for reimbursement, payment for or coverage of abortions or abortion-related services, except that any such insurance contract may provide for reimbursement, payment for or coverage of abortions or abortion-related services where the life of the mother would be endangered if the fetus were carried to term, or to avert a serious risk of substantial and irreversible impairment of a major bodily function, or where the pregnancy is the result of an act of rape or incest, or where medical complications have arisen from an abortion.

Federal withholding tax clearing fund No limit

State gaming revenues fund No limit

Health insurance premium reserve fund No limit

Purchasing seminars clearing fund No limit

Provided, That expenditures may be made from the purchasing seminars clearing fund for operating expenditures for training seminars conducted for government personnel, including official hospitality: Provided further, That the director of purchasing is hereby authorized to fix, charge and collect fees for such seminars: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training seminars, including official hospitality: And provided further, That all fees received for such seminars shall be credited to this fund.

Excise tax refund clearing fund No limit

State withholding tax clearing fund No limit

Unemployment compensation tax clearing fund No limit

Construction defects recovery fund No limit

Preventive health care program fund No limit

Cafeteria benefits fund No limit

Provided, That expenditures from the cafeteria benefits fund for salaries and wages and other operating expenditures shall not exceed \$956,633.

Dependent care assistance program fund No limit

Conversion of materials and equipment—recycling program fund No limit

Employees faithful performance bond clearing fund No limit

Deferred compensation clearing fund No limit

Equipment lease purchase program administration clearing fund No limit

Suspense fund No limit

Series E savings bonds clearing fund No limit

Optional life insurance clearing fund No limit

Employee organization dues clearing fund No limit

United Way contributions clearing fund No limit

Setoff clearing fund No limit

Parking fees clearing fund No limit

Electronic funds transfer suspense fund No limit

State employee contribution clearing fund for OASDHI No limit

Intergovernmental cooperation agreement for development of statewide cost allocation plan clearing fund No limit

Medicare fund clearing account No limit

State leave payment reserve fund No limit

Ad Astra sculpture fund No limit

State capitol dome sculpture fund No limit

Provided, That, notwithstanding the provisions of K.S.A. 75-2249 and amendments thereto, all expenditures from the state capitol dome sculpture fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration, or the secretary's designee: Provided further, That all moneys received by the department of administration in the form of grants, gifts, contributions or bequests made for the purpose of financing the cost of acquiring and placing atop the capitol the work of sculpture selected pursuant to statute shall be deposited in the state treasury and credited to this fund and all such grants, gifts, contributions or bequests are hereby authorized to be received by the department of administration.

Topeka state hospital transition fund No limit

Administrative hearings office fund No limit

Public broadcasting equipment grants EDIF fund \$200,000

Provided, That all expenditures from the public broadcasting equipment grants EDIF fund shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: Provided further, That expenditures from this fund may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: And provided further, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this fund to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

(c) On July 1, 1998, the director of architectural services shall certify to the director of accounts and reports a listing of all identified capital improvement projects funded for fiscal year 1999 which are subject to a fee payable to the director of architectural services for crediting to the architectural services recovery fund, the accounts and funds in which moneys are appropriated for fiscal year 1999 for such projects and the amount of all such fees payable from such accounts and funds for fiscal year 1999 for such projects. Upon receipt of such certification, the director of accounts and reports shall transfer from the appropriation accounts for such projects to the architectural services recovery fund the amounts so certified. For other capital improvement projects subject to such fees, the fees shall be paid on or before the date the director of architectural services approves the plans for the project, as a transaction between state agencies in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto.

(d) On July 1, 1998, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 1999, the secretary of administration is authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such project is approved for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto.

(f) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer energy conservation savings of \$157,825 from the state buildings operating fund to the state general fund.

(g) (1) In addition to the other purposes for which expenditures may be made by the above agency from the closure term life insurance fund for the fiscal year ending June 30, 1999, as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the above agency from closure term life insurance fund for fiscal year 1999 for the following, which the secretary of administration is hereby authorized to provide from the closure term life insurance fund:

(A) The death benefits authorized by K.S.A. 75-4373 and amendments thereto on a self-insured basis, for which the net amount of the death benefit shall be equal to 150% of the annual rate of compensation of the covered state officer or employee, as of the date the covered state officer or employee is laid off in accordance with K.S.A. 75-4373 and amendments thereto; and

(B) the costs of self-administering such death benefits or of contracting with a third party for administration of such death benefits.

(2) During the fiscal year ending June 30, 1999, upon request of the secretary of administration, the director of accounts and reports shall make periodic transfers of moneys during fiscal year 1999 in amounts specified by the secretary of administration from the state hospital closure account of the state general fund of the department of social and rehabilitation services to the closure term life insurance fund of the department of administration.

(3) During the fiscal year ending June 30, 1999, upon certification by the secretary of administration to the director of accounts and reports that the unencumbered balance in the closure term life insurance fund is insufficient to pay an amount for which the closure term life insurance fund is liable and that there are insufficient moneys in the state hospital closure account of the state general fund of the department of social and rehabilitation services to transfer pursuant to paragraph (2) of this subsection (h), the director of accounts and reports shall transfer an amount equal to the insufficiency from the state general fund to the closure term life insurance fund.

(h) During the fiscal year ending June 30, 1999, the director of the office of administrative hearings of the department of administration shall prepare and submit to the secretary of social and rehabilitation services a billing invoice each month in the amount equal to 1/2 of \$783,185, for administrative hearing services performed by the department of administration for the department of social and rehabilitation services: *Provided*, That the amount to be billed may be adjusted as provided in writing by mutual agreement between the secretary of social and rehabilitation services and the secretary of administration: *Provided further*, That the amount specified in the monthly invoice shall be paid from the appropriation fund or funds of the department of social and rehabilitation services into the administrative hearings office fund of the department of administration.

(i) On July 15, 1998, 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 and housing to the public broadcasting equipment grants EDIF fund of the department of administration.

(j) In addition to the purposes for which expenditures may be made by the above agency for the fiscal year ending June 30, 1999, from any account or accounts of the state general fund or any special revenue fund or funds or account or accounts thereof appropriated by this or any other act of the 1998 legislature for the above agency for the fiscal year ending June 30, 1999, expenditures shall be made for an actuarial study to ascertain the fiscal impact and associated effects of requiring participation in the state health care benefits program by all unified school districts: *Provided*, That any expenditures for such actuarial study from any special revenue fund or funds or account or accounts thereof shall be in addition to any expenditure limitation imposed on any special revenue fund or funds or account or accounts thereof.

Sec. 105. *Position limitations.* The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1999, made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Kansas Public Employees Retirement System	76.0
Kansas Commission on Governmental Standards and Conduct	9.0
Kansas Human Rights Commission	37.0
State Corporation Commission	212.0
Citizens' Utility Ratepayer Board	3.0
Department of Administration	855.9

Sec. 106.

STATE BOARD OF TAX APPEALS

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

Operating expenditures \$1,632,665

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

Duplicating fees fund No limit

Sec. 107.

DEPARTMENT OF REVENUE

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

Operating expenditures \$28,215,419

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$144,430 except upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,500.

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

Sand royalty fund No limit
Division of vehicles operating fund \$30,374,330

Provided, That all receipts collected under authority of K.S.A. 74-2012 and amendments thereto shall be credited to the division of vehicles operating fund: *Provided further*, That expenditures from this fund for salaries and wages shall not exceed \$16,914,375: *And provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 1999: *And provided further*, That expenditures shall be made from this fund for the fiscal year ending June 30, 1999, for reprinting the driver's license handbook in both Spanish and English.

Vehicle dealers and manufacturers fee fund	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund	No limit
Local report fee fund	No limit
Military retirees income tax refund fund	No limit
Conversion of materials and equipment fund	No limit
Forfeited property fee fund	No limit
Setoff services revenue fund	No limit
Publications fee fund	No limit
State bingo regulation fund	\$261,530
Child support enforcement contractual agreement fund	No limit
County treasurers' vehicle licensing fee fund	No limit
Reappraisal reimbursement fund	No limit

(continued)

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: Provided further, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the board of tax appeals under K.S.A. 79-1479 and amendments thereto.

Special training fund No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: Provided further, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: And provided further, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury and credited to the special training fund.

Recovery fund for enforcement actions and attorney fees No limit
Federal commercial motor vehicle safety fund No limit
Central stores fund No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: Provided further, That all moneys received for such supplies shall be deposited in the state treasury and credited to this fund.

Microfilming fund No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: Provided further, That all moneys received for such services shall be deposited in the state treasury and credited to this fund.

Miscellaneous trust bonds fund No limit

Liquor excise tax guarantee bond fund No limit

Non-resident contractors cash bond fund No limit

Bond guaranty fund No limit

Interstate motor fuel user cash bond fund No limit

Motor fuel distributor cash bond fund No limit

County and city bingo tax fund No limit

Special county mineral production tax fund No limit

County drug tax fund No limit

Escheat proceeds suspense fund No limit

Privilege tax refund fund No limit

Suspense fund No limit

Cigarette tax refund fund No limit

Motor-vehicle fuel tax refund fund No limit

Cereal malt beverage tax refund fund No limit

Income tax refund fund No limit

Sales tax refund fund No limit

Compensating tax refund fund No limit

Alcoholic liquor tax refund fund No limit

Cigarette/tobacco products regulation fund No limit

Motor carrier tax refund fund No limit

Car company tax fund No limit

Protested motor carrier taxes fund No limit

Tobacco products refund fund No limit

Transient guest tax refund fund established by K.S.A. 12-1694a No limit

Interstate motor fuel taxes clearing fund No limit

Bingo refund fund No limit

Transient guest tax refund fund established by K.S.A. 12-16,100 No limit

Inheritance tax abatement refund fund No limit

Interstate motor fuel taxes refund fund No limit

Interfund clearing fund No limit

Local alcoholic liquor clearing fund No limit

International registration plan distribution clearing fund No limit

Rental motor vehicle excise tax refund fund No limit

International fuel tax agreement clearing fund No limit

Mineral production tax refund fund No limit

Special fuels tax refund fund No limit

LP-gas motor fuels refund fund No limit

Local alcoholic liquor refund fund No limit

Sales tax clearing fund No limit

Rental motor vehicle excise tax clearing fund No limit

VIPS/CAMA technology hardware fund No limit

County and city retailers sales tax clearing fund—county and city sales tax No limit

City and county compensating use tax clearing fund No limit

County and city transient guest tax clearing fund No limit

Automated tax systems fund No limit

Dyed diesel fuel fee fund No limit

Electronic databases fee fund \$2,350,000

Provided, That expenditures shall be made from the electronic databases fee fund to provide for taxpayer assistance through upgrades, enhancements and refinements to the state appraisal system.

(c) On July 1, 1998, October 1, 1998, January 1, 1999, and April 1, 1999, the director of accounts and reports shall transfer \$7,400,000 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 1998, the director of accounts and reports shall transfer \$100,000 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 1998, the director of accounts and reports shall transfer \$50,000 from the social welfare fund of the department of social and rehabilitation services to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On August 1, 1998, and on the first day of each month thereafter during fiscal year 1999, the secretary of revenue shall report to the director of the budget and the director of the legislative research department (1) the amount of any increase in the amount of taxes, interest and penalties collected in the immediately preceding month that is attributable to the implementation of the automated tax systems authorized by K.S.A. 75-5147 and amendments thereto, and (2) that portion of such monthly increase in the amount of taxes, interest and penalties which is currently required to pay one or more vendors pursuant to contracts entered into under K.S.A. 75-5147 and amendments thereto for the acquisition or implementation of such automated tax systems. Upon receipt of each such report from the secretary of revenue, the director of the budget and the director of the legislative research department shall jointly certify to the director of accounts and reports the amount reported that is required to be paid to such vendors and the director of accounts and reports shall transfer the amount certified from the state general fund to the automated tax systems fund of the department of revenue. On or before October 10, 1998, January 10, 1999, and April 10, 1999, the secretary of revenue shall submit a report accounting for all amounts credited to and expended from the automated tax systems fund of the department of revenue to the director of the budget, the director of the legislative research department, the chairperson of the house committee on appropriations and the chairperson of the senate committee on ways and means and shall submit a report on the implementation of the automated tax systems to the joint committee on computers and telecommunications.

Sec. 108.

KANSAS LOTTERY

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

Table with 2 columns: Lottery prize payment fund, Lottery operating fund. Values: No limit, \$8,411,221

Provided, That all expenditures from the lottery operating fund for on-line terminal communication charges, for on-line vendor commission payments, for instant ticket printing charges, or for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: Provided further, That expenditures from this fund for official hospitality shall not exceed \$5,000: And provided further, That any expenditure from the lottery operating fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the lottery operating fund for the fiscal year ending June 30, 1999.

(b) Notwithstanding K.S.A. 74-8711 and amendments thereto, monthly transfers made from the lottery operating fund to the state gaming revenue fund pursuant to subsection (d) of K.S.A. 74-8711 and amendments thereto shall be an amount equal to not less than 30.75% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets.

(c) 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, 1998, to the fiscal year commencing on July 1, 1998.

(d) Notwithstanding any other provision in law, no transfers shall be made during fiscal year 1999 to any fund of the Kansas bureau of investigation for any purpose. All payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas lottery in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the lottery operating fund to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the lottery operating fund for the fiscal year ending June 30, 1999.

(e) The executive director of the Kansas lottery shall notify immediately in writing the chairperson of the senate ways and means committee and the chairperson of the house appropriations committee, and shall send a copy of such notice to the director of the legislative research department, if and when the current president and chief executive officer of the G-TECH corporation, William Y. O'Connor, resigns or is fired from one or both of his current positions with G-TECH corporation.

Sec. 109.

KANSAS RACING AND GAMING COMMISSION

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

State racing fund	\$3,124,974
<i>Provided</i> , That all expenditures from the state racing fund for refunds and transfers shall be in addition to any expenditure limitation imposed on this fund: <i>Provided further</i> , That expenditures from this fund for official hospitality shall not exceed \$2,500. <i>And provided further</i> , That any expenditure from the state racing fund to reimburse the audit services fund of the division of legislative post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 1999.	
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
Horse fair racing benefit fund	No limit
Tribal gaming fund	No limit

(b) On July 1, 1998, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 1999 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 1999 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) Notwithstanding any other provision in law, no transfers shall be made from the state racing fund to any fund of the Kansas bureau of investigation for any purpose. All payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered. Any expenditure from the state racing fund to reimburse the Kansas bureau of investigation for professional services and fees in an amount certified by the director of the Kansas bureau of investigation shall be in addition to any expenditure limitation imposed on the state racing fund for the fiscal year ending June 30, 1999.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 1999 for the Kansas racing and gaming commission by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 1999 for the state gaming agency regulatory oversight of class III gaming, including but not limited to the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding provisions in K.S.A. 74-8826 and amendments thereto, and notwithstanding any agreements between the executive director of the state racing and gaming commission and the director of accounts and reports, the director of the state racing and gaming commission shall reduce the current monthly amount from \$300,000 to

\$250,000 when determining what constitutes a sufficient cash balance in the state racing fund.

(g) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the state racing fund for fiscal year 1999 for the Kansas racing and gaming commission by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made from the state racing fund for fiscal year 1999 for paying salaries and wages of agency personnel performing criminal history record checks, background investigations and other investigations specified in statute: *Provided*, That, notwithstanding any other provision in law, including K.S.A. 1997 Supp. 74-8805, 74-8806 and 74-8814 and amendments thereto, law enforcement agents of the Kansas racing and gaming commission are hereby authorized and directed to conduct criminal history record checks, background investigations and other investigations specified in statute.

Sec. 110.

DEPARTMENT OF COMMERCE AND HOUSING

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

State operations	\$1,970,802
<i>Provided</i> , That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$1,134 except upon approval of the state finance council: <i>Provided further</i> , That expenditures may be made from the state operations account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with any such repayment provisions and other terms and conditions that may be prescribed by the secretary therefor under programs of the department.	

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

Publication and other sales fund	No limit
Conversion of equipment and materials fund	No limit
Conference registration and disbursement fund	No limit
Kansas venture capital companies certificate fee fund	No limit
Linger longer program fund	No limit
Trademark fund	No limit
Low income housing tax credit fee fund	No limit

Provided, That expenditures may be made from the low income tax credit fee fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with such repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the low income housing tax credit program: *Provided further*, That all moneys received by the department of commerce and housing for repayment of loans made under the low income housing tax credit program shall be deposited in the state treasury and credited to this fund: *And provided further*, That, in addition to the other purposes for which expenditures may be made from the low income housing tax credit fee fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: *And provided further*, That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: *And provided further*, That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector.

Flood mitigation assistance federal fund	No limit
Kansas economic opportunity initiatives fund	No limit
Trade show promotion fund	No limit
Kansas tourist attraction matching grant development fund	No limit
Greyhound tourism fund	No limit
Reimbursement and recovery fund	No limit
Housing assistance program—federal fund	No limit
Community development block grant—federal fund	No limit
Community development block grant—federal fund—revolving loan account	No limit
HOME—federal fund	No limit

Provided, That, in addition to the other purposes for which expenditures may be made from the HOME—federal fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: *Provided further*, That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: *And provided further*, That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector.

Community services block grant—federal fund	No limit
Other grants fund	No limit

Provided, That the above agency is authorized to make expenditures from the other grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any

(continued)

other moneys in the state treasury during the current or any ensuing fiscal year: *Provided, however,* That no grant that is greater than \$250,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year, shall be deposited to the credit of this fund.

Weatherization block grant—federal fund.....	No limit
Energy winterization—federal fund.....	No limit
DOE training and assistance—federal fund.....	No limit
Kansas export loan guarantee fund.....	No limit
HUD emergency shelter grants—federal fund.....	No limit
National main street center fund.....	No limit
State housing trust fund.....	No limit

Provided, That, in addition to the other purposes for which expenditures may be made from the state housing trust fund, expenditures may be made from such fund for projects of the Kansas housing development corporation and related operating expenses of such corporation: *Provided further,* That all such expenditures for projects and operating expenses shall be subject to the approval of the secretary of commerce and housing: *And provided further,* That such projects shall include, but not be limited to, (1) increasing housing opportunities for the citizens of Kansas, (2) purchasing, developing and transferring housing projects, (3) incurring obligations related to any such projects, and (4) establishing partnerships and lending relationships with local communities and entities in the private sector.

IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

Provided, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

State economic development initiatives fund.....	No limit
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Provided, That, except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-371c and amendments thereto, expenditures from the state economic development initiatives fund may be made only for the purposes specifically authorized by this or other appropriation act.

General fees fund.....	No limit
Market development fund.....	No limit

Provided, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *Provided further,* That all moneys received by the department of commerce and housing for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury and credited to this fund.

Kansas existing industry expansion fund.....	No limit
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Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further,* That all moneys received by the department of commerce and housing for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury and credited to this fund.

(c) Expenditures may be made by the above agency from the state economic development initiatives fund for the following specified purposes: *Provided,* That expenditures from the state economic development initiatives fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Capital formation account.....	\$0
Kansas economic development research and development account.....	\$0
Kansas economic development endowment account.....	\$14,761,729

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. 75-371c and amendments thereto, expenditures from the Kansas economic development endowment account of the state economic development initiatives fund may be made only for the purposes specifically authorized by this or other appropriation act.

(d) Expenditures may be made by the above agency from the Kansas economic development endowment account of the state economic development initiatives fund for the following specified purposes: *Provided,* That expenditures from the Kansas economic development endowment account of the state economic development initiatives fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

State operations (including official hospitality).....	\$7,982,829
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Provided, That expenditures may be made from the state operations (including official hospitality) subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *Provided further,* That, in addition to other purposes for which expenditures may be made by the department of commerce and housing from this account, the secretary of commerce and housing shall make expenditures from this account to disburse a grant to the Mid-America world trade center located in Wichita, Kansas, in the amount of \$50,000: *And provided further,* That such grant shall be disbursed with only the requirement of that an annual report of activities

of the Mid-America world trade center shall be provided to the joint committee on economic development prior to the commencement of the 1999 regular session of the legislature: *And provided further,* That such grant shall be disbursed directly to the Mid-America world trade center without any additional requirements or further procedures.

Kansas industrial training program and Kansas industrial retraining program.....	\$3,850,000
Grants to small business development centers.....	\$525,000
Grants to certified development companies.....	\$475,000

Provided, That expenditures may be made from the grants to certified development companies subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for certified development companies that have been determined to be qualified for such grants by the secretary of commerce and housing, except that expenditures for such grant shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for such grants by the secretary of commerce and housing.

Trade show promotion program.....	\$170,000
Community capacity building grant program.....	\$250,000
Mainstreet development grants.....	\$216,800
Tourism grants.....	\$452,100
Training equipment grant.....	\$250,000
Agriculture products development.....	\$540,000
Kansas existing industry expansion program.....	No limit

Provided, That expenditures may be made from the Kansas existing industry expansion program subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program.

(e) On August 15, 1998, and December 15, 1998, the director of accounts and reports shall transfer \$2,125,000 from the Kansas economic development account of the state economic development initiatives fund of the department of commerce and housing to the Kansas economic opportunities initiatives fund.

(f) The secretary of commerce and housing is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 1999, for (1) the services provided under the low-income housing tax credit program, private activity bond program, mortgage certificates/mortgage revenue bond program and under other programs of the department of commerce and housing providing similar services and for which fees are not specifically prescribed by statute, (2) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and housing and for which fees are not specifically prescribed by statute, (3) sale of Kansas magazine and other publications of the department of commerce and housing and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (4) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce and housing, including those provided at tourist information centers: *Provided,* That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce and housing for which fees are not specifically prescribed by statute: *Provided further,* That all such fees shall be credited to one or more special revenue funds of the department of commerce and housing as specified by the secretary of commerce and housing: *And provided further,* That expenditures may be made from such special revenue funds of the department of commerce and housing for fiscal year 1999, in accordance with the provisions of this act or any appropriation act of the 1998 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce and housing.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999, expenditures may be made by the above agency from the unencumbered balance as of June 30, 1998, in the rehabilitation and repair subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999 for the following capital improvement project or projects: Rehabilitation and repair—travel information centers: *Provided,* That such expenditures shall not exceed the amount of the unencumbered balance in such subaccount on June 30, 1998: *Provided further,* That all expenditures from the unencumbered balance of such subac-

count shall be in addition to any expenditure limitation imposed on the total expenditures from the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999.

(h) On August 15, 1998, and December 15, 1998, the director of accounts and reports shall transfer \$400,000 from the Kansas economic development endowment account of the state economic development initiatives fund to the Kansas existing industry expansion program.

(i) In addition to other purposes for which expenditures may be made by the department of commerce and housing for fiscal year 1999 from any account of the state general fund or from any account of any special revenue fund appropriated by this or any other appropriation act of the 1998 regular session of the legislature for fiscal year 1999 for the department of commerce and housing, expenditures shall be made by the department of commerce and housing from such appropriations for fiscal year 1999 to transfer, effective on the first day of the first payroll period chargeable to fiscal year 1999, the 2.0 full-time equivalent employees of the department of commerce and housing who are engaged in the operation of the state capitol tourist information center to the state historical society.

Sec. 111.

KANSAS, INC.

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

Kansas, Inc.	\$169,626
<i>Provided</i> , That any unencumbered balance in the Kansas, Inc. account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: <i>Provided, however</i> , That expenditures from such reappropriated balance shall not exceed \$1,574 except upon approval of the state finance council.	

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

Kansas, Inc. matching fund	No limit
Conversion of materials and equipment fund	No limit
Information network of Kansas fund	No limit
<i>Provided</i> , That expenditures from the information network of Kansas fund shall not be considered to be part of the private sector match required by K.S.A. 74-8009a and amendments thereto.	

EDIF fund	\$169,563
<i>Provided</i> , 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 the EDIF fund may be made only for the purposes specifically authorized by this or other appropriation act.	
Conversion of materials and equipment fund	No limit

(c) On July 15, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$169,563 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF fund of Kansas, Inc.

Sec. 112.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

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

Economic development research and development fund	\$13,986,956
<i>Provided</i> , 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 the economic development research and development fund are hereby authorized only for the purposes specifically authorized by this or other appropriation act.	
MAMTC federal fund	No limit
KTEC special revenue fund	No limit

(b) Expenditures may be made by the above agency from the economic development research and development fund for the following specified purposes: *Provided*, That expenditures from the economic development research and development fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operations, assistance and grants (including official hospitality)	\$13,986,956
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(c) On July 15, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,152,595 from the

Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the economic development research and development fund of the Kansas technology enterprise corporation.

(d) On August 15, 1998, and on the 15th day of each month thereafter during the fiscal year ending June 30, 1999, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$1,152,588 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the economic development research and development fund of the Kansas technology enterprise corporation.

(e) No moneys appropriated for the fiscal year ending June 30, 1999, by this or other appropriation act of the 1998 regular session of the legislature for the Kansas technology enterprise corporation shall be expended for any bonus or other payment of additional compensation for any officer or employee of the Kansas technology enterprise corporation, or any subsidiary corporation, agency or instrumentality thereof, except longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or as otherwise specifically authorized by statute.

Sec. 113. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:

State Board of Tax Appeals	30.0
Department of Revenue	1,179.5
Kansas Lottery	89.0
Kansas Racing and Gaming Commission—state racing operations	42.0
Kansas Racing and Gaming Commission—state gaming agency	20.0
Department of Commerce and Housing	132.0

Sec. 114.

DEPARTMENT OF REVENUE—HOMESTEAD PROPERTY TAX REFUNDS

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

Homestead tax refunds	\$12,000,000
<i>Provided</i> , That any unencumbered balance in the homestead tax refunds account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.	

Sec. 115.

DEPARTMENT OF HUMAN RESOURCES

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

Operating expenditures	\$1,772,220
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: <i>Provided further</i> , That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 1999, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq. and 75-4321 et seq., and amendments thereto: <i>And provided further</i> , That expenditures from this account for official hospitality by the secretary of human resources shall not exceed \$1,000.	

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Welfare to work grant—state match.

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

Workmen's compensation fee fund	\$7,713,852
Conversion of materials and equipment fund	\$0
Occupational health and safety—federal fund	\$387,221
Boiler inspection fee fund	No limit
Special employment security fund	No limit
<i>Provided</i> , That expenditures may be made from the special employment security fund for the public employee relations board program: <i>Provided, however</i> , That expenditures from this fund for the public employee relations board program shall not exceed \$30,997.	
Employment security administration fund	No limit
State workplace health and safety fund	No limit
Wage claims assignment fee fund	No limit
Employment security computer systems institute fund	No limit
JTPA title II non-state operations fund	No limit
JTPA title II state operations fund	No limit
JTPA title III non-state operations fund	No limit
JTPA title III discretion non-state operations fund	No limit
JTPA EDWAA state operations fund	No limit
JTPA EDWAA discretion state operations fund	No limit
Welfare to work grant—federal fund	No limit
Occupational information system—federal fund	\$110,792

(continued)

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

Table with 2 columns: Description and Amount/Limit. Includes Human resources special projects fund (No limit), Advisory committee on Hispanic affairs—donations fund (No limit), Committee on employment of the handicapped—gifts, grants and donations fund (No limit), Federal indirect cost offset fund (\$286,231), Dispute resolution fund (No limit).

Provided, That all moneys received by the secretary of human resources for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto shall be deposited in the state treasury and credited to the dispute resolution fund: Provided further, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427 and amendments thereto and for fact-finding under K.S.A. 72-5428 and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Employment security fund No limit

(c) On July 1, 1998, the director of accounts and reports shall transfer all moneys in the one stop career center system fund from the one stop career center system fund of the department of human resources to the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing. On July 1, 1998, after such transfer, the one stop career system fund is hereby abolished.

(d) On July 1, 1998, the director of accounts and reports shall transfer \$175,000 from the state workers compensation self-insurance fund of the department of administration to the state workplace health and safety fund of the department of human resources for the purpose of reimbursing costs of providing a state workplace health and safety program for state employees under K.S.A. 44-575 and amendments thereto.

Sec. 116.

KANSAS COMMISSION ON VETERANS AFFAIRS

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

Table with 2 columns: Description and Amount. Includes Operating expenditures—veterans affairs (\$1,543,362), Operating expenditures—Kansas soldiers' home (\$1,204,465), Operating expenditures—Persian Gulf War health initiative program (\$101,856).

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

Table with 2 columns: Description and Amount. Includes Kansas commission on veterans affairs fund (\$104,605), Soldiers' home fee fund (\$3,427,965), Benefit and gift fund (No limit), Veterans' home fee fund (\$0), Persian Gulf War veterans health initiative fund (No limit).

Sec. 117.

DEPARTMENT OF HEALTH AND ENVIRONMENT

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

Table with 2 columns: Description and Amount. Includes Salaries and wages (\$14,408,029), Salaries and wages for swine production facility inspectors (\$580,700), Other operating expenditures (including official hospitality) (\$4,611,205).

Provided, That any unencumbered balance in the salaries and wages account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall not exceed \$79,825 except upon approval of the state finance council.

Table with 2 columns: Description and Amount. Includes Vaccine purchases (\$824,000), Child care licensing operating expenditures (\$750,365), Adult care homes criminal record checks operating expenditures (\$200,000).

Provided, That any unencumbered balance in the adult care homes criminal record checks operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Table with 2 columns: Description and Amount. Includes Infant and toddler program (\$1,992,000), Aid to local units (\$4,581,548).

Provided, That expenditures from the aid to local units account for child care licensure activities are hereby authorized to be made for contracts which are hereby authorized to be entered into by the secretary of health and environment with local health departments, private individuals and others: Provided further, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246 and amendments thereto: And provided further, That, notwithstanding any law to the contrary, such financial assistance shall be subject to the condition that each individual who is currently on AIDS drug assistance shall continue to receive AIDS drug assistance and shall not be denied such AIDS drug assistance.

Table with 2 columns: Description and Amount. Includes Aid to local units—primary health projects (\$1,520,840).

Provided, That no expenditures shall be made from the aid to local units—primary health projects account to disburse any amount to a local government or other health care unit until the amount has been matched on a \$1 for \$1 basis by the local government or other health care unit on a cash or in-kind basis, or some combination thereof, as approved by the secretary of health and environment.

Table with 2 columns: Description and Amount. Includes Teen pregnancy prevention activities (\$578,226).

Provided, That expenditures from the teen pregnancy prevention activities account shall be made to give highest priority to recipients of aid to families with dependent children and other medicaid eligible teens: Provided further, That expenditures may be made from this account for grants made pursuant to K.S.A. 65-1,158 and amendments thereto: Provided, however, That no expenditures shall be made from this account to disburse any amount to the recipient of any grant pursuant to K.S.A. 65-1,158 and amendments thereto until the amount has been matched in the manner prescribed by K.S.A. 65-1,158 and amendments thereto.

Table with 2 columns: Description and Amount. Includes Aid to local units—family planning (\$98,880).

Provided, That all expenditures from the aid to local units—family planning account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients: Provided further, That all expenditures from this account pursuant to such grant agreements shall be made only for the costs of pap smears or initial and follow-up laboratory tests.

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Cherokee county superfund match; AIDS medication shortfall; year 2000 computer repair.

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

Table with 2 columns: Description and Amount. Includes Environmental permit fund (\$381,848), Air quality fee fund (\$4,057,731), Title XIX fund (\$3,829,197).

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

Table with 2 columns: Description and Amount. Includes Health care database fee fund (\$3,000), Laboratory medicaid cost recovery fund (\$120,000), Hazardous waste collection fund (\$60,000), Driving under the influence equipment fund (\$99,104).

Provided, That expenditures from the driving under the influence equipment fund may be made only for the purpose of purchasing blood or breath alcohol concentration testing equipment.

Table with 2 columns: Description and Amount. Includes Power generating facility fee fund (\$133,616), Breast and cervical cancer program and detection fund (\$1,558,092).

Provided, That expenditures from the breast and cervical cancer program and detection fund for salaries and wages shall not exceed \$143,707.

Table with 2 columns: Description and Amount. Includes Health and environment training fee fund (\$183,785).

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

Table with 2 columns: Description and Amount. Includes Capacity management assistance fund (\$0), Food service inspection reimbursement fund (\$510,000), Mined-land conservation and reclamation fee fund (\$69,352), Insurance statistical plan fund (\$328,226).

Provided, That expenditures from the insurance statistical plan fund for salaries and wages shall not exceed \$148,321.

Table with 2 columns: Description and Amount. Includes Solid waste management fund (\$5,763,133).

Provided, That prior to making any expenditures for fiscal year 1999 from the solid waste management fund for the city of Shawnee, Kansas, waste dump cleanup project, the secretary of health and environment shall review the plan for the cleanup of the city of Shawnee, Kansas, waste dump: Provided further, That the secretary of health and environment shall take such actions as may be indicated in order to cooperate with the city of Shawnee, Kansas, to effectuate such cleanup project: Provided, however, That no expenditures shall be made

from this fund to provide for the construction or development of a city park on the site of the city of Shawnee, Kansas, waste dump cleanup project.

Public water supply fee fund	\$252,114
Voluntary cleanup fund	\$249,044
Storage tank fee fund	\$85,755
Conversion of materials and equipment fund	No limit
Nuclear safety emergency preparedness special revenue fund	\$214,543

Provided, That all moneys received from the adjutant general from the nuclear safety emergency preparedness fee fund shall be credited to the nuclear safety emergency preparedness special revenue fund.

Health facilities review fund	\$202,547
Waste tire management fund	\$1,204,052

Provided, That expenditures from the waste tire management fund for payment of compensation and other expenses of employing personnel to carry out the duties of the secretary of health and environment pursuant to K.S.A. 65-3424 through 65-3424h and amendments thereto shall not exceed the amount equal to 16% of the moneys credited to this fund during fiscal year 1999 or \$200,000, whichever amount is less.

Health and environment publication fee fund	\$32,900
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Provided, That expenditures from the health and environment publication fee fund shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662 and amendments thereto.

District coroners fund	\$227,000
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Provided, That, notwithstanding provisions of K.S.A. 22a-245 and amendments thereto, moneys may be expended by the department of health and environment from the district coroners fund for expenditures made pursuant to K.S.A. 22a-242 and amendments thereto.

Local air quality control authority regulation services fund	\$23,000
Environmental response fund	\$1,161,379
Remediation projects fund	\$0
Mined-land reclamation fund	\$25,000
Water plan special revenue fund	\$4,320,128
Adult care licensing revolving fund	\$0
Sponsored project overhead fund	\$3,681,684
Child care facilities licensure fund	\$1,500,000
Federal cancer registry fund	\$525,716
Clinical laboratory improvement amendments—federal fund	\$210,292
Child care and development block grant—federal fund	\$717,458
Office of rural health—federal fund	\$61,598
EPA—core support fund	\$363,623
Medicare fund—federal	\$2,033,357

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

Federal migrant health program fund	\$367,545
Venereal disease control project fund—federal	\$645,204

Provided, That expenditures from the venereal disease control project fund—federal for salaries and wages shall not exceed \$192,589.

Disease prevention and health promotion federal grants fund	\$1,840,733
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Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the disease prevention and health promotion federal grants fund: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Federal air quality program fund	\$929,859
Federal women, infants and children health program fund	\$45,009,205

Provided, That expenditures from the federal women, infants and children health program fund for state operations shall not exceed \$3,264,763.

Federal occupational health and safety statistics program fund	\$140,015
EPA water related federal grants fund	\$886,448

Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related federal grants fund.

Other federal grants fund	\$1,152,637
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Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$150,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: *Provided, however*, That no grant that is greater than \$150,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of this fund: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Federal chemical emergency preparedness assistance fund	No limit
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Provided, That all expenditures from the federal chemical emergency preparedness assistance fund shall be in accordance with a grant agreement entered into by the secretary of health and environment and each grant recipient: *Provided further*, That such grant agreement shall require the grant recipient or recipients to provide any matching amount of moneys necessary to meet any federal matching requirements: *And provided further*, That no expenditures shall be made from this fund for state operations.

State legalization impact assistance grant fund	\$30,000
Water supply fund—federal	\$1,051,451
EPA voluntary cleanup federal fund	\$107,403

Provided, That all expenditures from the EPA voluntary cleanup federal fund during fiscal

year 1999 shall be supplemental to fees collected for direct or indirect costs of administering the voluntary cleanup and property redevelopment act: *Provided, however*, That such expenditures shall be in accordance with the federal agreement entered into by the secretary of the department of health and environment for the grant moneys.

Immunization grant funds—federal fund	\$4,019,870
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Provided, That expenditures from the immunization grant funds—federal fund for salaries and wages shall not exceed \$557,789.

Diagnostic X-ray program—federal fund	\$91,025
Title I—P.L. 99-457 child development—federal fund	\$2,841,537
Resource conservation and recovery act—federal fund	\$1,258,742
Preventive health and health services block grant fund	\$1,298,581

Provided, That expenditures from the preventive health and health services block grant fund for state operations shall not exceed \$789,024: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Maternal and child health services block grant fund	\$15,510,462
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Provided, That expenditures from the maternal and child health services block grant fund for state operations shall not exceed \$3,039,161: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

National center for health statistics fund—federal	\$173,827
Federal EPA underground injection control fund	\$163,970
Federal EPA 106 water pollution control fund	\$820,884
Federal title X family planning fund	\$1,555,864

Provided, That expenditures from the federal title X family planning fund for state operations shall not exceed \$195,302.

Pregnancy nutrition surveillance—federal fund	\$45,000
Radiological environmental cooperative monitoring—federal fund	\$21,840
Early childhood developmental services—federal fund	\$56,000
104(6)(1) outreach operator training program—federal fund	\$60,000
Underground storage tank fund—federal	\$170,719
AIDS project—education and risk reduction—federal fund	\$2,304,555

Provided, That expenditures from the AIDS project—education and risk reduction—federal fund for state operations shall not exceed \$794,240: *Provided further*, That transfers or payments from this fund to other state agencies shall be in addition to any expenditure limitation placed on this fund.

Commodity supplemental food program fund	\$453,586
Special child clinic program—federal fund	\$7,000
Make a difference information network—federal fund	\$206,141
Census of traumatic occupational fatalities—federal fund	\$75,748
AIDS drug reimbursement program—federal fund	\$927,000
Leaking underground storage tank trust—federal fund	\$1,848,923
National surface mining control and reclamation act—federal fund	\$91,945
Abandoned mined-land fund	\$2,468,152
State indoor radon grant—federal fund	\$21,484
EPA non-point source implementation—federal fund	\$1,898,452
Pollution prevention program—federal fund	\$193,512
Federal NICE3 public utility grant fund	\$27,750
Medical student loan repayment—federal fund	\$0

Provided, That expenditures from the medical student loan repayment—federal fund shall be made only for the purpose of matching local grant moneys for repayment of student loans: *Provided further*, That the amount of local match moneys shall be in the amount necessary to meet any federal match requirements.

Sudden infant death support fund	No limit
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Provided, That all moneys received by the department of health and environment for the sudden infant death support network or for the purposes of the sudden infant death support fund, which moneys are hereby authorized to be requested, received and accepted by the secretary of health and environment, shall be deposited in the state treasury to the credit of this fund.

Gifts, grants and donations fund	\$1,248,055
Hazardous waste perpetual care trust fund	\$0
Special bequest fund	No limit
Aboveground petroleum storage tank release trust fund	\$1,560,897
Underground petroleum storage tank release trust fund	\$20,223,939
Drycleaning facility release trust fund	\$1,376,855

Provided, That expenditures from the drycleaning facility release trust fund for salaries and wages shall not exceed \$112,497.

Public water supply loan fund	\$1,042,107
Kansas water pollution control revolving fund	\$393,264

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

Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds	\$141,253
Surcharge fund for Kansas water pollution control revolving fund revenue bonds	No limit
Debt service reserve fund	No limit
Infectious disease surveillance fund—federal	\$0
Clean air act leadership fund—federal	\$0
Bicycle helmet revolving fund	\$72,000
SSA fee fund	\$20,000
Lead poisoning prevention—federal fund	\$199,763

(continued)

Wetlands protection—federal fund	\$25,791
Title IV-E—federal fund	\$566,477

(c) Within any limitation of the total expenditures from the water plan special revenue fund for fiscal year 1999, expenditures may be made from the water plan special revenue fund for the following specified purposes: *Provided*, That expenditures from the water plan special revenue fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Contamination remediation	\$1,418,694
Local environmental aid	\$1,900,000
Non-point source pollution	\$1,000,000

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,320,128 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the department of health and environment.

(e) On July 1, 1998, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department for activities related to federal programs, from specified special revenue funds of the department of health and environment to the sponsored project overhead fund of the department of health and environment.

(f) On July 1, 1998, the director of accounts and reports shall transfer \$140,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(g) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$648,927 from the child care development block grant federal fund of the department of social and rehabilitation services to the child care and development block grant—federal fund of the department of health and environment.

(h) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$566,836 from the foster care assistance federal fund of the department of social and rehabilitation services to the title IV-E—federal fund of the department of health and environment.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment from any account of any of the special revenue fund for the fiscal year ending June 30, 1999, as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the department of health and environment from any such account of any such special revenue fund for fiscal year 1999 for computer replacement hardware and software: *Provided*, That all such expenditures for such purpose shall be in addition to any expenditure limitation imposed on any such account of any such special revenue fund for fiscal year 1999 and shall be in addition to any expenditure limitation imposed on any such special revenue fund for fiscal year 1999.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment from the moneys appropriated in the water plan special revenue fund for fiscal year 1999 as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made from the water plan special revenue fund for fiscal year 1999 for GIS database development grants: *Provided*, That any expenditures made from the water plan special revenue fund for fiscal year 1999 for GIS database development grants shall be in addition to any expenditure limitation imposed on the water plan special revenue fund for fiscal year 1999.

(k) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the state general fund or from any special revenue fund for the fiscal year ending June 30, 1999, and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the department of health and environment from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 1999 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act: *Provided*, That all such additional full-time equivalent positions in the unclassified service

under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made by this or other appropriation act of the 1998 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(l) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from the maternal and child health services block grant fund of the department of health and environment to the sudden infant death support fund of the department of health and environment for the sudden infant death support network or for the purposes of the sudden infant death support fund: *Provided*, That the aggregate of all such transfers from the maternal and child health service block grant fund during fiscal year 1999 shall not exceed \$50,000 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.

Sec. 118.

DEPARTMENT ON AGING

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

Administration	\$6,958,484
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Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures, other than expenditures for the CARE program, from such reappropriated balance shall not exceed \$27,281 except upon approval of the state finance council: *Provided further*, That all expenditures from such reappropriated balance for the CARE program shall be made only for the purpose of matching federal moneys for nutrition programs: *And provided further*, That expenditures from this account for official hospitality by the secretary of aging shall not exceed \$550: *And provided further*, That expenditures from this account may be made for printing the agency's newsletter *The Advocate*: *And provided further*, That printing *The Advocate* shall not be subject to K.S.A. 75-1005 and amendments thereto.

Program grants	\$9,080,172
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Provided, That any unencumbered balance in the program grants account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants account shall require the area agency on aging to submit to the secretary on aging a report for federal fiscal year 1998 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 1998: *And provided further*, That the secretary on aging shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 1999 a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 1998: *And provided further*, That the secretary on aging, on or before December 1, 1998, shall report to the house of representatives committee on appropriations the first quarter data for Kansas senior care act programs for fiscal year 1999, including, but not limited to, the number of persons served by each such program: *And provided further*, That the secretary on aging may shift funding between the Kansas senior care act programs and the income eligible program at the secretary's discretion: *And provided further*, That the secretary on aging shall report each such shift of funding to the Kansas legislative research department and the SRS transition oversight committee: *And provided further*, That the agency shall allocate \$37,500 from this account to the retired and senior volunteer program (RSVP): *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account or the long-term care account of the state general fund shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Long term care	\$118,253,273
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Provided, That the secretary on aging, on or before December 1, 1998, shall report to the house of representatives committee on appropriations the first quarter data for the home and community-based services/frail elderly program, the nursing facilities program and the income eligible program for fiscal year 1999, including, but not limited to, the number of persons served by each such program: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through this account or the program grants account of the state general fund shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Community transportation grants program	\$350,000
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Provided, That the community transportation grants program shall be administered by the secretary of aging in collaboration with the secretary of social and rehabilitation services: *Provided further*, That grants shall be administered on a competitive basis emphasizing community coordination and collaboration to solve transportation barriers: *And provided*

further, That the program shall provide for common transportation for all programs in a community that are administered or supported by the department of social and rehabilitation services or the department on aging: And provided further, That no expenditures may be made from this account for expenses other than those related to transportation.

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

Table with 2 columns: Fund Name and Limit. Includes Older Americans act—federal fund, Title XIX fund—federal, Nutrition fund—federal, and Conferences and workshops attendance and publications fees fund.

Provided, That the department on aging is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the department and fees for copies of publications: Provided further, That such fees shall be deposited in the state treasury and credited to the conferences and workshops attendance and publications fees fund: And provided further, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

General fees fund No limit

Provided, That the department on aging is hereby authorized to collect fees from the sale of surplus property; fees charged for searching, copying and transmitting copies of public record; fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and other miscellaneous fees: Provided further, That such fees shall be deposited in the state treasury and credited to the general fees fund: And provided further, That expenditures shall be made from this fund to meet the obligations of the agency, or to benefit and meet the mission of the agency.

Gifts and donations fund No limit

Provided, That the department on aging is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: Provided further, That such gifts and donations of money shall be deposited in the state treasury and credited to the gifts and donations fund: And provided further, That expenditures shall be made from this fund for the purposes specified by the donor or contributor, if any.

Table with 2 columns: Fund Name and Limit. Includes Elder care—federal fund, Volunteer services coordinator—federal fund, Medicaid fund—federal, and Medical resources and collection fund.

Provided, That all moneys received or collected by the secretary on aging due to medicaid overpayments shall be deposited in the state treasury and credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: Provided further, That all moneys received or collected by the secretary of aging due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury and credited to this fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

Area agencies on aging loan recovery fund \$0

Provided, That area agencies on aging are not required to repay moneys granted to such agencies during fiscal year 1997 for purposes related to the transfer of long-term care programs from the department of social and rehabilitation services to the department on aging: Provided, however, That area agencies on aging may repay moneys granted to them for this purpose: Provided further, That any moneys received by the secretary of aging for repayment of moneys granted to area agencies on aging for such purposes shall be deposited in the state treasury and credited to the area agencies on aging loan recovery fund.

(c) During fiscal year 1999, the director of accounts and reports shall transfer amounts certified by the secretary of aging and the secretary of social and rehabilitation services from the adult care homes account of the state general fund of the department of social and rehabilitation services to the long term care account of the state general fund of the department on aging: Provided, That all amounts transferred under this subsection shall be for funding adjustment as may be required due to conversion of long-term facilities from nursing facilities to nursing facilities—mental health, as determined by the secretary of aging and the secretary of social and rehabilitation services.

(d) On or before June 30, 1999, the director of accounts and reports shall transfer an amount certified by the secretary of aging as the unspent amount of funds allocated for professional services in the office of the secretary from the administration account of the state general fund to the program grants account of the state general fund: Provided, That the amount transferred to the program grants account shall be used for program services by the agency: Provided further, That the amount transferred from the program grants account shall not exceed \$300,000.

Sec. 119. Position limitations. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1999, made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Table with 2 columns: Agency Name and Amount. Includes Department of Human Resources, Kansas Commission on Veterans Affairs, and Department of Health and Environment.

Provided, That within the above limitation on the number on full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, not less than 11.5 full-time equivalent positions shall be designated and utilized for swine protection facility inspectors.

Department on Aging 160.3

Sec. 120. DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

State operations \$86,157,768

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided, however, That expenditures from such reapportioned balance shall not exceed \$27,252 except upon approval of the state finance council: Provided further, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01 and amendments thereto: And provided further, That expenditures from this account for official hospitality by the secretary of social and rehabilitation services shall not exceed \$300.

Alcohol and drug abuse services grants \$4,265,911

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided, however, That expenditures from such reapportioned balance shall not exceed \$66,974 except upon approval of the state finance council.

Mental health and retardation services aid and assistance and state institutions operations \$151,089,970

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance and state institutions operations account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided, however, That expenditures from such reapportioned balance shall not exceed \$2,812,324 except upon approval of the state finance council: Provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the institutions, as defined by K.S.A. 76-12a01 and amendments thereto, with unified school districts or other public educational services providers: And provided further, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto: And provided further, That expenditures from the mental health and retardation services aid and assistance and state institutions operations account for official hospitality by superintendents of such institutions shall not exceed \$1,050: And provided further, That the secretary of social and rehabilitation services is authorized to refuse to enter into contracts with ICFs/MR: And provided further, That expenditures shall be made from this account to assist residents of state mental retardation institutions to take personally used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from such institutions to communities when such residents leave such institutions to reside in the communities.

Children's mental health initiative \$2,234,640

Provided, That no expenditures shall be made from the children's mental health initiative account for inpatient hospital beds for children.

Children's health insurance \$12,000,000

Provided, That any unencumbered balance in the children's health insurance account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999.

Youth services aid and assistance \$43,627,493

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided further, That on or after July 1, 1998, the secretary of social and rehabilitation services shall transfer \$150,000 from this account to the family and children trust account of the family and children investment fund: And provided further, That the secretary of social and rehabilitation services shall review the performance of all service providers that are providing foster care services under the statewide foster care program: And provided further, That the secretary of social and rehabilitation services shall not renew or enter into a provider contract agreement with any service provider if such service provider does not comply with corrective action plans.

Vocational rehabilitation aid and assistance \$2,779,970

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided further, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: Provided, however, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: And provided further, That expenditures may be made from this account for a grant to assistive technology for Kansans: And provided further, That such grants shall not exceed \$135,000.

Cash assistance \$49,982,374

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999.

Adult care homes \$8,317,100

Provided, That any unencumbered balance in the medical assistance for long-term care account in excess of \$100 as of June 30, 1998, is hereby reapportioned to the adult care homes account for fiscal year 1999.

Community based services \$10,042,673

Provided, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 1998, is hereby reapportioned for fiscal year 1999: Provided further, That expenditures may be made from this account to encourage two independent living centers in the same metropolitan area to consolidate into one center: And provided further, That such expenditures shall not exceed \$10,000: And provided further, That such expenditures shall not be made unless the two centers agree to consolidate.

(continued)

Other medical assistance \$153,823,570
Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Child support pass-through \$3,206,000
Provided, That any unencumbered balance in the child support pass-through account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Sex predator program \$717,491
 Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Purchase of atypical antipsychotic drugs; state hospital closure; children's mental health initiative.

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

Title XIX fund \$57,881,442

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act, for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance, and for transfers to the social welfare fund.

Kansas neurological institute fee fund \$921,394

Kansas neurological institute—elementary and secondary education fund—federal No limit

Kansas neurological institute—foster grandparents program—federal fund \$270,000

Kansas neurological institute—canteen fund No limit

Kansas neurological institute—patient benefit fund No limit

Kansas neurological institute—work therapy patient benefit fund No limit

Larned state hospital fee fund \$2,379,715

Larned state hospital—elementary and secondary education fund—federal No limit

Larned state hospital—vocational education fund—federal No limit

Larned state hospital—ECIA fund—federal No limit

Larned state hospital—canteen fund No limit

Larned state hospital—patient benefit fund No limit

Larned state hospital—work therapy patient benefit fund No limit

Larned state hospital—motor pool revolving fund No limit

Oswatomie state hospital fee fund \$2,903,667

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Oswatomie state hospital shall be deposited to the credit of the video teleconferencing fee account of the Oswatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Oswatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Oswatomie state hospital fee fund for fiscal year 1999.

Oswatomie state hospital—elementary and secondary education fund—federal No limit

Oswatomie state hospital—vocational education fund—federal No limit

Oswatomie state hospital—ECIA fund—federal No limit

Oswatomie state hospital—adult education fund—federal No limit

Oswatomie state hospital—canteen fund No limit

Oswatomie state hospital—patient benefit fund No limit

Oswatomie state hospital—work therapy patient benefit fund No limit

Oswatomie state hospital—motor pool revolving fund No limit

Oswatomie state hospital—training fee revolving fund No limit

Provided, That all moneys received as fees for training activities for Oswatomie state hospital shall be deposited to the credit of the Oswatomie state hospital—training fee revolving fund: *Provided further*, That the superintendent of Oswatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Oswatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Oswatomie state hospital.

Parsons state hospital and training center fee fund \$975,593

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited to the credit of the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund for fiscal year 1999.

Parsons state hospital and training center—elementary and secondary education fund—federal No limit

Parsons state hospital and training center—canteen fund No limit

Parsons state hospital and training center—patient benefit fund No limit

Parsons state hospital and training center—work therapy patient benefit fund No limit

Rainbow mental health facility fee fund \$375,706

Rainbow mental health facility—elementary and secondary education fund—federal No limit

Rainbow mental health facility—patient benefit fund No limit

Rainbow mental health facility—work therapy patient benefit fund No limit

Social services clearing fund No limit

Provided, That the secretary of social and rehabilitation services shall certify to the director of the budget on June 30, 1999, that expenditures from the social services clearing fund for state operations did not exceed \$247,383,661 for fiscal year 1999: *Provided, however*, That expenditures from the social services clearing fund for transfers or state operations for institutions under the control of the department of social and rehabilitation services shall be in addition to any expenditure limitation on the social services clearing fund: *Provided further*, That expenditures may be made from this fund pursuant to employment incentive programs which the secretary is hereby authorized to develop and enter into with public and private employers to provide an economic incentive to such employers to employ assistance recipients: *And provided further*, That any transfer made from this fund to another state agency pursuant to a contract with that agency shall be in addition to any expenditure limitations imposed on this fund.

Social welfare fund \$57,948,036

Provided, That expenditures from the social welfare fund for state operations shall not exceed \$8,795,972: *Provided further*, That any transfers of funds between the social welfare fund and state institutions made by the secretary of social and rehabilitation services shall be in addition to any expenditure limitation imposed on this fund.

Other state fees fund No limit

Alcohol and drug abuse block grant federal fund \$10,472,687

Provided, That any transfers of moneys from the alcohol, drug abuse and mental health block grant—federal fund to any other block grant fund specified in this subsection shall be in addition to any expenditure limitation imposed on this fund.

Child welfare services block grant federal fund \$3,828,087

Mental health block grant federal fund \$2,370,291

Social services block grant—federal fund \$33,670,979

Provided, That any transfers of moneys from the social services block grant—federal fund to any other block grant fund specified in this subsection shall be in addition to any expenditure limitation imposed on this fund.

Child care mandatory federal fund No limit

Provided, That any transfers from the child care mandatory federal fund to the department of health and environment shall be in addition to any expenditure limitation imposed on this fund.

Winfield properties special revenue fund No limit

Temporary assistance to needy families federal fund No limit

Provided, That no expenditures shall be made from the temporary assistance to needy families federal fund for computer systems related to welfare reform until the plans for computer systems related to welfare reform are reviewed by the joint committee on computers and telecommunications.

Child care matching federal fund No limit

Child care discretionary federal fund No limit

Disability determination services federal fund No limit

Food stamp assistance federal fund No limit

Foster care assistance federal fund No limit

Medical assistance federal fund No limit

Rehabilitation services federal fund No limit

Other federal state operations fund No limit

Other federal grants and assistance fund No limit

SRS enterprise fund No limit

SRS trust fund No limit

Provided, That all contributions from local entities shall be credited to the vocational rehabilitation special revenue account of the SRS trust fund for the purpose of providing the required state match for receipt of federal vocational rehabilitation funds: *Provided further*, That expenditures may be made from the vocational rehabilitation special revenue account of this fund for local community-based vocational rehabilitation programs.

Childrens health insurance federal fund No limit

Family and children trust account—family and children investment fund No limit

Family and children endowment account—family and children investment fund \$0

Provided, That all moneys received by the secretary of social and rehabilitation services for provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

Medicaid assistance federal fund No limit

(c) The following amounts are included in the mental health and retardation services aid and assistance and state institutions operations account of the state general fund for the following institutions, as defined by K.S.A. 76-12a01 and amendments thereto, but expenditures from this account for any such aid and assistance or institution shall not be limited to, nor be required to be made in, the amount listed for such aid and assistance or institution:

Kansas neurological institute \$10,198,356

Larned state hospital \$8,677,519

Oswatomie state hospital \$3,693,609

Parsons state hospital and training center \$8,683,907

Rainbow mental health facility \$2,391,500

Community services aid and assistance \$120,257,403

(d) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget sta-

bilization fund for fiscal year 1999 for the following specified purpose subject to the expenditure limitation prescribed therefore:

Assistive technology program \$1,000,000

Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the assistive technology program shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

(e) During the fiscal year ending June 30, 1999, the secretary of social and rehabilitation services may transfer any part of any item of appropriation for the fiscal year ending June 30, 1999, from the state general fund for the department of social and rehabilitation services to another item of appropriation for fiscal year 1999 from the state general fund for the department of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(f) On July 1, 1998, the superintendent of Larned state hospital, upon the approval of the director of accounts and reports, shall transfer \$10,000 from the Larned state hospital—canteen fund to the Larned state hospital—patient benefit fund.

(g) On July 1, 1998, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer \$500 from the Larned state hospital—work therapy patient benefit fund to the Larned state hospital—patient benefit fund.

(h) On July 1, 1998, the superintendent of Osawatomi state hospital, upon the approval of the director of accounts and reports, shall transfer \$15,000 from the Osawatomi state hospital—canteen fund to the Osawatomi state hospital—patient benefit fund.

(i) On July 1, 1998, the superintendent of Parsons state hospital and training center, upon the approval of the director of accounts and reports, shall transfer \$9,000 from the Parsons state hospital and training center—canteen fund to the Parsons state hospital and training center—patient benefit fund.

(j) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the title XIX fund to the social welfare fund the amount specified by the secretary of social and rehabilitation services.

(k) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$10,000,000 from the temporary assistance to needy families federal fund to the social services block grant—federal fund.

(l) All moneys received by the department of social and rehabilitation services during the fiscal year ending June 30, 1999, after the closure of Topeka state hospital and after the Topeka state hospital fee fund has been abolished, which otherwise would have been credited to the Topeka state hospital fee fund, shall be credited to one or more fee funds of mental health institutions of the department of social and rehabilitation services as appropriate with respect to each such institution or institutions, the previous disposition of the balance in the Topeka state hospital fee fund and the closure of Topeka state hospital, as determined by the secretary of social and rehabilitation services and certified to the director of accounts and reports by the secretary.

(m) During fiscal year 1999, the director of accounts and reports shall transfer the amount or amounts certified by the secretary of social and rehabilitation services and the secretary of aging from the long term care account of the state general fund of the department on aging to the adult care homes account of the state general fund of the department of social and rehabilitation services: *Provided*, That all amounts transferred under this subsection shall be for funding adjustments required as may be due to conversion of long-term facilities from nursing facilities to nursing facilities—mental health, as determined by the secretary of social and rehabilitation services and the secretary of aging.

(n) On or before July 10, 1998, and on or before the 10th day of each month thereafter during fiscal year 1999, the director of accounts and reports shall transfer from the state general fund to the family and children trust account of the family and children investment fund the amount equal to the interest earnings of the family and children endowment account of the family and children investment fund which shall be based upon: (1) The average daily balance of moneys in the family and children endowment account of the family and children investment fund for the preceding month, and (2) the net earnings rate of the pooled money investment board portfolio for the preceding month.

(o) During the fiscal year ending June 30, 1999, to the extent it is determined by the secretary of social and rehabilitation services to be cost effective, the secretary of social and rehabilitation services shall apply for

and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. Upon receipt during the fiscal year ending June 30, 1999, of any such donation of moneys from private sources for deposit in the family and children endowment account of the family and children investment fund, the amount of each such donation shall be matched on a \$1 for \$1 basis secretary of social and rehabilitation services from moneys appropriated for fiscal year 1999 for the department of social and rehabilitation services in accordance with this subsection. During the fiscal year ending June 30, 1999, and to provide such matching moneys, the secretary of social and rehabilitation services shall transfer amounts from any available moneys appropriated for fiscal year 1999 in one or more accounts of the state general fund or in one or more special revenue funds of the department of social and rehabilitation services, that in the aggregate are equal to the amount of moneys donated, to the family and children endowment account of the family and children investment fund.

Sec. 121.

KANSAS GUARDIANSHIP PROGRAM

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

Kansas guardianship program \$990,532

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided however*, That expenditures from such reappropriated balance shall not exceed \$132,145 except upon approval of the state finance council.

Sec. 122. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b) of this section:

Department of Social and Rehabilitation Services	4,159.0
Kansas Neurological Institute	674.0
Larned State Hospital	771.6
Osawatomi State Hospital	485.4
Parsons State Hospital and Training Center	524.0
Rainbow Mental Health Facility	141.4

(b) During the fiscal year ending June 30, 1999, the secretary of social and rehabilitation services may increase the position limitation for the department of social and rehabilitation services or for any institution or facility under the general supervision and management of the secretary of social and rehabilitation services by making a corresponding decrease in the position limitation for either the department of social and rehabilitation services or any institution or facility under the general supervision and management of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall certify each such increase and corresponding decrease to the director of personnel services and shall transmit a copy of each such certification to the legislative research department.

(c) Within the limitation imposed by this or any other appropriation act of the 1998 regular session of the legislature on the full-time equivalent number of full-time and regular part-time positions, excluding seasonal and temporary positions, paid from appropriations made for the fiscal year ending June 30, 1999, for Larned state hospital, Osawatomi state hospital and Rainbow mental health facility, the following positions shall be in the unclassified service under the Kansas civil service act: Advanced registered nurse practitioners.

Sec. 123.

DEPARTMENT OF EDUCATION

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

Operating expenditures (including official hospitality)..... \$8,635,130

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Governor's teaching excellence scholarships..... \$40,000

Provided, That all expenditures from the Governor's teaching excellence scholarships account shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the Governor's teaching excellence scholarships program which shall be administered by the state board of education: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient

(continued)

entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further, That all moneys received by the department of education for repayment of grants made under the Governor's teaching excellence scholarships program shall be deposited in the state treasury and credited to the Governor's teaching excellence scholarships program repayment fund.

Education commission of the states membership dues expenditures \$50,500
General state aid \$1,703,716,638

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided further, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: And provided further, That any unencumbered balance in the general state aid account in excess of \$17,423,362 shall be transferred to the inservice education aid account of the state general fund of the department of education to be used to fund approved inservice education programs as authorized by K.S.A. 72-9601 et seq., and amendments thereto: Provided, however, That such transferred balance shall not exceed \$1,000,000.

Supplemental general state aid \$49,278,688

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

School food assistance \$2,510,486
Special education services aid \$212,994,174

Provided, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: Provided further, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 1997 Supp. 72-983 and amendments thereto: And provided further, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978 and amendments thereto.

KPERS—employer contributions \$83,460,360

Provided, That any unencumbered balance in the KPERS—employer contributions account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall not exceed \$490,097 except upon approval of the state finance council: Provided further, That all expenditures from the KPERS—employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939 and amendments thereto: And provided further, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Postsecondary aid for vocational education \$18,865,924
Adult basic education \$970,506
Community college credit hour state aid \$42,846,736
Community college out-district state aid entitlement \$12,225,973
Community college general state aid \$2,642,795
Parent education program \$4,667,000

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 75% of the grant: Provided further, That expenditures from this account for fiscal year 1999 for establishing and maintaining a Kansas training model that meets the requirement for the parents as teachers program shall not exceed \$27,500.

Inservice education aid \$3,000,000

Provided, That, in addition to moneys appropriated in the inservice education account, the department of education may make expenditures from this account of any moneys transferred to this account from the general state aid account of the state general fund of the department of education in an amount not to exceed \$1,000,000 for approved inservice education programs as authorized by K.S.A. 72-9601 et seq., and amendments thereto.

Educable deaf-blind and severely handicapped children's programs aid \$110,000

School district juvenile detention facilities and Flint Hills job corps center grants \$2,712,248

Provided, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 1997 Supp. 72-8187 and amendments thereto: Provided further, That the amount of grants to school districts shall be determined as if the term "enrollment" as used in K.S.A. 1997 Supp. 72-8187 and amendments thereto means the number of pupils residing at the Flint Hills job corps center or confined in a juvenile detention facility and enrolled in a district on September 20, on November 20, or on April 20, of the school year, whichever is the greater number of pupils.

Kansas foundation for agriculture project grant \$35,000

Provided, That expenditures from the Kansas foundation for agriculture project grant account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agricultural information: Provided further, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state and 40% private basis.

Grant to Kansas cultural heritage and arts center, Dodge City, Kansas \$30,000

Innovative program assistance \$1,700,000

Environmental education program \$35,000

Grant to the Kansas optometric association for vision study \$27,000

Provided, That expenditures from the grant to the Kansas optometric association for vision study account shall be made by the Kansas optometric association to conduct a pilot study of the link between vision problems and behavior and academic performance: Provided

further, That the Kansas optometric association shall make the results of the study available to the legislature by the end of the 1999 session.

Structured mentoring program grants \$975,000

Provided, That expenditures shall be made by the department of education from the structured mentoring program grants account for grants to school districts to provide for structured mentoring programs, including the HOSTS program, in reading, mathematics, language arts or Spanish language arts.

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

Table listing various state funds and their limits. Columns include fund name and limit (e.g., 'No limit', '\$9,916,110').

Provided, That expenditures may be made from the educational interpreter performance assessment fee fund for operating expenditures incurred in conjunction with the operation of the educational interpreter performance program: Provided further, That the state board of education is hereby authorized to fix, charge and collect fees for educational interpreter performance assessments and other services provided under the interpreter performance assessment program: And provided further, That all such fees shall be deposited in the state treasury and credited to the educational interpreter performance assessment fee fund.

Table listing various state funds and their limits, including 'Education of handicapped children fund—state operations—federal' and 'Economic development initiatives fund'.

Provided, That no expenditures shall be made from the economic development initiatives fund of the department of education other than for purposes specifically authorized by this or other appropriation act: Provided, however, That expenditures from such fund for such purpose shall not exceed the limitations prescribed therefor.

Inservice education workshop fee fund No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: Provided further, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: And provided further, That all fees received for inservice workshops and conferences shall be deposited in the state treasury and credited to the inservice education workshop fee fund.

Private donations, gifts, grants and bequests fund No limit

Interactive video fee fund No limit

Provided, That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: Provided further, That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: And provided further, That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury and credited to the interactive video fee fund.

Reimbursement for services fund	No limit
Communities in schools program fund	No limit
Tuition and fee waiver reimbursement fund	\$0

Provided, That all expenditures from the tuition and fee waiver reimbursement fund shall be for tuition and fee waiver reimbursement, in accordance with K.S.A. 75-4364 and amendments thereto, for the dependents of public safety officers killed in the line of duty, pursuant to certification by educational institutions submitted to the state board of education during the fiscal year in which such tuition and fees were waived.

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the department of social and rehabilitation services to the communities in schools program fund of the department of education.

(d) Expenditures may be made from the economic development initiatives fund of the department of education for the following purposes, subject to the expenditure limitations prescribed therefor:

Vocational education capital outlay aid	\$3,000,000
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Provided, That expenditures from the vocational education capital outlay aid account for each such grant shall be matched by the area vocational school, the area vocational-technical school or the technical college in an amount which is equal to 50% of the grant.

Postsecondary aid for vocational education	\$6,716,110
Technology innovation and internship program	\$200,000
Governor's teaching excellence scholarships program repayment fund	No limit

Provided, That all expenditures from the Governor's teaching excellence scholarships program repayment fund shall be to provide grants of \$1,000 each to Kansas elementary and secondary public school teachers who are accepted to participate in the national board for professional teaching standards certification program under the Governor's teaching excellence scholarships program which shall be administered by the state board of education: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the Governor's teaching excellence scholarships program shall be deposited in the state treasury and credited to this fund.

(e) On September 15, 1998, December 15, 1998, April 15, 1999, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$2,472,555, and on June 15, 1999, or as soon after such date as moneys are available, the director of accounts and reports shall transfer \$2,472,558 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the economic development initiatives fund of the department of education.

(f) On July 1, 1998, and quarterly thereafter, the director of accounts and reports shall transfer \$50,218 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(g) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purposes subject to the expenditure limitations prescribed therefor:

SBSF—technology equipment at community colleges and Washburn university	\$2,000,000
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Provided, That the above agency is hereby authorized to make expenditures from the SBSF—technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment for instructional purposes, in accordance with guidelines established by the state board of education: *Provided further*, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 from the SBSF—technology equipment at community colleges and Washburn university account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

SBSF—technology equipment at unified school districts	\$10,000,000
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Provided, That the above agency is hereby authorized to make expenditures from the SBSF—technology equipment at unified school districts account for grants to unified school districts pursuant to grant applications for the purchase of technology equipment for instructional purposes, in accordance with guidelines established by the state board of education: *Provided further*, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 from the SBSF—technology equipment at unified school districts account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

SBSF—technology equipment at area vocational-technical schools	\$1,000,000
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Provided, That the above agency is hereby authorized to make expenditures from the SBSF—technology equipment at area vocational-technical schools account for grants to area vocational-technical schools pursuant to grant applications for the purchase of technology equipment for instructional purposes, in accordance with guidelines established by the state board of education: *Provided further*, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 from the SBSF—technology equipment

at area vocational-technical schools account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

Sec. 124.

STATE LIBRARY

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

Operating expenditures	\$1,583,541
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$1,300.

Grants to libraries and library systems	\$3,366,733
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Provided, That, of the moneys appropriated in the grants to libraries and library systems account \$2,375,121 is to be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555 and amendments thereto, \$619,381 is to be distributed for interlibrary loan development grants and \$372,231 is to be paid according to contracts with the subregional libraries of the Kansas talking book services: *Provided further*, That the state librarian generates programs to work with local libraries to develop locally adopted policies for managing internet access to illegal information on library computers.

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

State library fund	No limit
U.S. Department of Justice ADA fund	No limit
Federal library services and technology act—fund	No limit

Provided, That, of the money appropriated in the federal library services and technology act—fund, \$150,000 is to be used to purchase the first search database.

(c) On July 1, 1998, the director of accounts and reports shall transfer all moneys credited to the federal library services and construction act—title I—fund, all moneys credited to the federal library services and construction act—title II—fund and all moneys credited to the federal library services and construction act—title III—fund to the federal library services and technology act—fund which is hereby created in the state treasury. On July 1, 1998, all the outstanding obligations of the federal library services and construction act—title I—fund, all the outstanding obligations of the federal library services and construction act—title II—fund and all the outstanding obligations of the federal library services and construction act—title III—fund are hereby transferred to and imposed on the federal library services and technology act—fund. On July 1, 1998, after all such transfers of moneys and obligations, the federal library services and construction act—title I—fund, the federal library services and construction act—title II—fund and the federal library services and construction act—title III—fund are hereby abolished.

Sec. 125.

KANSAS ARTS COMMISSION

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

Operating expenditures	\$318,274
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$1,337 except upon approval of the state finance council: *Provided further*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$300: *And provided further*, That expenditures may be made by the above agency from any amount of savings in the operating expenditures account for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for each arts programming project.

Arts programming grants and challenge grants	\$1,152,938
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Provided, That expenditures from this account shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for each arts programming project: *Provided further*, That expenditures from this account shall be made in a manner to benefit the maximum number of Kansas communities in the development of Kansas talent and art.

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

Kansas arts commission fee fund	No limit
Kansas arts commission gifts, grants and bequests fund	No limit
Kansas arts commission special gifts fund	No limit
Arts programming grants fund	No limit

Provided, That moneys received by the Kansas arts commission from the remittance of the unexpended balance of arts programming grants to the commission shall be deposited in the state treasury and credited to the arts programming grants fund: *Provided further*, That expenditures from this fund shall be made only for the purpose of matching an equal or greater amount of federal grant moneys or local grant moneys, or both, for each arts programming project.

(continued)

Sec. 126.

KANSAS STATE SCHOOL FOR THE BLIND

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

Operating expenditures.....\$4,155,823
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Arts for the handicapped.....\$150,000

Any unencumbered balance in excess of \$100 as of June 30, 1998, in the technology lending library account is hereby reappropriated for fiscal year 1999: Provided, however, That all expenditures from the technology lending library account shall be made only for the purpose of matching an equal or greater amount of federal or other nonstate governmental grant moneys or private grant or donation moneys, or any combination thereof, received by the Kansas state school for the blind: Provided further, That no expenditures shall be made from this account except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, after receiving information that the Kansas state school for the blind has received the required matching funds.

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

General fees fund.....\$37,457
Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further, That all moneys received from such fees shall be deposited in the state treasury and credited to the local services reimbursement fund: And provided further, That all expenditures from this fund shall be for capital outlay.

Student activity fees fund.....No limit
Special bequest fund.....No limit
Gift fund.....No limit
Technology lending library fund.....No limit
Food assistance—cash for commodities—federal fund.....No limit
Food assistance—breakfast—federal fund.....No limit
Food assistance—lunch—federal fund.....No limit
Chapter I handicapped—federal fund.....No limit
Education improvement—federal fund.....No limit
Math and science improvement—federal fund.....No limit
Elementary and secondary—federal fund.....No limit

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purposes subject to the expenditure limitations prescribed therefor:

SBSF—technology equipment at Kansas state school for the blind.....\$68,000

Sec. 127.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures.....\$7,046,432

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

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

General fees fund.....\$87,000
Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further, That all moneys received from such fees shall be deposited in the state treasury and credited to the local services reimbursement fund: And provided further, That all expenditures from this fund shall be for capital outlay.

Student activity fees fund.....No limit
Elementary and secondary education act—federal fund.....No limit
Vocational education fund—federal.....No limit
Special bequest fund.....No limit
Special workshop fund.....No limit
Gift fund.....No limit

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purposes subject to the expenditure limitations prescribed therefor:

SBSF—technology equipment at Kansas state school for the deaf.....\$68,000

Sec. 128.

STATE HISTORICAL SOCIETY

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

Operating expenditures.....\$5,901,860

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall not exceed \$183 except upon approval of the state finance council: Provided further, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,500.

Kansas humanities council.....\$100,000

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Rehabilitation and repair projects; flood plain improvements.

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

General fees fund.....No limit
Archeology fee fund.....No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: Provided further, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: And provided further, That all fees received from such services shall be credited to the archeology fee fund.

Microfilm fees fund.....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing microfilming services: Provided further, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing microfilming services: And provided further, That all fees received from such services shall be credited to the microfilm fees fund.

Historic properties fees fund.....No limit

National historic preservation act fund—state.....No limit

Historic preservation overhead fees fund.....No limit

National historic preservation act fund—local.....No limit

Private gifts, grants and bequests fund.....No limit

Insurance collection replacement/reimbursement fund.....No limit

Heritage trust fund.....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$68,639.

Land survey fee fund.....No limit

State historical society facilities fund.....No limit

Unmarked burial sites fund.....No limit

Historic properties fund.....No limit

Law enforcement memorial fund.....No limit

Federal grants fund.....No limit

Property sale proceeds fund.....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701 and amendments thereto shall be deposited in the state treasury and credited to the property sale proceeds fund.

Economic development initiatives fund.....\$101,560

EDIF—friends of the free state capital grant fund.....\$100,000

Provided, That no expenditures shall be made from the EDIF—friends of the free state capitol grant fund until a valid purchase agreement that provides for the purchase of buildings located at 427-431 South Kansas Avenue in Topeka, KS, has been entered into: Provided further, That the expenditures from this fund for the purchase of the buildings located at 427-431 South Kansas Avenue in Topeka, KS, shall not exceed \$70,000: And provided further, That the expenditures from this fund for purposes related to structural stabilization of the buildings located at 427-431 South Kansas Avenue in Topeka, KS, shall not be less than \$30,000: And provided further, That the buildings located at 427-431 South Kansas Avenue in Topeka, KS, are not and shall not be considered historic sites under the control of the state historical society: And provided further, That no expenditures shall be made from this fund until the state historical society has entered into a signed agreement with the entity receiving the grant which provides that no additional state funding will be sought for the buildings at 427-431 South Kansas Avenue in Topeka, KS, for a period of at least five years.

(c) On September 15, 1998, December 15, 1998, March 15, 1999, and June 15, 1999, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the executive director of the state historical society from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the economic development initiatives fund of the state historical society. Such transfers, in the aggregate, shall not exceed \$100,000 during the fiscal year ending June 30, 1999.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,560 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing

to the economic development initiatives fund of the state historical society.

Sec. 129. Position limitations. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

State Library	27.0
Kansas Arts Commission	8.0
Kansas State School for the Blind	93.5
Kansas State School for the Deaf	202.5
State Historical Society	138.5

Sec. 130.

FORT HAYS STATE UNIVERSITY

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

Operating expenditures (including official hospitality)	\$28,540,086
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999. *Provided further*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

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

Parking fees fund	No limit
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Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund	\$8,020,642
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Provided, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements. *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Restricted fees fund	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; Reveille (yearbook); off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops—noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; national science foundation grants; veterans administration; federal programs and research grants; athletics; placement fees; continuing education classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above. *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-371c and amendments thereto, may amend or change this list of restricted fees. *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected. *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance. *And provided further*, That expenditures may be made from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101 and amendments thereto. *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Education opportunity act—federal fund	No limit
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Service clearing fund	No limit
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Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Commencement fees fund	No limit
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Health fees fund	No limit
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Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund	No limit
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Kansas career work study program fund	No limit
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Economic opportunity act—federal fund	No limit
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Kansas comprehensive grant fund	No limit
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Scholarship funds fund	No limit
Health professions student assistance program fund	No limit
Nine month payroll clearing account fund	No limit
Oil research library gifts and grants fund	No limit
National direct student loan fund	No limit
Housing system revenue fund	No limit
Institutional overhead fund	\$50,000
Oil and gas royalties fund	No limit

Provided, That expenditures may be made from the oil and gas royalties fund only for improvements at the university farm.

Equipment reserve fund	No limit
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Provided, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.

Housing system suspense fund	No limit
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Housing system operations fund	No limit
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Housing system repairs, equipment and improvement fund	No limit
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Sponsored research overhead fund	No limit
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Wildlife art fund	No limit
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Kansas distinguished scholarship fund	No limit
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(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$125,000 from the general fees fund to the national direct student loan fund.

(e) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$85,000 from the general fees fund to the education opportunity act—federal fund.

Sec. 131.

KANSAS STATE UNIVERSITY

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

Operating expenditures (including official hospitality)	\$96,990,974
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of Kansas state university account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999. *Provided, however*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits established under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

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

Parking fees fund	No limit
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Provided, That Kansas state university may make expenditures from the parking fees fund for debt service, financing costs and required reserves for the capital improvement project to construct and pave campus parking lots pursuant to section 17(d) of chapter 25 of the 1989 Session Laws of Kansas. *Provided, however*, That all expenditures from this fund for capital improvement projects for parking lot maintenance and improvements shall be in addition to any expenditure limitation imposed on the total expenditures from this fund. *Provided further*, That all expenditures from this fund for the payment of principal and interest shall be in addition to any expenditure limitation imposed on this fund or any account thereof.

General fees fund	\$40,907,590
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Provided, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements. *Provided further*, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Interest on endowment fund	\$80,000
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Restricted fees fund	No limit
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Provided, That restricted fees shall be limited to receipts for the following accounts: Educational opportunity grants; technology equipment; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry storeroom; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; ion collision laboratory—federal; chemical engineering; nuclear engineering; contract—post office—federal government; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; military credentials; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education—publications and services; student financial assistance—federal reimbursement; higher education act; guaranteed student loan application processing; student identification card; auditorium receipts; refunds due to or from sponsors; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript

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fees; South Asian curriculum sales; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education—Kansas careers; foreign student application fee; student union repair and replacement reserve; bank compensation balance; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations; speech receipts; art museum; exchange program; flight training fees; off campus work study; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; biotechnology facility; English language program; international programs; library expansion fee; federal direct student loans; high-bay garage; Bramlage coliseum; and other specifically designated receipts not available for general operations of the university: *Provided further*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Kansas career work study program fund..... No limit
 Service clearing fund..... No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; data processing; public safety services; facility planning services; facilities storeroom; computing activities—academic; computing activities—administrative; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Sponsored research overhead fund..... No limit

Provided, That the above agency may transfer moneys from the sponsored research overhead fund of Kansas state university to the sponsored research overhead fund of Kansas state university extension systems and agriculture research programs.

Housing system suspense fund..... No limit
 Housing system operations fund..... No limit
 Housing system repairs, equipment and improvement fund..... No limit
 Student recreation building program fund..... No limit
 Coliseum operations fund..... No limit
 Coliseum gifts fund..... No limit
 Mandatory retirement annuity clearing fund..... No limit
 K-State sports network fund..... No limit
 Student health fees fund..... No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund..... No limit
 National direct student loan fund..... No limit
 Nine month payroll clearing account fund..... No limit
 Equipment reserve fund..... No limit

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

Howard Hughes grant fund..... No limit
 U.S. army research grant—metal particle chemistry fund..... No limit
 Board of regents—U.S. department of education awards fund..... No limit
 Research projects grants fund..... No limit
 Research projects grants matching fund..... No limit
 State agricultural university fund..... No limit
 Morrill Nelson—federal fund..... No limit
 Federal extension civil service retirement clearing fund..... No limit
 Salina—student union fees fund..... No limit
 Salina—dormitory and food service fees fund..... No limit
 Aeronautical program equipment—federal fund..... No limit
 Kansas distinguished scholarship fund..... No limit
 Tuition accountability fund..... No limit
 Kansas comprehensive grant fund..... No limit
 Temporary deposit fund..... No limit
 Business procurement card clearing fund..... No limit
 Suspense fund..... No limit
 Voluntary tax shelter annuity clearing fund..... No limit
 Agency payroll deduction clearing fund..... No limit
 Payroll clearing fund..... No limit

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$97,924 from the general fees fund to the Perkins student loan fund.

(e) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$172,000 from the general fees fund to the educational opportunity grants account of the restricted fees fund.

(f) Upon a finding by the director of the budget that the above agency realized an increase in receipts to the general fees fund in the summer 1998 session, fall 1998 semester, or spring 1999 semester above comparable periods in the preceding year, which increase in receipts resulted from increases in enrollment, changes in resident and nonresident student mix, or the imposition of a more restrictive tuition waiver policy, or any combination thereof, the director of the budget shall certify such amount of increased receipts to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the general fees fund to the tuition accountability fund.

Sec. 132.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

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

Operating expenditures (including official hospitality)..... \$724,164
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.
 Cooperative extension service (including official hospitality)..... \$15,678,790
Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.
 Agricultural experiment stations (including official hospitality)..... \$26,725,417
Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

Restricted fees fund..... No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; technology equipment; professorships; agricultural experiment station, director's office; agronomy—Ashland farm; KSU agricultural research center—Hays; KSU southeast agricultural research center; horticulture research center; KSU southwest research extension council; agronomy—general; agronomy—experimental field crop sales; entomology sales; grain science and industry products and service sales; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; animal resource facility; animal health and disease research; higher education act; refunds due to or from sponsors; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; research projects grants; research projects grants matching; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; other specifically designated receipts not available for general operations of the university: *Provided further*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the farmers' assistance, counseling and training program account of the restricted fees fund during fiscal year 1999.
 Colby experiment station fee fund..... No limit
 Fort Hays experiment station fee fund..... No limit
 Fertilizer research fund..... No limit
 Sponsored research overhead fund..... No limit
 Federal extension fund..... \$6,230,126
 Federal experimental station fund..... \$3,203,829
 Smith-Lever special program grant—federal fund..... No limit
 Kansas artificial breeding service unit fees fund..... No limit
 Agricultural land use-value fund..... No limit
 Irrigation research field fund..... \$181,000

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$91,000 from the state water plan fund of the Kansas water office to the irrigation research field fund of Kansas state university extension systems and agriculture research programs.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$90,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the irrigation research field fund of Kansas state university extension systems and agriculture research programs.

Sec. 133.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

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

Operating expenditures (including official hospitality) \$9,309,505
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

General fees fund \$4,847,749

Provided, That any transfers of moneys from the general fees fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Hospital and diagnostic laboratory revenue fund \$1,452,739

Provided, That all expenditures from the hospital and diagnostic laboratory revenue fund for blood and blood products, ambulatory services, laboratory tests, and pharmaceutical and surgical supplies shall be in addition to any expenditure limitation imposed on this fund.

Hospital and diagnostic laboratory improvement fund No limit

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; technology equipment; higher education act; dean of veterinary medicine receipts; gifts; application for post-baccalaureate programs; embryo transfer unit; swine serology; sale barn; rapid focal fluorescent inhibition test; storerooms; departmental receipts for all sales refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center. *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Sponsored research overhead fund No limit

Health professions student loan fund No limit

H.E.W. veterinary revolving student loan fund No limit

Student loan funds fund No limit

Suspense fund No limit

Equipment reserve fund No limit

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

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university from the hospital and diagnostic laboratory revenue fund to the hospital and diagnostic laboratory improvement fund.

Sec. 134.

EMPORIA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) \$27,609,624

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

Parking fees fund No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund \$8,210,994

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

Interest fund \$29,000

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research;

computer services; extension classes; national science foundation grants; national defense education act; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); elementary and secondary education act—federal; library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern exchange; departmental receipts—for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; E.S.U. press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Commencement fees fund No limit

Kansas career work study program fund No limit

Student health fees fund No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Bureau of educational measurements fund No limit

Scholarship funds fund No limit

National direct student loan fund No limit

Economic opportunity act—work study—federal fund No limit

Educational opportunity grants—federal fund No limit

Basic opportunity grant program—federal fund No limit

Research and institutional overhead fund No limit

Equipment reserve fund No limit

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

Kansas comprehensive grant fund No limit

Housing system suspense fund No limit

Housing system operations fund No limit

Housing system repairs, equipment and improvement fund No limit

Kansas distinguished scholarship fund No limit

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

(e) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$70,000 from the general fees fund to the educational opportunity grants—federal fund.

(f) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,536 from the student union account of the restricted fees fund of Emporia state university to the state general fund.

(g) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,447 from the housing systems operations fund of Emporia state university to the state general fund.

Sec. 135.

PITTSBURG STATE UNIVERSITY

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

Operating expenditures (including official hospitality) \$30,326,884

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided further*, That expenditures from this account may be made to pay faculty and staff members retiring on or after July 1, 1962, the difference between the retirement benefits under the former unfunded state board of regents' retirement plan and the benefits to which these individuals would be entitled under the Kansas public employees retirement system.

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

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

Parking fees fund No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund \$9,965,170

Provided, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements:

Provided further, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; national science foundation grants, department of education, and other federal grants, including Pell grants, SEOG grants; flight training; library service collections and fines; state department of education and grants from other state agencies; Midwest Quarterly; chamber music series; contract—post office; gifts and grants; general fees transfer for SEOG match; intensive English program; business and technology institute; public sector radio station activities; economic opportunity—state match; research projects grants; career work study; regents supplemental grants; contiguous county fees except that expenditures from the contiguous county fees account are limited to the total tuition paid by 100 new students per year, up to a maximum of 400 students; midwestern student exchange; departmental receipts, and other specifically designated receipts not available for general operations of the university: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: And provided further, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc. for the express purpose of awarding music scholarships: And provided further, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; telephone services; data processing; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Hospital and student health fees fund No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: Provided further, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Perkins student loan fund No limit

Sponsored research overhead fund \$0

College work study fund No limit

Nursing student loan fund No limit

Equipment reserve fund No limit

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

Housing system suspense fund No limit

Housing system operations fund No limit

Housing system repairs, equipment and improvement fund No limit

Provided, That expenditures may be made from the housing system repairs, equipment and improvement fund for capital improvement projects for housing system maintenance and improvements.

Kansas comprehensive grant fund No limit

Kansas distinguished scholarship program fund No limit

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) During the fiscal year ending June 30, 1999, upon certification by the president, the director of accounts and reports shall transfer an amount not to exceed \$105,000, from the general fees fund to the following specified funds and accounts: Perkins student loan fund; economic opportunity—state match account of the restricted fee fund; nursing student loan fund.

Sec. 136.

UNIVERSITY OF KANSAS

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

Operating expenditures (including official hospitality) \$118,234,732

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Geological survey \$5,786,239

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

Parking facilities revenue fund No limit

Provided, That transfers of moneys from the parking facilities revenue fund to bond funds pursuant to bond agreements shall be in addition to any expenditure limitation imposed on this fund.

General fees fund \$74,289,000

Provided, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures, but shall not be made for capital improvements:

Provided further, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund: And provided further, That, subject to approval by the state board of regents under K.S.A. 76-719 and amendments thereto, the university of Kansas is hereby authorized to fix, charge and collect a fee of not more than \$70 per student credit hour on courses offered by the school of law for students entering law school after April 1, 1997, and \$40 per student credit hour for all other students: And provided further, That all moneys received for such fee shall be credited to the school of law credit hour fee account of this fund: And provided further, That expenditures from the school of law credit hour fee account shall not exceed \$830,000: And provided further, That, subject to approval by the state board of regents under K.S.A. 76-719 and amendments thereto, the university of Kansas is hereby authorized to fix, charge and collect a fee of not more than \$85 per student credit hour on courses offered by the school of pharmacy: And provided further, That all moneys received for such fee shall be credited to the school of pharmacy credit hour fee account of this fund: And provided further, That all expenditures from the school of pharmacy credit hour fee account of this fund shall be for school of pharmacy faculty salaries and other operating expenditures in order to provide faculty and student support services, clerkships and externships for students, and for school of pharmacy instructional equipment and supplies: And provided further, That expenditures from the school of pharmacy credit hour fee account of this fund shall not exceed \$720,000: And provided further, That all moneys received for tuition for students enrolled in courses on the Edwards campus shall be deposited in this fund: And provided further, That the director of accounts and reports shall transfer on a periodic basis amounts generated from such courses in excess of \$2,131,265 as specified by the chancellor of the university of Kansas, or the chancellor's designee, from the general fees fund to the regents center development fund.

Regents center development fund No limit

Provided, That expenditures shall be made from this fund for program operation and development at the regents center on the Edwards campus.

Interest fund \$20,000

Sponsored research overhead fund No limit

Law enforcement training center fund No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: Provided, however, That any academic credit granted through this program shall not be included in the university's budgeted enrollment figures: Provided further, That the amount of any unencumbered balance of the amount made available for expenditure from this fund for capital improvements in fiscal year 1993 by section 9(b) of chapter 215 of the 1992 Session Laws of Kansas and amendments thereto is hereby authorized to be expended during fiscal year 1999: And provided further, That expenditures may be made from this fund for the acquisition of tracts of land adjacent to the law enforcement training center.

Law enforcement training center fees fund No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for public policy and business research; technology equipment; clinical psychology conference; concert course; dormitory maintenance; speech and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; housing and dormitories; endowment research salaries; engineering research salaries; music and art camp; national defense education programs; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; engineering equipment fee; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: Provided, further, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: And provided further, That all restricted fees shall be deposited to

the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Dormitory food stores; university motor pool; furniture stores; business office stores; university printing service; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

Health service fund No limit

Provided, That expenditures from the health service fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Kansas career work study program fund No limit

Student union fund No limit

Scholarship funds fund No limit

National direct student loan fund No limit

Provided, That expenditures from the national direct student loan fund shall be used for the federal Perkins loan and loans for disadvantaged students programs.

Revolving student loan fund No limit

Ford foundation—forgivable loan fund No limit

Health professions student loan fund No limit

Historical sites grant fund No limit

Geological survey fund No limit

Equipment reserve fund No limit

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

Research projects grants fund No limit

Research projects grants matching fund No limit

Housing system suspense fund No limit

Housing system revenue fund No limit

Housing system operations fund No limit

Housing system repairs, equipment and improvement fund No limit

Educational opportunity act—federal fund No limit

Loans for disadvantaged students fund No limit

Prepaid tuition fees clearing fund No limit

Kansas distinguished scholarship fund No limit

Kansas comprehensive grant fund No limit

Tuition accountability fund No limit

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$285,000 for all such amounts, from the general fees fund to the following funds: The federal Perkins student loan fund, federal supplemental educational opportunity fund, federal disadvantaged student loan fund, the federal health professions student loan fund and other campus-based loan programs sponsored by the federal government.

(e) Upon a finding by the director of the budget that the above agency realized an increase in receipts to the general fees fund in the summer 1998 session, fall 1998 semester, or spring 1999 semester above comparable periods in the preceding year, which increase in receipts resulted from increases in enrollment, changes in resident and nonresident student mix, or the imposition of a more restrictive tuition waiver policy, or any combination thereof, the director of the budget shall certify such amount of increased receipts to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the general fees fund to the tuition accountability fund.

Sec. 137.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

Operating expenditures (including official hospitality) \$91,479,083

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided further*, That expenditures may be made from this account for the purchase of malpractice insurance for students in training at the university of Kansas school of medicine, nursing and allied health: *And provided further*, That such malpractice insurance shall be approved by the commissioner of insurance of the state of Kansas: *And provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

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

General fees fund \$9,978,495

Provided, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (e) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Hospital revenue fund No limit

Provided, That all receipts for patient care services shall be credited to the hospital revenue fund: *Provided further*, That the director of accounts and reports shall transfer monthly an amount specified by the chancellor of the university of Kansas, or the chancellor's designee, from the hospital revenue fund to the attorney collection fees and collection office expenses account of the restricted fees fund and to the department of social and rehabilitation services cost-sharing account of the restricted fees fund: *And provided further*, That all such transfers shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That expenditures may be made from this fund for renovations, remodeling and improvements to the existing hospital physical plant: *And provided further*, That no expenditure shall be made for any such capital improvement project without prior approval by the state board of regents and the director of architectural services of the department of administration and without prior presentation of such capital improvement project to the joint committee on state building construction: *And provided further*, That expenditures may be made from this fund for official hospitality.

Restricted fees fund No limit

Provided, That restricted fees shall be limited to the following accounts: Reimbursable items for patients and others; technology equipment; computer services; salaries reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; gift receipts; sponsored research; departmental commercial receipts; attorney collection fees and collection office expenses; department of social and rehabilitation services cost-sharing; and midwestern student exchange: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, may amend or change this list of restricted fees: *And provided further*, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Sponsored research overhead fund No limit

Parking fees fund No limit

Hospital overhead reimbursements fund No limit

University of Kansas hospital depreciation reserve fund No limit

Service clearing fund No limit

Provided, That the service clearing fund shall be used for the following service activities: Print shop; purchasing storeroom; university motor pool; clothing (uniforms); physical plant storeroom; photo supplies; telecommunications services; facilities operations' discretionary repairs; animal care; paging equipment; biomedical engineering; audiovisual services; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

College work-study fund No limit

Student union fees fund No limit

Scholarship funds fund No limit

Advances fund—department of social and rehabilitation services No limit

Health professions student loan fund—medical students No limit

Health professions student loan fund—nursing students No limit

Revolving student loans fund No limit

Student loans fund No limit

Suspense fund No limit

Prepaid tuition fees clearing fund No limit

Educational opportunity grant fund No limit

Basic educational opportunity grant fund No limit

National direct student loan fund No limit

Medical scholarship and loan repayment fund \$1,893,725

Provided, That expenditures from this fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical scholarship and loan repayment fund or on the total expenditures from the medical scholarship and loan repayment fund.

Equipment reserve fund No limit

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

University of Kansas medical center private practice foundation reserve fund No limit

University of Kansas hospital professional liability self-insurance fund No limit

Hospital refunding principal and interest sinking fund No limit

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: National direct student loan fund; federal basic educational op-

(continued)

portunity grant fund; federal college work-study fund; health professions student loan fund—medical students; health professions student loan fund—nursing students.

(d) On July 1, 1998, 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 \$9,404,401 from the hospital revenue fund to the hospital overhead reimbursements fund.

(e) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the chancellor prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(f) During the fiscal year ending June 30, 1999, medical students enrolled at the university of Kansas medical center are hereby self-insured by the state of Kansas while in clinical training at the university of Kansas medical center or at other health care institutions. Such individuals shall be considered employees for purposes of the Kansas tort claims act and shall be provided defense and indemnification for claims arising out of their clinical training at the university of Kansas medical center or at other health care institutions in accordance with the provisions of the Kansas tort claims act.

(g) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas from the hospital revenue fund to the university of Kansas hospital professional liability self-insurance fund and to the university of Kansas hospital depreciation reserve fund.

Sec. 138.

WICHITA STATE UNIVERSITY

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

Operating expenditures (including official hospitality)..... \$59,726,216
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

General fees fund..... \$25,982,576
Provided, That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures and shall not be made for capital improvements:
Provided further, That any transfers of moneys from this fund to the equipment reserve fund pursuant to subsection (c) shall be deemed expenditures for the purpose of the expenditure limitation imposed on this fund.

Restricted fees fund..... No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts—for all sales, refunds and other collections or receipts not specifically enumerated above:
Provided further, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-371c and amendments thereto, may amend or change this list of restricted fees:
And provided further, That all restricted fees shall be deposited to the credit of the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected:
And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance:
And provided further, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center:
And provided further, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited to the credit of the midwestern student exchange account of the restricted fees fund.

Service clearing fund..... No limit
Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755 and amendments thereto.

On-campus parking revenue fund..... No limit
Kansas career work study program fund..... No limit
National direct student loan fund..... No limit
Scholarship funds fund..... No limit
Sponsored research fund..... No limit
Sponsored research overhead fund..... No limit
Economic opportunity act—federal fund..... No limit
Education opportunity grant—federal fund..... No limit

Work-study program fund..... No limit
Health professions student assistance program—loans fund..... No limit
Nine month payroll clearing account fund..... No limit
Equipment reserve fund..... No limit
Provided, That expenditures from the equipment reserve fund shall be made only for the purchase of equipment.
Research projects grants fund..... No limit
Research projects grants matching fund..... No limit
Pell grants fund..... No limit
Housing system suspense fund..... No limit
Housing system renovation principal and interest fund..... No limit
Housing system repairs, equipment and improvement fund..... No limit
WSU housing system depreciation and replacement fund..... No limit
Perkins loan fund..... No limit
Kansas distinguished scholarship fund..... No limit
Kansas comprehensive grant fund..... No limit
1971 academic and service building maintenance fund..... No limit
WSU housing systems revenue fund..... No limit
1976 dormitory maintenance reserve fund..... No limit
Tuition accountability fund..... No limit

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer an amount specified by the president prior to July 1, 1999, from the general fees fund to the equipment reserve fund.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$120,000 from the general fees fund to the education opportunity grant—federal fund.

(e) Upon a finding by the director of the budget that the above agency realized an increase in receipts to the general fees fund in the summer 1998 session, fall 1998 semester, or spring 1999 semester above comparable periods in the preceding year, which increase in receipts resulted from increases in enrollment, changes in resident and nonresident student mix, or the imposition of a more restrictive tuition waiver policy, or any combination thereof, the director of the budget shall certify such amount of increased receipts to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the general fees fund to the tuition accountability fund.

(f) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$184,902 from the WSU housing systems revenue fund of Wichita state university to the state general fund.

Sec. 139.

STATE BOARD OF REGENTS

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

Operating expenditures (including official hospitality)..... \$1,798,612
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999:
Provided further, That the state board of regents is hereby authorized to transfer moneys from this account to an account or accounts of the restricted fees fund of any institution under its jurisdiction for the support of regents distinguished professors, Kansas regents honors academy or the Kansas council on economic education.

State scholarship program..... \$1,001,457
Provided, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816 and amendments thereto and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283 and amendments thereto:
Provided further, That of the total amount appropriated in the state scholarship program account the amount of \$25,000 is dedicated for the Kansas distinguished scholarship program.

Comprehensive Grant program..... \$9,620,000
Ethnic minority scholarship program..... \$310,000
Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.
Ethnic minority fellowship program..... \$156,000

Provided, That any unencumbered balance in the ethnic minority fellowship program account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Kansas work-study program..... \$517,227
Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto:
Provided further, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC scholarship reimbursement..... \$184,421
Provided, That all expenditures from the ROTC scholarship reimbursement account for reimbursements under K.S.A. 74-3256 and amendments thereto to any state educational institution under the jurisdiction of the state board of regents shall be made as transfers to the general fees fund of such state educational institution as a transaction between state agencies in accordance with subsection (b) of K.S.A. 75-5516 and amendments thereto.

Teachers scholarship program.....	\$298,215
Vocational scholarships	\$100,000
Nursing student scholarship program.....	\$240,567

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Municipal university operating grant.....	\$7,902,169
Expenses for recruiting, interviewing and selecting chief executive officers of institutions and state board of regents (including official hospitality and directly related operating expenditures)	\$25,000

Provided, That expenditures may be made from the expenses for recruiting, interviewing and selecting chief executive officers of institutions and state board of regents (including official hospitality and directly related operating expenditures) account to reimburse the actual expenditures of applicants, members of the state board of regents and designated personnel and applicants' spouses when accompanying applicants on official business.

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

Osteopathic scholarship repayment fund	\$540,000
Vocational education scholarship examination fees fund.....	No limit
Vocational education scholarship discontinued attendance fund	No limit
Student incentive grant fund—federal.....	No limit
Regents' scholarship gift fund.....	No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 to 72-6816, inclusive, and amendments thereto or a tuition grant under K.S.A. 72-6107 to 72-6111, inclusive, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

Earned indirect costs fund—federal.....	No limit
Paul Douglas teacher scholarship fund—federal.....	No limit
Education for economic security grant—federal.....	No limit
Comprehensive grant program discontinued attendance fund	No limit
State scholarship discontinued attendance fund.....	No limit
Kansas ethnic minority fellowship program fund.....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund.....	No limit
Voluntary tax sheltered annuity clearing fund.....	No limit
Substance abuse education fund—federal.....	No limit
Mandatory retirement annuity clearing fund.....	No limit
Nursing student scholarship program fund.....	No limit
Kansas ethnic minority discontinued attendance fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Teacher scholarship program fund.....	No limit
Financial aid services fee fund.....	No limit

Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with administering the Kansas osteopathy scholarship program, Kansas optometric scholarship program, Kansas nursing scholarship program and Kansas teacher scholarship program: *Provided further*, That the executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of all new and renewal applications under the Kansas osteopathy scholarship program, Kansas optometric scholarship program, Kansas nursing scholarship program and Kansas teacher scholarship program: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such scholarship programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury and credited to this fund.

Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner program fund.....	No limit
Nursing student scholarship discontinued attendance fund	No limit
Nursing student scholarship repayment fund.....	No limit
Kansas state geography education endowment program fund.....	No limit

Provided, That all moneys received from the national geographic society foundation to create a Kansas state geography education endowment program shall be deposited in the state treasury and credited to the Kansas state geography education endowment fund.

EDIF—national geographic society education foundation endowment fund.....	\$250,000
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Provided, That all expenditures from the EDIF—national geographic society education foundation endowment fund shall be matched on a \$1 for \$1 basis by expenditures from the Kansas state geography education endowment program fund so that expenditures for the Kansas state geography education endowment program are equally supported by funds received from the national geographic society foundation and from the Kansas economic development endowment account of the state economic development initiatives fund: *Provided further*, That the state board of regents shall implement and administer the Kansas state geography education endowment program.

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, ex-

penditures and transfers may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purposes subject to the expenditure limitations prescribed therefor:

SBSF—technology equipment at regents institutions.....	\$5,000,000
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Provided, That the state board of regents is hereby authorized to transfer moneys from the SBSF—technology equipment at regents institutions account to an account or accounts of the restricted fees fund of any institution under its jurisdiction for the purchase of technology equipment for instructional purposes, in accordance with guidelines established by the state board of regents: *Provided further*, That all such transfers by the state board of regents from the state budget stabilization fund for fiscal year 1999 from the SBSF—technology equipment at regents institutions account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

(d) On July 1, 1998, the director of accounts and reports shall transfer all moneys in the tuition grant discontinued attendance fund of the board of regents to the comprehensive grant program discontinued attendance fund of the state Board of Regents. On July 1, 1998, all liabilities of the tuition grant discontinued attendance fund are hereby transferred to and imposed on the comprehensive grant program discontinued attendance fund and the tuition grant discontinued attendance fund is hereby abolished.

~~(e) On July 15, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—national geographic society education foundation endowment fund.~~

(f) *Position limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

State Board of Regents	18.0
Sec. 140.	

DEPARTMENT OF CORRECTIONS

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

Central administration operations and parole and postrelease supervision operations	\$12,472,648
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Provided, That any unencumbered balance in the central administration operations and parole and postrelease supervision operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$84,387 except upon approval of the state finance council.

Community corrections.....	\$14,955,501
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Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$58,530 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 the community corrections account for either half of state fiscal year 1999 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.

Community correctional conservation camps.....	\$2,261,100
Treatment and programs	\$29,295,298

Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$61,199 except upon approval of the state finance council: *Provided further*, That expenditures from the treatment and programs 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.

Postconviction nonprison sanctions for felony offenders.....	\$105,675
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Provided, That any unencumbered balance in the postconviction nonprison sanctions for felony offenders account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$94,325 except upon approval of the state finance council: *Provided further*, That expenditures may be made from the postconviction nonprison sanctions for felony offenders account for only those postconviction nonprison sanction costs authorized by the secretary of corrections to be paid from this account: *And provided further*, That the rate of reimbursement for the expenses of such sanctions shall be determined and fixed by the secretary of corrections.

Facilities operations.....	\$125,103,623
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Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$233,472 except upon approval of the state finance council.

(b) There is appropriated for the above agency from the following special revenue fund or funds all moneys now or hereafter lawfully cred-

(continued)

ited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fund Name and Limit. Includes Justice assistance—federal fund (No limit), Department of corrections state asset forfeiture fund (No limit), Carl Perkins act—federal fund (No limit), Criminal Justice Information System—federal fund (No limit), Violent offender incarceration and truth in sentencing incentive grants—federal fund (No limit), Chapter I—federal fund (No limit), Correctional industries fund (No limit), State of Kansas—department of corrections inmate benefit fund (No limit).

Provided, That in addition to any other expenditure authorized from the state of Kansas—department of corrections inmate benefit fund, the sum of \$15,000 shall be expended to fund a portion of the operations of the office of the ombudsman of corrections.

Department of corrections—general fees fund. No limit

Provided, That expenditures may be made from the department of corrections—general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: Provided further, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such programs shall be credited to this fund.

Topeka correctional facility—community development block grant—federal fund. No limit

Topeka correctional facility—general fees fund. No limit

Topeka correctional facility—inmate canteen fund. No limit

Topeka correctional facility—inmate benefit fund. No limit

Topeka correctional facility—institutional library services grant fund—federal. No limit

Hutchinson correctional facility—general fees fund. No limit

Hutchinson correctional facility—inmate canteen fund. No limit

Hutchinson correctional facility—inmate benefit fund. No limit

Hutchinson correctional facility—institutional library services grant fund—federal. No limit

Lansing correctional facility—general fees fund. No limit

Lansing correctional facility—inmate canteen fund. No limit

Lansing correctional facility—inmate benefit fund. No limit

Lansing correctional facility—institutional library services grant fund—federal. No limit

Ellsworth correctional facility—general fees fund. No limit

Ellsworth correctional facility—inmate canteen fund. No limit

Ellsworth correctional facility—inmate benefit fund. No limit

Ellsworth correctional facility—institutional library services grant fund—federal. No limit

Winfield correctional facility—general fees fund. No limit

Winfield correctional facility—inmate canteen fund. No limit

Winfield correctional facility—inmate benefit fund. No limit

Winfield correctional facility—institutional library services grant fund—federal. No limit

Norton correctional facility—general fees fund. No limit

Norton correctional facility—inmate canteen fund. No limit

Norton correctional facility—inmate benefit fund. No limit

Norton correctional facility—institutional library services grant fund—federal. No limit

El Dorado correctional facility—general fees fund. No limit

El Dorado correctional facility—inmate canteen fund. No limit

El Dorado correctional facility—inmate benefit fund. No limit

El Dorado correctional facility—institutional library services grant fund—federal. No limit

Larned correctional mental health facility—general fees fund. No limit

Larned correctional mental health facility—inmate canteen fund. No limit

Larned correctional mental health facility—inmate benefit fund. No limit

Larned correctional mental health facility—institutional library services grant fund—federal. No limit

Larned correctional mental health facility—justice assistance—federal fund. No limit

Larned correctional mental health facility—justice assistance—federal fund. No limit

(c) The following amounts are included in the facilities operations account of the state general fund for the following correctional facilities and programs, but expenditures from this account for any such correctional facility or program shall not be limited to, nor be required to be made in, the amount listed for the correctional facility or program:

Table with 2 columns: Facility Name and Amount. Includes Topeka correctional facility (\$12,884,190), Hutchinson correctional facility (\$21,680,863), Lansing correctional facility (\$29,925,808), Ellsworth correctional facility (\$8,093,849), Winfield correctional facility (\$8,686,228), Norton correctional facility (\$10,350,506), El Dorado correctional facility (\$15,918,442), Larned correctional mental health facility (\$6,695,137), Food service (\$11,102,072).

(d) During the fiscal year ending June 30, 1999, the secretary of corrections, with the governor's approval, may transfer any part of any item of appropriation for the fiscal year ending June 30, 1999, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year

1999 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(e) Position limitations. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Department of Corrections. 3,033.5

Sec. 141.

ADJUTANT GENERAL

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

Operating expenditures. \$4,009,985

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Provided, however, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: Provided further, That expenditures from this account for official hospitality shall not exceed \$1,250.

Civil air patrol—operating expenditures. \$25,827

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

Conversion of materials and equipment fund—military division. No limit

Training and support of title III—federal fund. No limit

Emergency preparedness—federal fund matching—equipment fund. No limit

Emergency preparedness—federal fund matching—administration fund. No limit

Emergency preparedness—RADEF instrument maintenance fund. No limit

State disaster coordination—federal fund. No limit

Emergency preparedness—nuclear civil protection—federal fund. No limit

Payment of death, disability, and medical benefit claims fund. No limit

Expenses under national guard mutual assistance compact fund. No limit

Military fees fund. No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury and credited to the military fees fund.

Emergency preparedness—fee fund. No limit

Armories and units general fees fund. No limit

Emergency preparedness—disaster fund—federal fund. No limit

Civil air patrol—grants and contributions fund. No limit

Sec. 142.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund. \$2,419,418

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$200.

Other federal grants fund. No limit

Provided, That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year: Provided, however, That no grant that is greater than \$250,000 in the aggregate or that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year, shall be deposited to the credit of this fund.

Gifts, grants and donations fund. \$45,000

(b) During the fiscal year ending June 30, 1999, 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, 1999, 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. All amounts transferred from the fire marshal fee fund to the state general fund under this subsection 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. 143.

KANSAS PAROLE BOARD

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

Parole from adult correctional institutions..... \$488,795

Provided, That any unencumbered balance in the parole from adult correctional institutions account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$3,682 except upon approval of the state finance council.

Sec. 144.

KANSAS HIGHWAY PATROL

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

Operating expenditures..... \$23,555,202

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$13,308 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105 and amendments thereto: *And provided further*, That expenditures may be made from this account for state aircraft insurance: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$500: *And provided further*, That expenditures shall be made from this account for operating expenditures of the Kansas highway patrol to provide leadership, coordination and technical assistance to other state public safety agencies in implementing the conversion to 800 megahertz radio systems for those agencies.

Capitol area security..... \$630,353

Provided, That any unencumbered balance in the capitol area security account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

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

General fees fund..... No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That the above agency shall deposit the proceeds from the sale of personal sidearms to retiring troopers and other retiring sworn officers of the Kansas highway patrol, which sales upon retirement are hereby authorized, to the credit of this fund: *Provided, however* That each such sale of a retiring sworn officer's personal sidearm upon retirement shall be for an amount of not less than the replacement cost of the sidearm.

For patrol of Kansas turnpike fund..... No limit

Highway patrol motor vehicle fund..... No limit

Highway patrol—federal fund..... No limit

Kansas highway patrol state forfeiture fund..... No limit

Gifts and donations fund..... No limit

Federal forfeiture fund..... No limit

Motor carrier safety assistance program fund..... No limit

Highway patrol training center clearing fund..... No limit

Provided, That expenditures may be made from the highway patrol training center clearing fund for use of the highway patrol training center by other state or local government agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state or local government agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state or local government agencies shall be credited to this fund.

Highway safety fund..... No limit

Capitol area security fund..... No limit

Provided, That the Kansas highway patrol and any state agency which is responsible for the operation of buildings in the capitol area are hereby authorized to negotiate contracts for building security services: *Provided further*, That any such contract shall provide for reimbursement of the Kansas highway patrol for services rendered pursuant to such contract and such reimbursement shall be credited to the capitol area security fund.

Vehicle identification number fee fund..... \$1,614,517

Interagency motor vehicle fuel sales fund..... No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to this fund.

Motor carrier inspection fund..... \$7,064,909
Highway patrol training center fund..... \$900,000

(c) On July 1, 1998, the director of accounts and reports shall transfer \$139,500 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program fund of the Kansas highway patrol.

(d) On January 1, 1998, the director of accounts and reports shall transfer \$139,499 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program fund of the Kansas highway patrol.

(e) On July 1, 1998, October 1, 1998, January 1, 1999, and April 1, 1999, the director of accounts and reports shall transfer \$1,749,659 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol for the purpose of financing the motor carrier inspection program of the Kansas highway patrol.

(f) On July 1, 1998, the director of accounts and reports shall transfer \$150,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(g) On July 1, 1998, the director of accounts and reports shall transfer \$170,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

Sec. 145.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

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

Operating expenditures..... \$11,348,650

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$750.

Debt service payment—purchase of headquarters building at 1620 S.W. Tyler Street in Topeka..... \$142,489

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

Kansas bureau of investigation state forfeiture fund..... No limit

Kansas bureau of investigation federal forfeiture fund..... No limit

Kansas bureau of investigation federal grants fund..... No limit

Forensic laboratory and materials fee fund..... No limit

Provided, That expenditures may be made from this fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation incurred for laboratory tests conducted for noncriminal justice entities, including governmental agencies and private organizations, which testing activity is hereby authorized: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be for the purposes authorized by subsection (c) of K.S.A. 28-176 and amendments thereto: *Provided further*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees for laboratory tests conducted for such noncriminal justice entities: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting laboratory tests for such noncriminal justice entities: *And provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176 and amendments thereto shall be deposited in the state treasury and credited to this fund.

KBI general fees fund..... No limit

Provided, That expenditures may be made from the KBI general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury and credited to this fund: *And provided further*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury and credited

(continued)

to this fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury to the credit of this fund.

Record check fee fund..... No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury and credited to the record check fee fund: *Provided further*, expenditures from the record check fee fund may be made only for the expenses of conducting criminal history record checks.

Sec. 146.

JUVENILE JUSTICE AUTHORITY

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

Operating expenditures..... \$23,878,619

Provided, That expenditures from the operating expenditures account for official hospitality shall not exceed \$1,000.

Management information systems..... \$125,000

Community initiatives..... \$2,500,000

Provided, That expenditures shall be made from the community initiatives account for community-based initiatives designed to relieve the demands upon juvenile correctional facilities and to provide a community-centered, prevention-focused juvenile justice system which includes diversion, a continuum of community sanctions and post-release, aftercare services: *Provided further*, That all expenditures made from this account shall be based upon the proportionate needs of the 31 judicial districts in juvenile justice matters.

Facilities operations..... \$24,546,608

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$19,710 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

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

Title XIX fund..... No limit

Title IV-E fund..... No limit

Juvenile justice delinquency prevention—federal fund..... No limit

Juvenile detention facilities fund..... \$2,697,648

Juvenile justice fee fund..... No limit

Kansas endowment for youth trust fund..... No limit

Juvenile justice federal fund..... No limit

Juvenile justice community initiative fund..... No limit

Juvenile justice community planning fund..... No limit

Byrne grant—federal fund..... No limit

Capital facilities planning and projects—federal fund..... No limit

Topeka juvenile correctional facility fee fund..... No limit

Topeka juvenile correctional facility improvement fund..... No limit

Topeka juvenile correctional facility—elementary and secondary education fund—federal..... No limit

Topeka juvenile correctional facility—canteen fund..... No limit

Topeka juvenile correctional facility—patient benefit fund..... No limit

Atchison juvenile correctional facility fee fund..... No limit

Atchison juvenile correctional facility—elementary and secondary education fund—federal..... No limit

Atchison juvenile correctional facility—canteen fund..... No limit

Atchison juvenile correctional facility—patient benefit fund..... No limit

Beloit juvenile correctional facility fee fund..... No limit

Beloit juvenile correctional facility—elementary and secondary education fund—federal..... No limit

Beloit juvenile correctional facility—canteen fund..... No limit

Beloit juvenile correctional facility—patient benefit fund..... No limit

Larned juvenile correctional facility fee fund..... No limit

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$90,000 from the alcohol and drug abuse block grant federal fund of the department of social and rehabilitation services to the juvenile justice federal fund of the juvenile justice authority.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$42,310 from the alcohol and drug abuse block grant federal fund of the department of social and rehabilitation services to the Beloit juvenile correctional facility fee fund of the juvenile justice authority.

(e) During the fiscal year ending June 30, 1999, the superintendent of the Topeka juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$4,000 from the Topeka

juvenile correctional facility—canteen fund to the Topeka juvenile correctional facility—patient benefit fund.

(f) During the fiscal year ending June 30, 1999, the superintendent of the Atchison juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$500 from the Atchison juvenile correctional facility—canteen fund to the Atchison juvenile correctional facility—patient benefit fund.

(g) During the fiscal year ending June 30, 1999, the superintendent of the Beloit juvenile correctional facility, upon the approval of the director of accounts and reports, shall transfer \$1,000 from the Beloit juvenile correctional facility—canteen fund to the Beloit juvenile correctional facility—patient benefit fund.

(h) During the fiscal year ending June 30, 1999, the commissioner of juvenile justice, with the governor's approval, may transfer any part of any item of appropriation for the fiscal year ending June 30, 1999, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 1999 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the legislative research department.

(i) The following amounts are included in the facilities operations account of the state general fund for the fiscal year ending June 30, 1999, for the following juvenile correctional facilities and institutions, but expenditures from the facilities operations account shall not be limited to, nor be required to be made in, the amount listed for the juvenile correctional facility:

Table with 2 columns: Facility Name and Amount. Topeka juvenile correctional facility: \$10,419,031; Beloit juvenile correctional facility: \$4,686,903; Atchison juvenile correctional facility: \$5,538,835; Larned juvenile correctional facility: \$3,921,549.

(j) On or after July 1, 1998, during fiscal year 1999, upon notification by the commissioner of juvenile justice, the director of accounts and reports shall transfer all moneys specified by the commissioner of juvenile justice for the residential substance abuse program at the Larned juvenile correctional facility to the juvenile justice federal fund of the juvenile justice authority.

Sec. 147.

EMERGENCY MEDICAL SERVICES BOARD

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

Operating expenditures..... \$828,501

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Regional council grants..... \$100,000

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

EMS—federal fund..... No limit

Emergency medical services operating fund..... \$2,500

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the emergency medical services operating fund.

Sec. 148.

KANSAS SENTENCING COMMISSION

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

Operating expenditures..... \$314,404

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

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

State matching fund..... \$901,536

General fees fund..... No limit

Juvenile justice—federal fund..... No limit

Statistical analysis—federal fund No limit
 Drug abuse fund—federal No limit

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose subject to the expenditure limitation prescribed therefor:

Criminal Justice Information System \$1,300,248
Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the criminal justice information system shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

Sec. 149.

OMBUDSMAN OF CORRECTIONS

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

Adult corrections oversight \$174,562
Provided, That any unencumbered balance in the adult corrections oversight account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

Sec. 150. *Position limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999, made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Adjutant General 226.0
 State Fire Marshal 41.0
 Kansas Parole Board 4.0
 Kansas Highway Patrol 780.8
 Attorney General—Kansas Bureau of Investigation 193.5
 Juvenile Justice Authority 590.0
 Emergency Medical Services Board 13.0
 Kansas Sentencing Commission 9.0
 Ombudsman of Corrections 4.0

Sec. 151.

KANSAS DEPARTMENT OF AGRICULTURE

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

Operating expenditures (including official hospitality) \$9,935,428
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$103,713 except upon approval of the state finance council: *Provided further*, That expenditures may be made from this account for expenses incurred in holding the annual meeting: *And provided further*, That the above agency may negotiate and enter into contracts to carry out its functions at the annual meeting: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 and amendments thereto.

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

Dairy division fee fund \$110,142
 Meat and poultry inspection fee fund \$54,766
 Wheat quality survey fund \$30,000
 Entomology fee fund \$128,331
 Laboratory equipment fund No limit
 Water structures—state highway fund \$90,358
 Soil amendment fee fund \$2,515
 Agricultural liming materials fee fund \$26,045
 Weights and measures fee fund \$72,184
 Water appropriation certification fund \$416,018
 Water rights information system fees fund No limit

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

Agriculture seed fee fund \$71,710
 Chemigation fee fund \$105,621
 Agriculture statistics fund No limit
 Petroleum inspection fee fund \$552,015
 Water transfer hearing fund No limit
 Warehouse fee fund \$591,962
 Grain inspection fee fund \$0
 Kansas corn commission fund No limit

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

Kansas grain sorghum commission fund No limit
Provided, That expenditures from the Kansas grain sorghum commission fund for official hospitality shall not exceed \$3,000.
 Soybean promotion and research fee fund No limit
Provided, That expenditures from the soybean promotion and research fee fund for official hospitality shall not exceed \$3,000.

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

Water plan special revenue fund \$1,018,000
Provided, That expenditures from the water plan special revenue fund for salaries and wages shall not exceed \$580,169.

Agricultural chemical fee fund \$249,246
 Feeding stuffs fee fund \$512,813
 Fertilizer fee fund \$349,422
 Livestock remedies fee fund \$19,513
 Pesticide use fee fund \$444,021
 Grade A milk fee fund \$197,858
 Geographic information system fee fund No limit
 Seed examination fee fund \$28,880
 Egg fee fund \$88,163
 Meat and poultry inspection fund (federal) No limit
 Certification of pesticide applicators program—federal fund No limit
 EPA pesticide performance partnership grant fund No limit
 Pest detection and survey—federal fund No limit
 USDA NASS postage fund No limit
 FDA tissue residue fund—federal No limit
 Aquaculture fund \$0
 Conversion of materials and equipment fund No limit
 Publications fee fund No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of "Insects in Kansas": *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005 and amendments thereto to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of the publication "Insects in Kansas": *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of the publication: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds of any kind from the federal government or any of its agencies or from any other source whatsoever for the printing, publication and distribution of "Insects in Kansas": *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury and credited to this fund.

Other grants fund No limit
Provided, That, the above agency is authorized to make expenditures from the other grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than \$200,001 in the aggregate, and (2) does not require the matching expenditure of any moneys in the state treasury during fiscal year 1999 other than moneys appropriated by this act: *Provided, however*, That no grant that: (1) Is greater than \$200,000 in the aggregate, (2) requires the matching expenditure of any moneys in the state treasury during fiscal year 1999 other than moneys appropriated by this act, or (3) is a grant for the farmers' assistance, counseling and training program, shall be deposited to the credit of this fund.

(c) On July 1, 1998, the director of accounts and reports shall transfer \$89,677 from the state highway fund of the department of transportation to the water structures—state highway fund of the Kansas department of agriculture.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,018,000 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the Kansas department of agriculture.

Sec. 152.

KANSAS ANIMAL HEALTH DEPARTMENT

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

Operating expenditures \$615,053
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.

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

Animal disease control fund No limit
 Animal dealers fee fund No limit
 Veterinary inspection fee fund No limit
 Livestock market brand inspection fee fund No limit
 Livestock brand fee fund No limit

(continued)

Livestock brand emergency revolving fund	No limit
County option brand fee fund	No limit
Federal state disease control fund	No limit
Livestock indemnification fund	No limit
Pseudorabies indemnification fund	No limit

Sec. 153.

STATE FAIR BOARD

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

Operating expenditures	\$125,000
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Provided, That the state fair board shall report to the legislature at the beginning of the 1999 regular session all banking fees incurred to date during the fiscal year ending June 30, 1999.

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

State fair fee fund	No limit
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Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$2,000.

Non-fair days activities fee fund	No limit
State fair special cash fund	No limit

(c) Upon request of the state fair board, the attorney general shall provide legal services for the board during fiscal year 1999.

Sec. 154.

KANSAS WHEAT COMMISSION

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

Kansas wheat commission fund	\$3,347,691
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Provided, That all contracts made by the Kansas wheat commission with United States wheat associates, inc., shall contain a provision that United States wheat associates, inc., shall not expend any of the moneys provided by the Kansas wheat commission for any purpose not authorized by the Kansas wheat act: *Provided further*, That expenditures from the Kansas wheat commission fund for official hospitality shall not exceed \$30,000.

Sec. 155.

STATE CONSERVATION COMMISSION

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

Operating expenditures	\$585,261
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$2,001 except upon approval of the state finance council.

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

Water plan special revenue fund	\$9,633,250
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Provided, That, except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, expenditures from the water plan special revenue fund may be made only for the purposes specifically authorized by this or other appropriation act.

Land reclamation fee fund	No limit
Riparian & wetland areas project—federal fund	No limit
Watershed protect approach/WTR RSRCE MGT fund	No limit
Conversion of materials and equipment fund	No limit

(c) Subject to the limitation on total expenditures from the water plan special revenue fund, expenditures may be made by the above agency from the water plan special revenue fund for the following specified purposes, subject to the expenditure limitations prescribed therefor:

Land treatment cost-share programs	\$4,450,000
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Provided, That expenditures from the land treatment cost-share programs account of the water plan special revenue fund shall be for cost-sharing grants for construction of enduring water conservation structures on privately and publicly owned land in conservation districts which are needed for development and improvement of the quality and quantity of Kansas water resources: *Provided further*, That an amount of not to exceed \$2,720,000 of the initial allocation among conservation districts for such grants for fiscal year 1999 shall be on the basis of allocating 60% of the amount equally among all conservation districts and allocating 40% of the amount to be initially allocated proportionally among all conservation districts on the basis of an index composed of the measurement of nonfederal rural acreage, erosion potential and rainfall in all conservation districts, as determined by the state conservation commission: *And provided further*, That the balance of the initial allocation for such grants for fiscal year 1999 shall be allocated to conservation districts on a priority basis, as determined by the state conservation commission and state water plan: *And provided further*, That expenditures from this account for contractual technical expertise shall not exceed the amount equal to 3% of the approved budget amount for fiscal year 1999 for the land treat-

ment cost-share programs account: *And provided further*, That all expenditures from this account shall be in accordance with K.S.A. 2-1915 and amendments thereto.

Non-point source pollution	\$3,000,000
Conservation district aid	\$1,023,250
Multipurpose small lakes program	\$231,000
Watershed dam construction	\$829,000

Provided, That expenditures from the watershed dam construction account of the water plan special revenue fund are hereby authorized for engineering contracts for watershed planning as determined by the state conservation commission: *Provided, however*, That expenditures from this account for such engineering contracts for watershed planning shall not exceed \$50,000.

Riparian and wetland program	\$100,000
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(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts which in the aggregate shall not exceed \$9,633,250 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the state conservation commission.

(e) During the fiscal year ending June 30, 1999, the executive director of the state conservation commission may transfer moneys from any existing account of the water plan special revenue fund of the state conservation commission to another existing account of the water plan special revenue fund of the state conservation commission: *Provided, however*, That no such transfer shall reduce the amount credited to the land treatment cost-share programs account to less than \$2,720,000: *Provided further*, That no such transfer shall reduce the amount credited to the non-point source pollution account to less than \$3,000,000. The executive director of the state conservation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the division of the budget of the department of administration and the legislative research department.

Sec. 156.

KANSAS WATER OFFICE

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

Water resources operating expenditures	\$1,402,640
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Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: *Provided however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$250.

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

State water plan fund	\$2,877,117
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Provided, That expenditures may be made from the state water plan fund for the salary and other compensation for the GIS resource manager: *Provided further*, That expenditures may be made from this fund for projects and studies as approved by the Kansas water authority, the governor or the legislature: *Provided, however*, That no expenditures shall be made from this fund to acquire any additional water storage in lake Millford or lake Perry: *And provided further*, That upon appropriation to the GIS policy board for data base development, the director of the Kansas water office and other state agencies are hereby authorized to enter into contracts for data base development subject to applicable expenditure limitations therefor.

Conversion of materials and equipment fund	\$0
Water supply storage assurance fund	\$0

Provided, That any moneys deposited to the credit of the water supply storage assurance fund which are received from water assurance districts shall be credited to a separate subaccount: *Provided further*, That all expenditures from any such subaccount shall be in addition to any expenditure limitation imposed on this fund for fiscal year 1999.

State conservation storage water supply fund	\$0
Water marketing fund	No limit
Federal grants and receipts fund	No limit
General fees fund	No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*, That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*, That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury and credited to this fund.

Water conservation projects fund	\$0
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(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$40,000 from the state budget stabilization fund to the state water plan fund of the Kansas water office.

Sec. 157.

DEPARTMENT OF WILDLIFE AND PARKS

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

Operating expenditures \$4,063,527

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999. *Provided, however*, That expenditures from such reappropriated balance shall be made only upon approval of the state finance council. *Provided further*, That expenditures may be made from the operating expenditures account for the purchase of state aircraft insurance: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000. Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following accounts is hereby reappropriated for fiscal year 1999: Wildlife fee fund diversion repayment.

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

Wildlife fee fund \$19,835,822

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 1999 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 1999: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund \$3,666,496

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 1999 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 1999: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund \$988,015

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 1999 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 1999: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to this fund.

Wildlife and parks nonrestricted fund No limit

Provided, That all moneys received under K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173, and amendments to such sections, other than moneys restricted by K.S.A. 32-990, 32-991, 32-992, 32-993, 32-994 and 32-1173, and amendments to such sections, shall be deposited in the state treasury and credited to the wildlife and parks nonrestricted fund: *Provided further*, That expenditures from this fund may be made for federal aid eligible expenditures at the discretion of the secretary of wildlife and parks.

Water plan special revenue fund \$50,000

Prairie spirit rails-to-trails fee fund \$2,000

Nongame wildlife improvement fund No limit

Wildlife conservation fund No limit

Mined-land donation fund No limit

Federally licensed wildlife areas fund No limit

State agricultural production fund No limit

Land and water conservation fund—local No limit

Land and water conservation fund—state No limit

El Dorado state park—gifts and donations fund No limit

Development and promotions fund No limit

Department of wildlife and parks private gifts and donations fund No limit

Fish and wildlife restitution fund No limit

Parks restitution fund No limit

Nonfederal grants fund No limit

Federal grants fund No limit

Mined land donation fund No limit

Suspense fund No limit

Employee maintenance deduction clearing fund No limit

(c) On July 1, 1998, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$50,000 from the state water plan fund of the Kansas water office to the water plan special revenue fund of the department of wildlife and parks.

(d) On July 15, 1998, or as soon thereafter as moneys are available,

the director of accounts and reports shall transfer an amount not to exceed \$35,000 specified by the secretary of wildlife and parks from the wildlife fee fund of the department of wildlife and parks to the El Dorado correctional facility—general fees fund of the department of corrections.

(e) On or before July 10, 1998, and on or before the 10th day of each month thereafter during fiscal year 1999, the director of accounts and reports shall transfer from the state general fund to the wildlife and parks nonrestricted fund interest earnings based upon: (1) The average daily balance of moneys in the wildlife and parks nonrestricted fund for the preceding month, and (2) the net earnings rate of the pooled money investment board portfolio for the preceding month.

(f) In addition to the other purposes for which expenditures may be made by the department of wildlife and parks from the moneys appropriated in the parks fee fund for the fiscal year ending June 30, 1999, as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made from the parks fee fund for fiscal year 1999 for operating expenditures and capital improvement projects for the purposes of maintaining and repairing the Prairie Spirit rail trail in Allen, Anderson and Franklin counties, including, but not limited to, the expenses of operating of park equipment by employees of the department of wildlife and parks that are assigned to the state park system.

(g) In addition to the other purposes for which expenditures may be made by the department of wildlife and parks from the moneys appropriated in the wildlife conservation fund for the fiscal year ending June 30, 1999, as authorized by this or other appropriation act of the 1998 regular session of the legislature, expenditures shall be made from the wildlife conservation fund for the purpose of repairing or replacing bridge no. R3-CHBW-06 at the Cheyenne Bottoms wildlife area: *Provided*, That the design and construction specifications for this project shall be prepared by the Kansas department of transportation, in cooperation with the department of wildlife and parks.

Sec. 158. *Position Limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1999 made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Kansas Department of Agriculture.....	368.0
Kansas Animal Health Department.....	30.0
State Fair Board.....	18.0
Kansas Wheat Commission.....	8.0
State Conservation Commission.....	13.5
Kansas Water Office.....	21.5
Department of Wildlife and Parks.....	392.3

Sec. 159.

DEPARTMENT OF TRANSPORTATION

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

State highway fund No limit

Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund No limit

County equalization and adjustment fund \$2,500,000

Highway special permits fund No limit

Highway bonds debt service fund No limit

Rail services improvement fund No limit

Rail service assistance program loan guarantee fund No limit

Railroad rehabilitation loan guarantee fund No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 1999, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420 and amendments thereto and guaranteed pursuant to K.S.A. 75-5031 and amendments thereto.

Interagency motor vehicle fuel sales fund No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to this fund.

(continued)

Elderly and disabled coordinated public transportation assistance fund No limit
Public use general aviation airport development fund No limit

(b) Expenditures may be made by the above agency from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations \$207,692,071

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$1,000; *Provided, however*, That expenditures may be made from this account for state aircraft insurance; *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e and amendments thereto.

Conference fees No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department; *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund; *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance No limit

Claims No limit

Payments for city connecting links \$2,240,000

Federal local aid programs No limit

Pre-1992 bond services fees No limit

Construction, remodeling and special maintenance projects for buildings \$7,972,315

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 1998, in capital improvement project accounts of projects approved for prior fiscal years; *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 1999; *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated in the state highway fund for fiscal year 1999 by this or other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the above agency from the state highway fund for fiscal year 1999 for the acquisition of real estate for use as a materials storage and mixing strip for the subarea located at Pittsburg, Kansas, by purchase or exchange for currently owned real estate, to replace the materials storage and mixing strip located at the south edge of Girard, Kansas, on state highway K-7.

Other capital improvements No limit

(c) On April 1, 1999, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611 and amendments thereto.

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

(e) Any transfer of money during the fiscal year ending June 30, 1999, from the state highway fund to other state agencies, resulting from a contract for services shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 1999.

(f) Any transfer of money during the fiscal year ending June 30, 1999, from the state highway fund to the highway bonds debt service fund shall be in addition to any expenditure limitation imposed on the state highway fund for the fiscal year ending June 30, 1999.

(g) *Position limitations*. The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1999, made in this or other appropriation act of the 1998 regular session of the legislature for the following agency or agencies shall not exceed the following, except upon approval of the state finance council:

Department of Transportation 3,129.5

Sec. 160. *Kansas savings incentive program*. (a) In addition to other expenditures authorized by law, expenditures may be made from the agency operations account of the state highway fund appropriated by this act for the fiscal year ending June 30, 1999, by the department of transportation for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for

fiscal year 1999 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality; *Provided*, That all such expenditures from such fund for the fiscal year 1999 shall be in addition to any expenditure limitation imposed on the agency operations account of the state highway fund for fiscal year 1999; *Provided, however*, That the total amount of such expenditures from the agency operations account of the state highway fund for fiscal year 1999 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from the agency operations account of the state highway fund for fiscal year 1998 for agency operations, as determined by the director of accounts and reports; *Provided further*, That the total gross amount of any such salary bonus payments to any individual employee during fiscal year 1999 shall not exceed \$1,000; *And provided further*, That the provisions of this subsection shall apply only to: (1) That portion of the moneys in the agency operations account of the state highway fund from which expenditures may be made for agency operations, and (2) shall not include that portion of moneys which may be expended for other operating expenses in the regular maintenance subprogram.

(b) Any unencumbered balance in excess of \$100 as of June 30, 1998, in any account of any special revenue fund of the department of transportation, which was appropriated by subsection (b) of section 106 of chapter 123 of the 1997 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1998 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1999, for the purposes authorized in subsection (a). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for the fiscal year ending June 30, 1999. On July 1, 1998, each Kansas quality management account and each KQM expenditure account of any special revenue fund reappropriated by this subsection (b) are hereby redesignated as Kansas savings incentive accounts.

(c) No salary bonus payment paid pursuant to this section during fiscal year 1999 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled or for which the employee may become eligible.

Sec. 161. *Kansas savings incentive program*. (a) In addition to other expenditures authorized by law, expenditures may be made from any account of the state general fund reappropriated by this act for the fiscal year ending June 30, 1999, for any state agency named in this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology equipment which was included in the budget estimates for fiscal year 1999 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality; *Provided, however*, That the total of all such expenditures from such account of the state general fund for the fiscal year 1999 shall not exceed the amount equal to 50% of the amount of the unencumbered balance as of June 30, 1998, in such account of the state general fund that is reappropriated for fiscal year 1999 and that is in excess of the amount authorized to be expended for fiscal year 1999 from such reappropriated balance, as determined by the director of accounts and reports; *Provided further*, That the total gross amount of any such salary bonus payments to any individual employee during fiscal year 1999 that are paid under subsection (b) or this subsection shall not exceed \$1,000; *And provided further*, That the provisions of this subsection shall apply only to that portion of any such account from which expenditures may be made for state operations; *And provided further*, That all such expenditures from the reappropriated balance in any such account for the fiscal year 1999 shall be in addition to any expenditure limitation imposed on expenditures from the reappropriated balance in any such account for fiscal year 1999.

(b) In addition to other expenditures authorized by law, expenditures may be made from any special revenue fund appropriated by this act for the fiscal year ending June 30, 1999, for a state agency named in this act for the following purposes: (1) Salary bonus payments to permanent full-time or regular part-time employees of the state agency at the discretion of the agency head, (2) purchase or other acquisition of technology

equipment which was included in the budget estimates for fiscal year 1999 submitted by the state agency pursuant to K.S.A. 75-3717 and amendments thereto, and (3) professional development training including official hospitality: *Provided*, That all such expenditures from such fund for the fiscal year 1999 shall be in addition to any expenditure limitation imposed on such fund or any account thereof for fiscal year 1999: *Provided, however*, That the total amount of such expenditures from such fund for fiscal year 1999 shall not exceed the amount equal to 50% of the unexpended portion of the amount authorized to be expended from such fund for fiscal year 1998 for state operations, as determined by the director of accounts and reports, or, in the case of no limit appropriations, as determined by the director of the budget: *Provided further*, That the total gross amount of any such salary bonus payments to any individual employee during fiscal year 1999 that are paid under subsection (a) or this subsection shall not exceed \$1,000: *And provided further*, That the provisions of this subsection shall apply only to: (1) That portion of the moneys in each account of a special revenue fund from which portion expenditures may be made for state operations, and (2) that portion of the moneys in a special revenue fund, that does not have any such accounts specified in this or other appropriation act, from which portion expenditures may be made for state operations.

(c) (1) Any unencumbered balance in excess of \$100 as of June 30, 1998, in any account of the state general fund of any state agency named in this act, which was reappropriated by subsection (c)(1) of section 107 of chapter 123 of the 1997 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1998 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1999, and may be expended for the purposes authorized in subsections (a) and (b).

(2) Any unencumbered balance in excess of \$100 as of June 30, 1998, in any account of any special revenue fund of any state agency named in this act, which was appropriated by subsection (c)(2) of section 107 of chapter 123 of the 1997 Session Laws of Kansas and which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1998 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1999, and may be expended for the purposes authorized in subsections (a) and (b). All expenditures from any such account of any such special revenue fund shall be in addition to any expenditure limitation imposed on such special revenue fund for fiscal year 1999.

(3) On July 1, 1998, each Kansas quality management account and each KQM expenditure account of the state general fund and each Kansas quality management account and each KQM expenditure account of any special revenue fund reappropriated by this subsection (c) are hereby redesignated as Kansas savings incentive accounts.

(d) No salary bonus payment paid pursuant to this section during fiscal year 1999 shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled to for which the employee may become eligible.

(e) The provisions of this section shall not apply to any state agency named in section 22 of chapter 123 of the 1997 Session Laws of Kansas or to the department of transportation.

Sec. 162. (a) No moneys appropriated for the fiscal year ending June 30, 1998, or the fiscal year ending June 30, 1999, to the attorney general or to any other state agency shall be expended for any contingency fee payments or any other compensation payments to any law firm that entered into the engagement and contingency agreement with the attorney general, pursuant to such engagement and contingency agreement, or for any activities or operations of the attorney general or the office of the attorney general conducted or undertaken for the implementation or administration of or for any other purpose regarding such engagement and contingency agreement, except as specifically authorized and directed by this act with respect to terminating such engagement and contingency agreement, nor shall any other funds of any agency of the state government of Kansas be utilized for any such purpose. It is the intent of this section to invoke and exercise the "termination due to lack of funding appropriation" clause, contained in the contractual provisions attachment form DA-146a, of the engagement and contingency agreement.

(b) The attorney general is hereby authorized and directed to terminate forthwith the engagement and contingency agreement entered into by the attorney general with such law firms pursuant to the "termination due to lack of funding appropriation" clause, contained in the contractual provisions attachment form DA-146a, of the engagement and contingency agreement.

(c) As used in this section:

(1) "Attorney general" means the attorney general of the state of Kansas and includes any officer or employee of the office of the attorney general of the state of Kansas;

(2) "law firm" means any of the law firms of Entz & Chaney, P.A., Scruggs, Millette, Lawson, Bozeman & Dent, P.A., and Ness, Motley, Loadholt, Richardson & Poole, P.A., and includes any attorney who is a member of, who is employed by or who has contracted with or is otherwise associated with or performing legal services for any such law firm;

(3) "state agency" has the meaning ascribed by K.S.A. 75-3701 and amendments thereto;

(4) "engagement and contingency agreement" means the engagement and contingency agreement entered into by the law firms with the attorney general to provide legal services to the state of Kansas for the purpose of seeking injunctive relief, monetary relief, including, without limitation, damages and civil penalties, and other relief against tobacco industry companies and related entities in litigation arising from the advertising, marketing, manufacturing, promotion, sale and/or distribution of cigarettes and other tobacco products; and

(5) "activities or operations" means any normal operating activities or operations of the attorney general or any of the officers or employees of the office of the attorney general and includes any meetings, communications, legal work or any administrative activity of any kind participated in or entered into or conducted in any manner by the attorney general or any officer or employee of the office of the attorney general.

Sec. 163. (a) On or before October 1, 1998, each state agency named in this or any other appropriation act of the 1998 regular session of the legislature shall submit a report to the members of the legislative coordinating council, the chair, vice chair and ranking minority member of the committee on ways and means of the senate, the subcommittee chair of the subcommittee of the committee on ways and means of the senate that is assigned the state agency's budget for review, the chair, vice chair and ranking minority member of the committee on appropriations of the house of representatives, and the subcommittee chair of the subcommittee of the committee on appropriations of the house of representatives that is assigned the state agency's budget for review. Such report shall detail (1) any special revenue fund receipts for the fiscal year ending June 30, 1998, which were in excess of those amounts included in the budget for the fiscal year ending June 30, 1998, of the state agency as approved by the legislature during 1998 regular session, (2) any federal grants received by such agency which were not included in the budget for the fiscal year ending June 30, 1998, of such state agency as approved by the legislature during 1998 regular session, and (3) any moneys received by the state agency from nongovernmental sources which were not included in the budget for the fiscal year ending June 30, 1998, of such state agency as approved by the legislature during 1998 regular session.

(b) On or before the first day of the 1999 regular session of the legislature each state agency named in this or any other appropriation act of the 1998 regular session of the legislature shall submit a report to the members of the legislative coordinating council, the chair, vice chair and ranking minority member of the committee on ways and means of the senate, the subcommittee chair of the subcommittee of the committee on ways and means of the senate that is assigned the state agency's budget for review, the chair, vice chair and ranking minority member of the committee on appropriations of the house of representatives, and the subcommittee chair of the subcommittee of the committee on appropriations of the house of representatives that is assigned the state agency's budget for review. Such report shall detail (1) any special revenue fund receipts for the fiscal year ending June 30, 1999, which are projected to be in excess of those amounts included in the budget for the fiscal year ending June 30, 1999, of the state agency as approved by the legislature during 1998 regular session, (2) any federal grants received or anticipated to be received by the state agency which were not included in the budget for the fiscal year ending June 30, 1999, of the state agency as approved by the legislature during 1998 regular session, and (3) any moneys received or anticipated to be received by the state agency from nongovernmental

(continued)

sources which were not included in the budget for the fiscal year ending June 30, 1999, of such state agency as approved by the legislature during 1998 regular session.

Sec. 164. On July 1, 1998, K.S.A. 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: (a) The transfers on July 15 and December 10 of each year shall be in equal amounts which in the aggregate equal 2.823% of such taxes credited to the state general fund during the preceding calendar year; and (b) the amount of the transfer on each such date during state fiscal year 1998 1999 shall be equal to 101.75% 102.4% of the amount transferred on the same date during state fiscal year 1997 1998. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 165. On July 1, 1998, K.S.A. 79-3425i is hereby amended to read as follows: 79-3425i. 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: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) the amount of the transfer on each such date during state fiscal year 1998 1999 shall not exceed the amount equal to 101.75% 102.4% of the amount transferred on the same date during state fiscal year 1997 1998. All transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 166. On July 1, 1998, K.S.A. 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 7.628% 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 the amount of the transfer on each such date during state fiscal year 1998 1999 shall not exceed the amount equal to 101.75% 102.4% of the amount transferred on the same date during state fiscal year 1997 1998. All transfers made pursuant to this section are subject to reduction under K.S.A. 75-6704, and amendments thereto.

(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. 167.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund	No limit
Grandstand renovation project fund	No limit
Grandstand cost of issuance fund	No limit
Grandstand principal and interest fund	No limit
Grandstand renovation reserve fund	No limit
Grandstand rebate fund	No limit
Grandstand renovation surplus fund	No limit
Grandstand contingency fund	No limit
SBSF—encampment building renovation fund	No limit
EDIF—encampment renovation fund	No limit

(b) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

New commercial building	\$848,000
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Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the new commercial building shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

Sec. 168.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects	\$3,965,000
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Provided, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 1999 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for projects approved by the secretary of social and rehabilitation services: Provided, further, That expenditures also may be made from this account during fiscal year 1999 for the purposes of rehabilitation and repair for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto.

(b) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 1999, expenditures may be made by the above agency from the other state fees fund for fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair	\$106,000
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Provided, That expenditures from the area office rehabilitation and repair account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 1999.

Sec. 169.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects	\$289,654
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Sec. 170.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects	\$374,078
Install air conditioning in Roth dormitories and Roberts academic building	\$154,735

Sec. 171.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Debt service payment for the revenue refunding bond issue	\$6,802,000
Debt service payment for the Wichita work release facility bond issue	\$163,000
Debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas	\$1,675,000
Debt service payment for the El Dorado correctional facility site utilities replacement project	\$1,258,000

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999: Capacity expansion planning.

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

Capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions	
For the fiscal year ending June 30, 1998	\$149,886
For the fiscal year ending June 30, 1999	\$4,253,225

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1999 from the capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 1999 by the institution or facility for capital improvement projects, including security improvement projects and hazardous waste cleanup at Lansing correctional facility, approved by the secretary of corrections: Provided, however, That the aggregate of all transfers from this account to an account or accounts of any institution under the jurisdiction of the secretary of corrections to be expended in fiscal year 1998 and fiscal year 1999 for the purposes of capacity expansion planning for planning for new reception and diagnostic unit shall not exceed \$87,630.

Debt service payment for the revenue refunding bond issue	
For the fiscal year ending June 30, 1999	\$500,000

(c) In addition to the other purposes for which expenditures may be made by the above agency from the correctional industries fund for fiscal year 1999, expenditures may be made by the above agency from the correctional industries fund for fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Construct industries building at Lansing \$376,025

(d) On the effective date of this act, the appropriation of all moneys credited to and available in the correctional facilities expansion projects revenue fund for the fiscal year ending June 30, 1998, by section 45(g) of chapter 192 of the 1997 Session Laws of Kansas for the capital improvements projects for expansion at Hutchinson correctional facility is hereby lapsed and the correctional facilities expansion projects revenue fund established by section 45(g) of chapter 192 of the 1997 Session Laws of Kansas is hereby abolished.

(e) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Violent offenders incarceration and truth in sentencing incentive grants—federal fund No limit
Ellsworth correctional facility—principal and interest fund—K DFA B bonds No limit
Lease revenue bond issue—principal and interest fund—J bonds No limit
Revenue refunding bond—principal and interest fund—K DFA L bonds No limit

Sec. 172.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects \$334,573

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

EDIF first territorial capitol renovation project fund \$71,000

Provided, That no expenditures shall be made from the EDIF first territorial capitol renovation project 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 by subsection (c) of K.S.A. 75-3711c and amendments thereto: Provided, however, That, if the secretary of the state historical society has entered into a signed agreement with a responsible party that would transfer from the state the future daily operation and maintenance of the first territorial capitol historical site, then the state finance council shall approve expenditures from this fund for the first territorial capitol renovation project.

EDIF—completion of historic sites No limit

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—completion of historic sites fund of the state historical society.

Sec. 173.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance building principal and interest payment fund No limit
Insurance department rehabilitation and repair fund No limit

Sec. 174.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Energy conservation improvements—debt service \$3,127,981
Paint and grounds shop—debt service \$14,864
Cedar Crest repair and renovation \$380,400
Judicial center carpet replacement \$64,000
Judicial center rehabilitation and repair \$50,000
Rehabilitation and repair—statehouse and cedar crest \$25,000

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following capital improvement accounts is hereby reappropriated for fiscal year 1999: Rehabilitation and repair—statehouse, judicial center and governor's residence; fire and safety alarms—

statehouse; planning for memorial hall renovation; roof repair at center section and rotunda—statehouse; cedar crest repair and renovation; memorial hall bond anticipation note.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Master lease program fund No limit
State buildings depreciation fund \$0

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

Statehouse grounds & facility improvements \$750,000

Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the statehouse grounds & facility improvements shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 1999, expenditures may be made by the above agency from any unencumbered balance as of June 30, 1998, in each of the following capital improvement accounts of the building and ground fund: Parking lot rehabilitation and repair: Provided, That expenditures for fiscal year 1999 from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 1999, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Docking fire suppression system installation \$550,000
Landon fire suppression system installation \$450,000
Docking renovation—debt service \$171,100
Special maintenance repairs and improvements—state office buildings \$100,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 1999.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 1999, expenditures may be made by the above agency from the state buildings depreciation fund from the unencumbered balance as of June 30, 1998, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: Provided, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: Provided further, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 1999.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 1999, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Landon state office building—debt service \$1,319,058
Paint and grounds shop—debt service \$23,374

(h) In addition to the other purposes for which expenditures may be made by the above agency from the motor pool service fund for fiscal year 1999, expenditures may be made by the above agency from the following capital improvement account or accounts of the motor pool service fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop—debt service \$61,308

Provided, That all expenditures by the above agency from the motor pool service fund for fiscal year 1999 for motor pool shop—debt service shall be in addition to any expenditure limitation imposed on the motor pool service fund for fiscal year 1999.

(continued)

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 1999, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant—debt service..... \$219,194

(j) In addition to the other purposes for which expenditures may be made by the above agency from the state budget stabilization fund for the fiscal year 1998, expenditures may be made by the above agency from the state budget stabilization fund for the fiscal year 1998, for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

Statehouse elevators renovation..... \$347,000

Provided, That all expenditures from the state budget stabilization fund for the fiscal year 1998 for the statehouse elevators renovation shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for the fiscal year 1998.

(k) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the statehouse elevators renovation project: Provided, That all expenditures from the state budget stabilization fund for the fiscal year 1999 for the statehouse elevators renovation project shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for the fiscal year 1999; Provided, however, That the aggregate of all expenditures from the state budget stabilization fund for fiscal year 1998 and for fiscal year 1999 for such statehouse elevators renovation project, shall not exceed \$347,000.

Sec. 175.

DEPARTMENT OF COMMERCE AND HOUSING

(a) In addition to the other purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999, moneys may be expended by the above agency from the Kansas economic development endowment account of the state economic development initiatives fund during the fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair—travel information centers..... \$35,000

Provided, That all expenditures by the above agency from the rehabilitation and repair—travel information centers subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999 shall be in addition to any expenditure limitation imposed on the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999.

(b) In addition to the other purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund, expenditures may be made from the construct Olathe travel information center subaccount of the Kansas economic development endowment account of the state economic development initiatives fund during the fiscal year ending June 30, 1999: Provided, That such expenditures shall not exceed the amount of the unencumbered balance in such subaccount on June 30, 1998: Provided further, That all expenditures from the unencumbered balance of any such subaccount shall be in addition to any expenditure limitation imposed on the total expenditures from the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1999.

Sec. 176.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation—bond and interest sinking fund..... No limit
Lewis field renovation—revenue fund..... No limit
Sternberg museum gift fund..... No limit

Sec. 177.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Lease payment—Salina aeronautical center (including aeronautical laboratory center)..... \$189,446

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or 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 expenditures may be made from the student fee bonds principal and interest 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 repair, equipment and improvement 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
Housing facilities renovation bond fund, KDFA D bonds, 1989..... No limit
Parking system refunding revenue bond fund, KDFA G bonds, 1995..... No limit
Housing system bond fund, KDFA H bonds, 1993..... No limit
Farrell library renovation/expansion—gifts/donations fund..... No limit
Plan/construct/equip Farrell library renovation/expansion fund..... No limit
Farrell library expansion revenue bond fund, KDFA K bonds, 1995..... No limit
Recreation complex revenue bond fund, KDFA D bonds, 1993..... No limit
Plant science building phase II—special revenue fund..... No limit
Site improvements fund..... No limit
College center construction fund..... No limit
Bluemont hall defects repair fund..... No limit
Engineering complex phase II private gift fund..... No limit
Student recreation building repair, equipment & improvement fund..... No limit
Coliseum/stadium parking repair & improvement fund..... No limit
Energy conservation projects fund..... No limit
Student recreational building bond and interest sinking fund..... No limit
Student union renovation and expansion fund..... No limit

Provided, That Kansas state university may make expenditures from the student union renovation and expansion fund for the capital improvement project to renovate and expand the student union in an amount of not more than \$11,500,000, 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: Provided further, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 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.

Student coliseum bond fee fund..... No limit
Ackert hall addition—federal fund..... No limit
Ackert hall addition—gifts and grants fund..... No limit
Student and staff parking garage—special revenue fund..... No limit

Provided, That Kansas state university may make expenditures from the student and staff parking garage—special revenue fund for the capital improvement project to construct a parking garage 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 \$10,500,000 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 such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 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.

Football stadium expansion—special revenue fund..... No limit

Provided, That Kansas state university may make expenditures from the football stadium expansion—special revenue fund for the capital improvement project to expand the football stadium 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 \$16,000,000 plus all amounts required for costs of any such bond issuance, costs of interest on any bonds issued or obtained for such capital improvement projects and any required reserves for payment of principal and interest on any 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. 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.

(c) On or before July 10, 1998, and on or before the 10th day of each month thereafter during fiscal year 1999, the director of accounts and reports shall transfer from the state general fund to the student coliseum bond fee fund interest earnings based on: (1) The average daily balance of moneys in the student coliseum bond fee fund for the preceding month, and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 1999, expenditures may be made by the above agency

from the appropriate account or accounts of the restricted fees fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Biological and agricultural engineering research storage building.....	No limit
Konza prairie preserve storage building.....	No limit
Construct materials acoustics laboratory.....	No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the student union renovation and expansion fund for the fiscal year ending June 30, 1999, expenditures may be made by the above agency from the student union renovation and expansion fund during fiscal year 1999 for costs associated with roof repair on an existing portion of the student union building.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored research overhead fund for the fiscal year ending June 30, 1999, expenditures may be made by the above agency from the sponsored research overhead fund for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Accelerated testing laboratory garage addition.....	No limit
Accelerated testing laboratory storage/equipment shed.....	No limit
Salina national gas machinery laboratory.....	No limit

(g) During the fiscal year ending June 30, 1999, Kansas state university is hereby authorized to make expenditures to raze Dennison hall.

(h) On July 1, 1998, any unencumbered balance in each of the following accounts of the Kansas educational building fund is hereby lapsed: Handicapped accessibility improvements.

(i) During the fiscal year ending June 30, 1999, Kansas state university is hereby authorized to make expenditures to raze portions of building no. 025 (Seaton hall).

(j) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1998, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Football stadium expansion—special revenue fund.....	No limit
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Provided, That Kansas state university may make expenditures from the football stadium expansion—special revenue fund for the capital improvement project to expand the football stadium 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 \$16,000,000 plus all amounts required for costs of any such bond issuance, costs of interest on any bonds issued or obtained for such capital improvement projects and any required reserves for payment of principal and interest on any 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. 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. 178.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 1999, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 1999 for the following capital improvement project or projects:

Equipment/pesticide storage building.....	No limit
Renovate laboratories in Throckmorton hall.....	No limit
Warehouse expansion—department of agronomy building.....	No limit
Scandia experiment field office facility.....	No limit
Equipment/pesticide storage buildings.....	No limit
Southwest research extension center office/administrative facility.....	No limit
Southeast agriculture research center buildings.....	No limit
South central agronomy experiment field office and storage building.....	No limit
Improvements to grain science value added laboratory.....	No limit

(b) During the fiscal years ending June 30, 1998, and June 30, 1999, Kansas state university extension systems and agriculture research programs is hereby authorized to make expenditures to raze the barn, building number 882, two residences, buildings numbered 851 and 853, and two garages, buildings numbered 852 and 853a at the Hays agricultural research center.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the sponsored overhead research fund for the fiscal year ending June 30, 1999, expenditures may be made by the above agency from the sponsored research overhead fund for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Southeast agriculture research center buildings.....	No limit
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Sec. 179.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Greyhound research facility expansion fund.....	No limit
Energy conservation projects fund.....	No limit

Sec. 180.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Bond construction funds fund.....	No limit
Student union addition bond and interest sinking fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit

Sec. 181.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or 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
Horace Mann construction fund.....	No limit

Provided, That Pittsburg state university may make expenditures from the Horace Mann construction fund for the renovation of the Horace Mann building: *Provided further*, That the capital improvement project to renovate the Horace Mann building is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That the above agency is authorized to expend moneys in fiscal years 1998 and 1999 from restricted fee fund sources for up-front project expenses that will be reimbursed from subsequent project bonds proceeds: *And provided further*, That all moneys received from the issuance of any such project bonds shall be deposited to the credit of this fund.

Willard hall construction fund.....	No limit
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Provided, That Pittsburg state university may make expenditures from the Willard hall construction fund for the renovation of Willard hall: *Provided further*, That the capital improvement project to renovate Willard hall is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *And provided further*, That the above agency is authorized to expend moneys in fiscal years 1998 and 1999 from the housing system operations fund for up-front project expenses that will be reimbursed from subsequent project bond proceeds: *And provided further*, That all moneys received from the issuance of any such project bonds shall be deposited to the credit of this fund.

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.....	No limit
Kansas technology center gifts and donations fund.....	No limit
Jack C. Overman student center renovation fund.....	No limit

(b) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university from the Horace Mann construction fund to the appropriate accounts of the restricted fees fund to reimburse the restricted fees fund for upfront project expenses of the capital improvement project for the renovation of the Horace Mann building financed from the restricted fees fund during fiscal years 1997, 1998 and 1999.

(c) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university from the Willard hall construction fund to the housing system operations fund to reimburse the housing system operations fund for up-front project expenses of the capital improvement project for the renovation of Willard hall financed from the housing system operations fund during fiscal years 1997, 1998 and 1999.

Sec. 182.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999,

(continued)

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

Student union renovation revenue fund	No limit
Student health facility maintenance, repair, and equipment fee fund	No limit
Parking facilities surplus fund—K DFA C bonds, 1993	No limit
Regents center revenue fund—K DFA D bonds, 1990	No limit
Regents center bond reserve fund—K DFA D bonds, 1990	No limit
Regents center surplus fund	No limit
Regents center rebate fund	No limit
Regents center revenue refund project principal and interest—K DFA C bonds, 1997	No limit
Student union renovation rebate fund (phase I)	No limit
Student union renovation principal and interest—K DFA C bonds, 1992	No limit
Student union renovation bond reserve—K DFA C bonds, 1992	No limit
Student union renovation surplus fund—K DFA C bonds, 1992	No limit
Student union renovation rebate fund—K DFA C bonds, 1992	No limit
Bioscience research center rebate fund—K DFA series Q bonds, 1992	No limit
Bioscience research center project account—K DFA A bonds, 1994 fund	No limit
Bioscience research center principal and interest payment account—K DFA A bonds, 1994 fund	No limit
Bioscience research center reserve account—K DFA A bonds, 1994 fund	No limit
Bioscience research center rebate account—K DFA A bonds, 1994 fund	No limit
Parking facilities refunding bonds principal and interest fund—K DFA C bonds, 1993	No limit
Parking facilities refunding bonds reserve fund—K DFA G bonds, 1993	No limit
Parking facilities refunding bonds rebate fund—K DFA G bonds, 1993	No limit
Student health facility addition revenue fund	No limit
Biosciences research center—special revenue fund	No limit
<i>Provided</i> , 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 the biosciences research center—special revenue fund: <i>Provided further</i> , That the above agency may transfer moneys during fiscal year 1999 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: <i>And provided further</i> , That all transfers of moneys for fiscal year 1999 from the sponsored research overhead fund to this fund shall be in addition to any expenditure limitation imposed on the sponsored research overhead fund for fiscal year 1999: <i>And provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , 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
<i>Provided</i> , That the university of Kansas may make expenditures from the law enforcement training center improvements special revenue fund for a capital improvement project for planning and construction—phase II—for law enforcement training center improvements: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$5,436,000: <i>Provided further</i> , That the above agency may transfer moneys for fiscal year 1999 from the law enforcement training center fund to this fund for such capital improvement project: <i>And provided further</i> , That all transfers of moneys for fiscal year 1999 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 for fiscal year 1999.	
Sunflower research landfill remediation fund	No limit
SBSF—Plan, construct, reconstruct and equip Hoch auditorium fund	No limit
Renovate Lewis hall—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the renovate Lewis hall—special revenue fund for the capital improvement project to renovate the Lewis hall building, in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$5,915,000 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: <i>And provided further</i> , That the above agency may transfer moneys for fiscal year 1999 from appropriate accounts of the housing system operations fund to this fund for such capital improvement project or for debt service for such capital improvement project: <i>And provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Regents center principal and interest payment account K DFA D bonds, 1990 fund	No limit
Energy conservation revenue bond K DFA A bonds, 1996 fund	No limit
Templin hall renovation principal and interest payment account K DFA E bonds, 1996 fund	No limit
Templin hall renovation bond proceeds project account K DFA E bonds, 1996 fund	No limit
Templin hall renovation university proceeds project account K DFA E bonds, 1996 fund	No limit
Templin hall renovation bond reserve K DFA E bonds, 1996 fund	No limit
Watkins health center addition principal and interest payment account K DFA D bonds, 1995 fund	No limit

Watkins health center addition project account K DFA D bonds, 1995 fund	No limit
Watkins health center addition university proceeds project account K DFA D bonds, 1995 fund	No limit
Watkins health center addition cost of issuance K DFA D bonds, 1995 fund	No limit
Watkins health center addition bond reserve K DFA D bonds, 1995 fund	No limit
Regents R&R project K DFA K bonds, 1996 fund	No limit
Construct parking garage no. 2—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the construct parking garage no. 2—special revenue fund for the capital improvement project to construct a parking garage in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$10,025,000 plus all amounts required for costs of any bond issuances, 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: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Edwards campus facility expansion—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the Edwards campus facility expansion—special revenue fund for the capital improvement project to expand facilities on the Edwards campus in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$13,230,000 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: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Construct child care facility—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the construct child care facility—special revenue fund for the capital improvement project to construct a child care facility in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$4,470,000 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: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Athletic facilities enhancements—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the athletic facilities enhancements—special revenue fund for the capital improvement project to renovate athletic facilities in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$32,391,210 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: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Budig hall completion fund	No limit
<i>Provided</i> , That during the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas from moneys available to the above agency in special revenue funds for fiscal year 1999, including the general fees fund, tuition accountability fund, sponsored research overhead fund and various moneys within the restricted fees fund, including grants, gifts, contracts and fees to the Budig hall completion fund: <i>Provided, however</i> , That no expenditures shall be made from this fund until the preliminary plans and program statement for the Budig hall completion project have been reviewed by the joint committee on state building construction.	
Continuing education program building acquisition—special revenue fund	No limit
<i>Provided</i> , That the university of Kansas may make expenditures from the continuing education program building acquisition—special revenue fund to acquire the real property located at 1515 St. Andrews Drive in Lawrence, Kansas, in addition to the expenditure of other moneys appropriated therefor: <i>Provided, however</i> , That expenditures from this fund for such capital improvement project shall not exceed \$2,000,000 plus all amounts required for costs of any such bond issuance, costs of interest on any bonds issued or obtained for such capital improvement projects and any required reserves for payment of principal and interest on any bond: <i>Provided further</i> , That such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: <i>And provided further</i> , That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.	
Dole institute gift or grant fund	No limit

(b) During the fiscal year ending June 30, 1999, the university of Kansas is hereby authorized to make expenditures to raze the jayhawker towers parking garage.

(c) During the fiscal year ending June 30, 1999, the university of Kansas is hereby authorized to make expenditures to raze building #17 annex.

(d) On July 1, 1998, any unencumbered balance in each of the following accounts of the Kansas educational building fund is hereby lapsed: Decommission nuclear reactor; utility systems analysis and upgrade; construct addition to Dyche hall.

(e) In addition to the other purposes for which expenditures may be made from the above agency from the continuing education programs account of the restricted fees fund for the fiscal year ending June 30, 1999, as authorized by this act or by any other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the above agency from the continuing education programs account of the restricted fees fund for fiscal year 1999 for the acquisition of the real property located at 1515 St. Andrews Drive in Lawrence, Kansas.

(f) In addition to the other purposes for which expenditures may be made from the above agency from the operating expenditures (including official hospitality) account of the state general fund for the fiscal year ending June 30, 1999, as authorized by this act or by any other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the above agency from the operating expenditures (including official hospitality) account of the state general fund for fiscal year 1999 for the acquisition of Erma B. Smith Hall which is located on the campus in Lawrence, Kansas, in accordance with a payment schedule prescribing payments over a period of not more than 20 years under a contract for purchase of the Erma B. Smith Hall, which contract is hereby authorized to be entered into by the above agency and which contract and payments are subject to appropriations therefor.

(g) In addition to the other purposes for which expenditures may be made from the above agency from the restricted fees fund for the fiscal year ending June 30, 1999, as authorized by this act or by any other appropriation act of the 1998 regular session of the legislature, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund for fiscal year 1999 for the acquisition of 2.31 acres of land near DeSoto, Kansas.

(h) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

Dole institute of public service and public policy \$3,000,000

Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the Dole institute of public service and public policy shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

Sec. 183.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facility KDFA principal and interest fund	No limit
Parking facility KDFA bond reserve fund	No limit
Parking facility KDFA surplus fund	No limit
Medical library bond and interest sinking 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 rebate fund—KDFA F bonds—1988	No limit
Parking facility refunding repair and construction fund	No limit
Cancer center project fund KDFA J bonds—1992	No limit
Biomedical research building principal and interest sinking fund	No limit
Rehabilitation and repair projects for institutions of higher education fund	No limit
1985 parking facility refund revenue bond—repair and construction fund	No limit
Regents R&R project KDFA K bonds, 1996 fund	No limit
Construct and equip research building fund	No limit
Construct and equip center for health in aging fund	No limit

Provided, That the university of Kansas medical center may make expenditures from the construct and equip center for health in aging fund for the capital improvement project to construct the center for health in aging 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 \$8,000,000 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 principal and interest on any bond: *Provided further*, That the above agency may transfer moneys for fiscal year 1999 from appropriate accounts of the sponsored research overhead fund to this fund for such capital improvement project or for debt service for such capital improvement project: *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. 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.

Construct and equip research support facility fund No limit

Provided, That the university of Kansas medical center may make expenditures from the construct and equip research support facility fund for the capital improvement project to construct an addition to the research support facility 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 \$3,250,000 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 the above agency may transfer moneys for fiscal year 1999 from appropriate accounts of the sponsored research overhead fund to this fund for such capital improvement project or for debt service for such capital improvement project: *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. 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.

(b) During the fiscal year ending June 30, 1999, the director of accounts and reports shall transfer amounts certified by the chancellor of the university of Kansas from the sponsored research overhead fund to the biomedical research principal and interest sinking fund.

(c) During the fiscal year ending June 30, 1999, the university of Kansas medical center is hereby authorized to make expenditures to raze portions of building no. 13 (the Eleanor Taylor administration building).

(d) During the fiscal year ending June 30, 1999, the university of Kansas medical center is hereby authorized to make expenditures to raze building no. 4 (Hinch hall).

(e) On July 1, 1998, any unencumbered balance in each of the following accounts of the Kansas educational building fund is hereby lapsed: Ventilating and air conditioning repairs to Bell memorial hospital—phase III.

Sec. 184.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On-campus parking construction and maintenance fund No limit

Sec. 185.

DEPARTMENT OF HUMAN RESOURCES

(a) In addition to the other purposes for which expenditures may be made by the above agency from the employment security administration fund for fiscal year 1998, and in addition to capital improvement projects authorized by section 19 of chapter 150 of the 1997 Session Laws of Kansas, expenditures may be made by the above agency from the employment security administration fund for fiscal year 1998 for capital improvement projects: *Provided*, That such expenditures from this fund for capital improvement projects shall be made only for the following capital improvement purposes: (1) Renovating the Wichita office into a phone center operation, and (2) creating additional parking for the main office of the department of human resources located at 401 Topeka Ave, Topeka, Kansas: *Provided further*, That expenditures from this fund for fiscal year 1998 for capital improvement projects for such capital improvement purposes shall not exceed \$244,000: *And provided further*, That all expenditures from this fund for capital improvement projects for such capital improvement purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 1998.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the employment security administration fund for fiscal year 1999, expenditures may be made 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 1999: *Provided*, That expenditures from this fund during fiscal year 1999 of moneys made available to the state under section 903 of the federal social security act, as amended, shall be

(continued)

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; (3) for the purposes of purchasing real property adjoining or near the main office of the department of human resources located at 401 Topeka Avenue, Topeka, Kansas, for parking lot expansion for such office; or (4) for any combination of these purposes: *Provided further*, That expenditures from this fund during fiscal year 1999 of moneys made available to the state under section 903 of the federal social security act, as amended, for such capital improvement purposes shall not exceed \$123,500 plus the amounts of unencumbered balances as of June 30, 1998, for capital improvement projects approved for fiscal years prior to fiscal year 1999: *And provided further*, That all expenditures from this fund for any such capital improvement purposes or projects shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 1999.

Sec. 186.

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, 1998, for the capital improvement project as follows:

Power plant construction \$80,065

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Repair and rehabilitation projects \$110,000
Halsey hall remodeling \$200,000

Provided, That no expenditures shall be made from the Halsey hall remodeling account to construct an enclosed smoking area at Halsey hall.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans' home federal construction grant fund \$0

Provided, That all moneys received by the above agency as federal grants for the purposes of construction and remodeling at the Kansas veterans' home, which grants are hereby authorized to be applied for and received by the above agency, shall be deposited in the state treasury to the credit of the Veterans' home federal construction grant fund.

Sec. 187.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1998, for the capital improvement project or projects specified as follows:

Rehabilitation and repair—headquarters building \$25,000

(b) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Rehabilitation and repair—headquarters building \$15,000

Provided, That any unencumbered balance in the rehabilitation and repair—headquarters building account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Debt service principal payment—headquarters building \$165,000

Sec. 188.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 1999, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 1998 to make debt service payments for the Kansas highway patrol training center at Salina for the bonds issued for such project pursuant to subsection (b) of section 6 of chapter 326 of the 1992 Session Laws of Kansas.

(b) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 1999, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Training center—remodeling, rehabilitation and repair projects \$50,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 1999.

(c) In addition to other purposes for which expenditures may be made by the above agency from the motor carrier inspection fund for

fiscal year 1999, expenditures may be made by the above agency from the motor carrier inspection fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Remodeling, rehabilitation and repair projects \$50,000
Replacement of scales \$91,138

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the motor carrier inspection fund for fiscal year 1999.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the motor carrier inspection fund for fiscal year 1999, expenditures may be made by the above agency from the unencumbered balance as of June 30, 1998, in each of the following capital improvement accounts of the motor carrier inspection fund for fiscal year 1999: Replacement of Caney Trailer: *Provided*, That expenditures for fiscal year 1999 from the unencumbered balance in any such account shall not exceed the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures for fiscal year 1999 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the motor carrier inspection fund for fiscal year 1999.

Sec. 189.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Armory roofing projects \$589,790

(b) Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 1999: Rehabilitation and repair projects.

(c) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

Iola armory additions \$333,848

Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the Iola armory addition shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999: *Provided, however*, That no expenditures may be made from the Iola armory addition account of the state budget stabilization fund until the adjutant general certifies to the director of accounts and reports that (1) an amount of not less than \$1,569,243 has been received from the federal government specifically for the construction of the Iola armory addition and (2) an amount of not less than \$209,232 has been received from local government sources specifically for the construction of the Iola armory addition.

Sec. 190.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

Handicapped accessibility renovation \$28,037

Provided, That any unencumbered balance in the handicapped accessibility renovation account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.

Any unencumbered balance in excess of \$100 as of June 30, 1998, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 1999: Prairie Spirit rails-to-trails project; flood damage repair; rehabilitation and repair.

Matching grant for development of wetlands project at Milford reservoir \$361,512

Provided, That expenditures from this account may be made by the secretary of wildlife and parks upon verification by the chairperson of WILDSCAPE that federal funds are available from the U.S. army corps of engineers for development of the Milford wetlands: *Provided, however*, That funds provided by the Kansas department of wildlife and parks to WILDSCAPE shall not be used to finance the administrative costs of WILDSCAPE.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 1999, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund No limit
Bridge maintenance fund No limit
Migratory waterfowl propagation and protection fund \$100,000
Renovation of Cheyenne bottoms—federal fund No limit
Bureau of reclamation federal flood aid fund No limit
Cheyenne bottoms project gift fund No limit
Rails-to-trails federal fund No limit
Economic development initiatives grant fund No limit

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the economic development initiatives grant fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each of the following capital improvement accounts of the economic development initiatives grant fund: Prairie Spirit rails-to-trails project: *Provided*, however, That expenditures from the unencumbered balance of any such account shall not exceed the unencumbered balance in such account on June 30, 1998.

(c) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,350,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(d) On July 1, 1998, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That all expenditures from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 1999.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 1999 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 1999.

(g) In addition to the other purposes for which expenditures may be made from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999 for the following specified purpose or purposes, subject to the expenditure limitations prescribed therefor:

State budget stabilization fund ADA accessibility	\$71,963
Comprehensive capital improvements for state parks	\$10,000,000

Provided, That all expenditures by the above agency from the state budget stabilization fund for fiscal year 1999 for the state budget stabilization fund ADA accessibility projects and the comprehensive capital improvements for state parks shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state budget stabilization fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the above agency in the state budget stabilization fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state budget stabilization fund for fiscal year 1999.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 1999, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 1999 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wildlife fee fund ADA renovation fishery enhancements	\$200,000
Wildlife fee fund land acquisition	\$250,000
Wildlife fee fund rehabilitation and repair	\$250,000
Federally mandated boating access	\$850,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 1999.

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

made by the above agency from the wildlife fee fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 1999: *And provided further*, That, on July 1, 1998, any unencumbered balance as of June 30, 1998, in each of the following capital improvement accounts of the wildlife fee fund is hereby lapsed: Repair outlet—Brown state fishing lake; expand Wichita urban fishing waters.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 1999 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 1999.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 1999.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 1999, expenditures may be made by the above agency for fiscal year 1999 from the unencumbered balance as of June 30, 1998, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 1998: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 1999 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 1999.

(n) During the fiscal year ending June 30, 1999, any expenditures by the department of wildlife and parks from any moneys appropriated for fiscal year 1999, for wetlands acquisition shall be for the acquisition of existing wetlands that are adjacent to state-owned wetlands in Barton county or McPherson county: *Provided*, That, as used in this subsection, wetlands are defined as areas that have a predominance of hydric soils and that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

(o) During the fiscal year ending June 30, 1999, any expenditures by the department of wildlife and parks from any moneys appropriated for fiscal year 1999, for land acquisition related to the playa lakes project shall be for lands which are adjacent to playa lakes properties that are already owned by the state: *Provided*, That no pumping of groundwater may be done on any such newly acquired properties.

Sec. 191.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1999, for the capital improvement project or projects specified as follows:

(continued)

Capital improvements—rehabilitation, remodeling, renovation and repair of juvenile correctional facilities..... \$1,147,075
Provided, That the commissioner of juvenile justice is hereby authorized to transfer moneys during fiscal year 1999 from the capital improvements—rehabilitation, remodeling, renovation and repair of juvenile correctional facilities account of the state institutions building fund to an account or accounts of the state institutions building fund of any institution or facility under the jurisdiction of the commissioner of juvenile justice to be expended during fiscal year 1999 by the institution or facility for capital improvement projects approved by the commissioner of juvenile justice.

Sec. 192. *Appeals to exceed position limitations.* The limitations imposed by this act on the number of full-time and regular part-time positions, equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 1999, made in this act or in any other appropriation act of the 1998 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 193. *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. 194. *Savings.* Any unencumbered balance as of June 30, 1998, in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1998 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1999, for the same use and purpose as the same was heretofore appropriated.

Sec. 195. *Federal grants.* Each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 1998 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 1999, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 196. Any transfers of money during the fiscal year ending June 30, 1999, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 1999.

Sec. 197. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1998 regular session of the legislature, and having an unencumbered balance as of June 30, 1998, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1999, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 198. Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 1998 regular session of the legislature and having an unencumbered balance as of June 30, 1998, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1999, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 199. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1998 regular session of the legislature and having an unencumbered balance as of June 30, 1998, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1999, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 200. Any Kansas special capital improvements fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1998 regular session of the legislature, and having an unencumbered balance as of June 30, 1998, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1999, for the same use and purpose as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 201. On the effective date of this act, K.S.A. 75-3730a and 75-3730b are hereby repealed.

Sec. 202. On July 1, 1998, K.S.A. 79-2964, 79-3425i and 79-34,147 and section 23 of chapter 123 of the 1997 Session Laws of Kansas are hereby repealed.

Sec. 203. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 495 with my signature approving the bill, except for the items enumerated below.

KPERS COLA

Section 99(c) has been line-item vetoed in its entirety.

This line-item would approve \$28,342,761 from the State General Fund to pay cash for a 3.0 percent cost-of-living increase for KPERS retirees who retired before July 1, 1993. However, SB 11, which contains the enabling language needed to implement the retiree COLA, is still in Conference Committee. As a consequence, the lack of any enabling retirement legislation makes this State General Fund deposit into the KPERS Fund premature.

This veto should not be read by anyone as a diminishment of my commitment to a base increase for the KPERS retirees. I strongly urge the Legislature to review again my proposal for providing a 3.0 percent cost-of-living increase for all retirees to be funded by increasing the employer contribution rates beginning in FY 2000. It must be noted that the KPERS actuaries have determined that my proposal would *not* adversely affect the unfunded liability, which is projected to reach equilibrium in FY 2002. As a result, my recommendation remains the most cost effective method for providing a COLA for retirees.

Administration—Public Broadcasting Equipment Grants (EDIF)

That portion of Section 104(b) that reads as follows has been line-item vetoed:

“Public broadcasting equipment grants
EDIF fund \$200,000

Provided, That all expenditures from the public broadcasting equipment grants EDIF fund shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *Provided further*, That expenditures from this fund may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this fund to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.”

Section 104(i) has been line-item vetoed in its entirety.

My original recommendation for public broadcasting equipment acquisitions included \$100,000 from the State General Fund for FY 1999. The Legislature added \$150,000 from the State General Fund and \$200,000 from the EDIF. Although I still believe my original recommen-

dation was adequate for equipment acquisition, the total State General Fund appropriation of \$250,000 is certainly more than generous for normal grants. If a targeted use of \$150,000 for the microwave interconnection for public television is recommended, I would support that.

SRS—Correct Children’s Health Care Duplication

That portion of Section 120(a) that reads as follows has been line-item vetoed:

“Children’s health insurance \$12,000,000
Provided, That any unencumbered balance in the children’s health insurance account in excess of \$100 as of June 30, 1998, is hereby reappropriated for fiscal year 1999.”

This section would provide a State General Fund appropriation to match the federal funds that have been available to the State of Kansas for the financing of a health care program for children. I have signed House Substitute for SB 424, which is the authorization for that program. Included in that bill is a \$12.0 million State General Fund revenue transfer in FY 1999 to the Kansas Insurance Coverage for Children Fund to provide the match for the available federal funds. Because the match for the health care program for children is already authorized by House Substitute for SB 424, this section is duplicative and therefore vetoed.

Regents—National Geographic (EDIF)

That portion of Section 139(b) that reads as follows has been line-item vetoed:

“Kansas state geography education endowment program fund No limit
Provided, That all moneys received from the national geographic society foundation to create a Kansas state geography education endowment program shall be deposited in the state treasury and credited to the Kansas state geography education endowment fund.

EDIF—national geographic society education foundation endowment fund \$250,000

Provided, That all expenditures from the EDIF—national geographic society education foundation endowment fund shall be matched on a \$1 for \$1 basis by expenditures from the Kansas state geography education endowment program fund so that expenditures for the Kansas state geography education endowment program are equally supported by funds received from the national geographic society foundation and from the Kansas economic development endowment account of the state economic development initiatives fund: *Provided further*, That the state board of regents shall implement and administer the Kansas state geography education endowment program.”

Section 139(e) has been line-item vetoed in its entirety.

The vetoes above relate to the FY 1999 appropriation made by the Legislature to the Board of Regents to create a state geography education endowment program. I disagree with the transfer of \$250,000 from the EDIF to es-

tablish this endowment fund and believe there are higher priorities for education funding, especially for at-risk and early childhood programs. Additionally, if additional funding is to be recommended, I believe it should be targeted to existing programs, such as environmental education and agriculture in the classroom, which were reduced by the Legislature.

All State Agencies

Section 163 has been line-item vetoed in its entirety.

Section 163 requires state agencies, by October 31, 1998, to file variance reports on their budget to a number of legislative officers and committees. Specifically, the reports must show variances between budgeted and actual expenditures for FY 1998 for federal, other special revenue, and non-governmental funds. Similar reports would also have to be submitted by the beginning of the 1999 Legislative Session, showing variances in these same funding sources for FY 1999 between the approved budget and the revised estimate of expenditures year-to-date. I veto this section because it imposes another unnecessary administrative burden on state agencies to provide information that is already attainable through the normal budget process or available, upon request, from state agencies.

Attorney General—Termination of Contract for Legal Services

Section 162 has been line-item vetoed in its entirety.

Section 162 was intended to compel the Attorney General to renegotiate the contingency contract entered into with various law firms to secure the vigorous prosecution of the state’s claims for damages and injunctive relief in lawsuits against the major manufacturers of cigarettes. The concern of the Legislature is the amount of possible attorneys fee that might be awarded by the courts under the contract. The language of Section 162 calls for the Attorney General to fire all of the private attorneys currently representing the state in its current lawsuits against the cigarette manufacturers.

The implementation of Section 162 could seriously damage the state’s ability to proceed with the lawsuits. Some 3,000 children a day start to smoke cigarettes. Hundreds of millions of dollars may be recovered from these suits. These lawsuits may be the only effective way to reduce underage smoking and recover the money spent in treating the disease caused by smoking. The Attorney General and the leadership of the Appropriations and Ways and Means Committees are currently seeking to reach an agreement on the terms of a renegotiated contract. I strongly support those efforts and urge agreement on reasonable and fair fees. Under these circumstances, I veto Section 162.

Dated April 27, 1998.

Bill Graves
Governor

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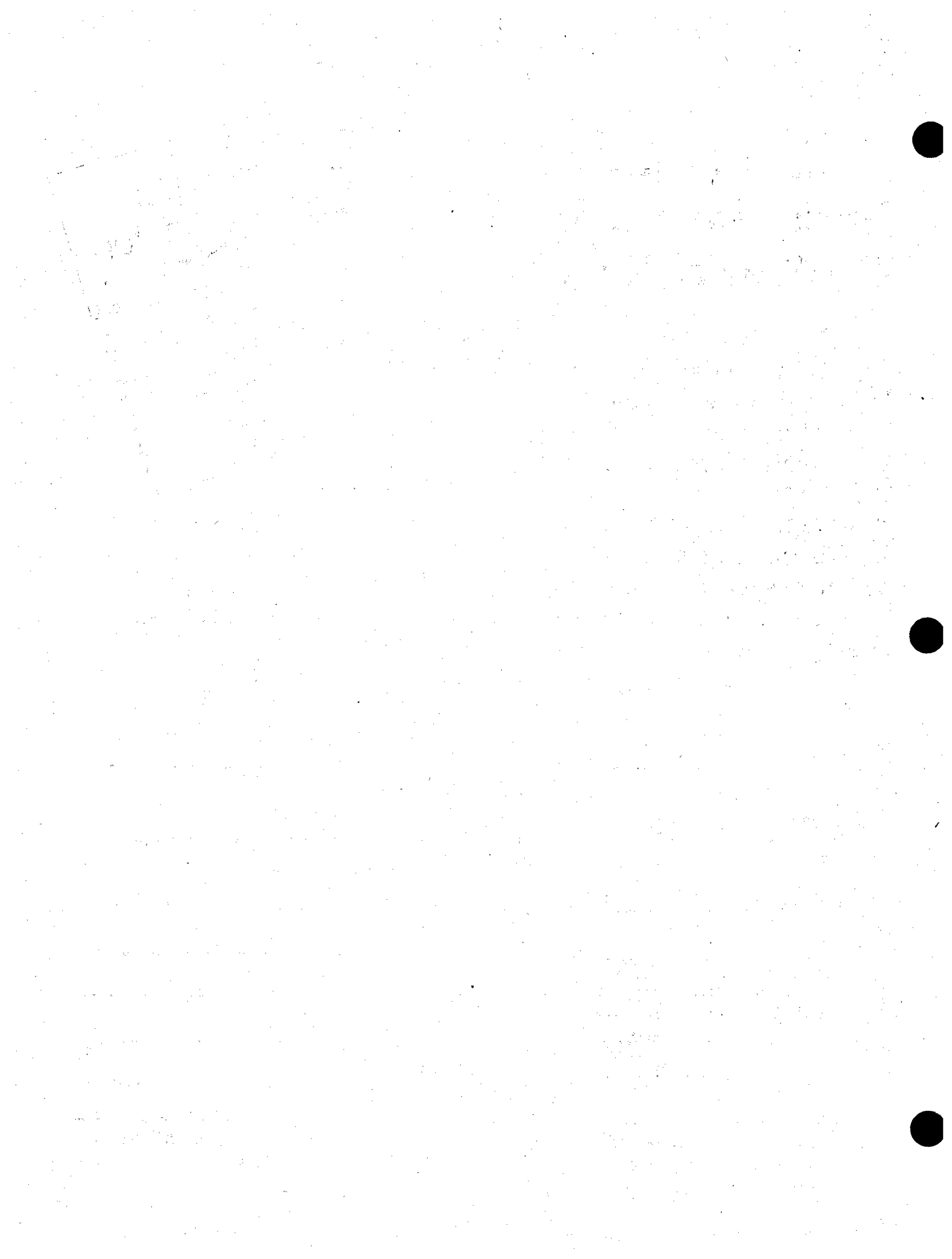
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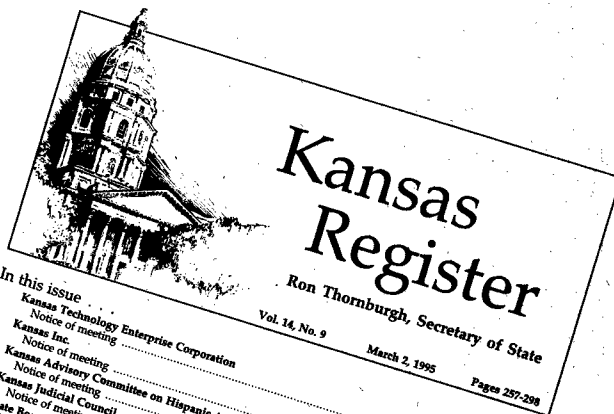
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