



# Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

**Department of Administration  
Division of Facilities Management**

**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 a 12-month period from July 1, 2007 to June 30, 2008. Negotiations also are commencing for welding x-ray services, infrared testing services, and mechanical and electrical troubleshooting.

To be considered, the following should be provided: a letter of interest, an SF330 Part II and information regarding similar services. For additional information contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon June 15.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or locations in the state, that information also should be supplied with the response. Proposing/interested firms are not required to provide all the services described in this ad.

Marilyn Jacobson, Director  
Division of Facilities Management

Doc. No. 034499

State of Kansas

**Department of Administration  
Division of Facilities Management**

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

Notice is hereby given of the commencement of negotiations for surveying, geological investigation and testing services for a 12-month period from July 1, 2007 to June 30, 2008. Pre-construction testing services shall include soils, roofing and hazardous materials such as lead paint and asbestos. Testing and inspection services during construction also are sought, such as soils, asphalt, concrete, steel, welding, spray-on fire-resistant materials and masonry wall construction.

To be considered, the following should be provided: a letter of interest, an SF330 Part II and information regarding similar services. For additional information contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon June 15.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or locations in the state, that information also should be supplied with the response. Proposing/interested firms are not required to provide all the services described in this ad.

Marilyn Jacobson, Director  
Division of Facilities Management

Doc. No. 034500

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## State of Kansas

## Attorney General

## Opinion 2007-7

**Schools—Special Provisions Relating to Assessed Valuation and Taxation for School District Purposes—Racetrack Gaming Facilities or Lottery Gaming Facilities in Cherokee County. Representative Doug Gatewood, 1st District, Columbus, March 13, 2007.**

Enactment of a Kansas expanded lottery act in any year would serve as the initial trigger for applicability of K.S.A. 2006 Supp. 72-6624. However, even with the passage of an expanded lottery act, the provisions of K.S.A. 2006 Supp. 72-6624 will not become effective until such time as a racetrack gaming facility or lottery facility, as defined by that as yet non-existent expanded lottery act is located in Cherokee County. Cited herein: K.S.A. 2006 Supp. 72-6624. CN

## Opinion 2007-8

**Criminal Procedure—Kansas Code of Criminal Procedure; Search and Seizure—Strip and Body Cavity Searches; Strip Searches; Limitations.**

**Criminal Procedure—Kansas Code of Criminal Procedure; Search and Seizure—Strip and Body Cavity Searches; Prison and Jail Inmates, Exceptions. Steven Opat, Geary County Attorney, Junction City, April 2, 2007.**

Courts uniformly find constitutional fault with blanket policies providing for strip searches of all prisoners detained or arrested for violation of statutes, resolutions or ordinances involving only traffic, regulatory or nonviolent misdemeanor offenses. K.S.A. 22-2521(a) codifies this case law. However, pursuant to K.S.A. 22-2524(b), strip searches may be conducted absent reasonable suspicion or probable cause when a person accused of even this type of crime is, *out of strict necessity*, confined in a general jail population while awaiting appearance before a magistrate judge. This provision has not been struck down as unconstitutional. However, because courts often impose a strict burden of proof when such searches are conducted, we caution against adoption of any blanket policy providing for such searches in all cases and urge every jailer to adopt policies that insure adequate justification is present in each specific situation. Cited herein: U.S. Const., Amend. IV; K.S.A. 22-2521; 22-2522; 22-2524. TMN

## Opinion 2007-9

**Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule; City's Establishment of Domestic Partnership Registry.**

**Constitution of the State of Kansas—Miscellaneous—Marriage; City's Establishment of Domestic Partnership Registry. Toni Ramirez Wheeler, Interim Director of Legal Services, City of Lawrence, Lawrence, April 6, 2007.**

The City of Lawrence proposed Ordinance No. B, establishing a domestic partnership registry, does not conflict with nor is it preempted by Article 15, Section 16 of the Kansas Constitution or statutes establishing the mar-

ital relationship. However, to the extent that the registry is available to individuals who do not reside in the City of Lawrence, the ordinance extends beyond the purview of the city's local affairs and, as such, may be found to violate the Home Rule Amendment to the Kansas Constitution. Cited herein: K.S.A. 2006 Supp. 23-101; K.S.A. 23-102; 60-1601; Kan. Const., Art. 12, § 5, Art. 15, § 16. MF

## Opinion 2007-10

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

**Taxation—Correction of Irregularities—Unlawful Release, Discharge, Remission or Commutation of Taxes; Interests and Penalties Owed. Harold T. Walker, Chief Counsel, Unified Government of Wyandotte County/Kansas City, Kansas, Kansas City, Kansas, April 10, 2007.**

K.S.A. 79-2024 allows a county treasurer to discretionarily accept partial payments toward a tax debt. However, K.S.A. 79-2024 does not authorize the county treasurer to abate or forgive delinquent taxes or interest on tax debts, which remains prohibited by K.S.A. 79-1703. Cited herein: K.S.A. 2006 Supp. 79-1701; 79-1701a; K.S.A. 79-1703; K.S.A. 2006 Supp. 79-2004; 79-2004a; K.S.A. 79-2014; 79-2023; 79-2024; 79-2803; 79-2811; L. 1994, Ch. 267. TMB

## Opinion 2007-11

**Taxation—Property Exempt from Taxation; Initial Request for Exemption; Tax Not Required to be Paid During Pendency of Application.**

**Taxation—Sale of Real Estate For Taxes—Listing of Real Estate Subject to Sale; Application for Exemption.**

**Taxation—Sale of Personal Property for Taxes—Collection of Delinquent Taxes; Application for Exemption. Harold T. Walker, Chief Counsel, Unified Government of Wyandotte County/Kansas City, Kansas, May 15, 2007.**

If a property owner has properly requested a tax exemption, K.S.A. 2006 Supp. 79-213(i) provides that taxes otherwise due as of that filing are not considered delinquent until the expiration of thirty days after the Board of Tax Appeals issues an order denying the exemption. Thus, a county treasurer should not attempt to collect such taxes by utilizing the procedures in K.S.A. 79-2302 and K.S.A. 2006 Supp. 79-2101 unless and until this occurs. However, pursuant to K.S.A. 2006 Supp. 79-213, the application for exemption does not impact delinquent taxes from uses or years prior to the date the exemption request was filed, granted or became effective. Thus, any tax delinquency falling outside the parameters of K.S.A. 2006 Supp. 79-213 may be listed or handled in accordance with standard tax collection procedures. Cited herein: K.S.A. 2006 Supp. 79-201a; 79-213; 29-2101; K.S.A. 79-2302; 79-2303. TMB

Paul Morrison  
Attorney General

Doc. No. 034501

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 22 by the 2007 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

## House Concurrent Resolutions

**HCR 5025**, A concurrent resolution ratifying the State of Disaster Emergency declared on May 4, 2007, in a proclamation issued by Governor Sebelius and providing for the continuation thereof for Kiowa County until October 31, 2007.

## Senate Resolutions

**SR 1887**, A resolution proclaiming and celebrating the sesquicentennial of Chetopa, Kansas.

**SR 1888**, A resolution commemorating May 29, 2007, as the 90th anniversary of the birth of John Fitzgerald Kennedy.

Doc. No. 034504

## 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, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at [www.kssos.org](http://www.kssos.org). The following appointments were recently filed with the Secretary of State:

## Ellsworth County Treasurer

**Geneva L. Schneider**, 210 N. Kansas, Ellsworth, 67439. Succeeds Paula Schneider, resigned.

## Graham County Sheriff

**Brandon C. Presley**, 105 E. Mulberry, Hill City, 67642. Succeeds Don E. Scott, resigned.

## Nemaha County Register of Deeds

**Roxann Holthaus**, 912 Walnut St., Seneca, 66538. Succeeds Mary Ann Holsapple, retired.

## Abstracters' Board of Examiners

**Gregory S. Gordon**, 525 La Hacienda Drive, Colby, 67701. Term expires June 30, 2010. Reappointed.

## Board of Adult Care Home Administrators

**Dr. Kevin Bryant**, 4956 N. Webb Road, Wichita, 67226. Term expires June 30, 2009. Reappointed.

**Jinna K. Jeffery**, 2819 Coolidge, Wichita, 67204. Term expires June 30, 2009. Reappointed.

**Dawn E. Veh**, 2503 N. Meadowlake Drive, Hutchinson, 67502. Term expires June 30, 2009. Reappointed.

## Athletic Trainers Council

**Brian Razak**, 2317 Donald Drive, Hays, 67601. Term expires June 30, 2010. Reappointed.

## Kansas Dental Board

**Dr. Karen M. Callanan**, 6514 Rodeo, Wichita, 67226. Term expires June 30, 2011. Reappointed.

## Employment Security Board of Review

**Harry D. Helsler**, 9111 W. 21st St. North, #1, Wichita, 67205. Term expires March 15, 2011. Reappointed.

## Kansas Advisory Group on Juvenile Justice and Delinquency Prevention

**Dustin A. Allen**, 1512 S.W. 29th Terrace, Topeka, 66611. Term expires June 30, 2010. Reappointed.

**Marilynn L. Ault**, 1506 S.W. Boswell, Topeka, 66604. Term expires June 30, 2011. Reappointed.

**Brian Black**, 1802 E. 13th St., Wichita, 67214. Term expires June 30, 2011.

**Judy Bredesen**, 1302 N. Cline Road, Coffeyville, 67337. Term expires June 30, 2011. Reappointed.

**Shelly K. Chenoweth**, 6811 E. 44th St. North, Wichita, 67226. Term expires June 30, 2011.

**Dr. Brenda S. Dietrich**, 6110 S.W. 38th Terrace, Topeka, 66610. Term expires June 30, 2011. Succeeds Ken Moore.

**Cynthia M. Geist**, 2005 Pine St., Hays, 67601. Term expires June 30, 2010. Reappointed.

**Brandon J. Johnson**, 5203 E. 20th St. North, Wichita, 67208. Term expires June 30, 2010. Reappointed.

**Sen. Laura Kelly**, 234 S.W. Greenwood Ave., Topeka, 66606. Term expires June 30, 2011.

**Sarah D. Mays**, 5423 S.W. Sena Drive, Topeka, 66604. Term expires June 30, 2011. Reappointed.

**Rep. Melody C. McCray-Miller**, 2121 E. 53rd North, Wichita, 67219. Term expires June 30, 2010. Reappointed.

**Dustin J. Nelson**, 101 W. 30th Ave., Hutchinson, 67502. Term expires June 30, 2010. Reappointed.

**Erika Nilles-Plumlee, Vice Chair**, 1405 New York St., Lawrence, 66044. Term expires June 30, 2011. Reappointed.

**Melody Pappan**, 30154 261st Road, Dexter, 67038. Term expires June 30, 2011. Reappointed.

**Melissa K. Rundus**, 12534 N.W. 13th St., Topeka, 66615. Term expires June 30, 2010. Succeeds Vicky A. Kaaz.

**Tyra Talbert**, 3030 S.W. Randolph, Topeka, 66612. Term expires June 30, 2010. Succeeds Scott W. Baldwin.

**Sherrie Vaughan-Gregg**, 480 S. Rogers Road, Olathe, 66062. Term expires June 30, 2011.

**Jan West**, 3751 W. Main, Independence, 67301. Term expires June 30, 2011.

**Dr. Sonya Willis**, 7401 Johnson Drive, Overland Park, 66202. Term expires June 30, 2010. Succeeds Irene Caudillo.

Ron Thornburgh  
Secretary of State

Doc. No. 034498

## State of Kansas

## University of Kansas

## Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete list of all goods and services currently out for bid. For persons without Internet access, paper postings of all open bids may be reviewed at the Purchasing Services office, 1246 W. Campus Road, Room 7, Lawrence. Copies of current bids may be requested by contacting the Purchasing Services office at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at [purchasing@ku.edu](mailto:purchasing@ku.edu).

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 034496

## State of Kansas

## Kansas Health Policy Authority

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 11 a.m. Tuesday, July 10, in Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of amendments to an existing rule and regulation on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference is not available.

Chapter 187, 2005 Session Laws of Kansas transferred specific powers, duties and regulatory authority from the Department of Social and Rehabilitation Services to the Division of Health Policy and Finance (DHFP) within the Department of Administration, and then transferred those powers, duties and regulatory authority to the Kansas Health Policy Authority (KHPA) effective July 1, 2006. The statutes provide that KHPA will be the single state agency for Medicaid, Medikan and HealthWave in Kansas.

This 30-day notice of the public hearing shall constitute a public comment period for the proposed regulation as stated in K.S.A. 2006 Supp. 77-421(a)(3). All interested parties may submit written comments before the hearing to Rita Haverkamp, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, or by e-mail to [Rita.Haverkamp@khpas.gov](mailto:Rita.Haverkamp@khpas.gov). The Kansas Health Policy Authority will give all interested parties a reasonable opportunity at the hearing to present their views, but it may be necessary to request each participant to 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 regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Rita Haverkamp at (785) 296-5107 or by calling the Kansas Relay Center at (800) 766-3777.

A copy of the regulation and the economic impact statement may be obtained by contacting Rita Haverkamp or from the KHPA Web site at [www.khpas.gov](http://www.khpas.gov). A summary of the regulation and the economic impact follows:

**Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENT FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM**

**129-5-1. Prior authorization.** The following changes will be made to K.A.R. 129-5-1 regarding prior authorization of pharmaceutical products:

These therapeutic classes of drugs have been evaluated by the Preferred Drug List Advisory Committee and found to be clinically equivalent. To ensure the most clinically appropriate utilization of these drugs in the most cost-effective manner, the following drugs will require prior authorization:

- Ace inhibitors: quinapril
- Short acting beta 2 inhaled agonists: metaproterenol inhaler, levalbuterol solution, albuterol solution 0.021% and 0.042%
- Muscle relaxant — antispasticity agents: dantrolene
- Anti-diabetic drugs: Fortamet, Glumetza®

The following drugs are being removed from prior authorization because the drugs in these therapeutic classes have been found to be clinically equivalent by the Preferred Drug List Advisory Board and they are now cost-effective:

- Anti-diabetic drugs: glimepiride, glyburide/metformin, metformin extended release generic formulations
- Ace inhibitors: fosinopril
- Beta-Blockers: nadolol, timolol
- Sedative-hypnotics: zolpidem generic formulations
- Statins: rosuvastatin
- Skeletal muscle relaxants: methocarbamol, methocarbamol/aspirin
- Muscle relaxant — antispasticity agents: tizanidine tablet formulation

The following drugs will require prior authorization to ensure appropriate utilization because of safety issues (black box warning or FDA advisory notices) and/or abuse potential:

- Antibiotic: telithromycin
- Antiemetic: nabilone

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is expected that this change will reduce Medicaid expenditures by \$544,000 SGF and \$816,000 FFP annually.

Bearer of Cost: The cost of reviewing prior authorization (PA) will be borne by KHPA. If a Medicaid consumer wishes to have a drug despite a PA denial, the cost will be borne by the consumer.

Affected Parties: Medicaid consumers, pharmacists and the Medicaid agency.

Other Methods: There were no other appropriate methods for the desired outcome.

Marcia Nielsen, Ph.D., MPH  
Executive Director

Doc. No. 034502

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 1-15. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
June 14	Wichita		2010 Commission	Kansas Health Foundation leadership meeting on early childhood development.
June 14	526-S	10:00 a.m.	Joint Committee on	Agenda not available.
June 15	526-S	9:00 a.m.	Information Technology	

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 034515

## State of Kansas

Department of Health  
and EnvironmentNotice of Extension of Public Comment Period for  
Proposed Administrative Regulations

A notice of hearing to consider the adoption of new and amended solid waste regulations was published in the April 26, 2007 Kansas Register (Vol. 26, No. 17). These regulations apply primarily to waste tires, but also include financial assurance, pest control standards for outdoor accumulations of all types of tires, and storage standards for used, waste and processed tires.

The public hearing will be held as originally scheduled. This notice is to extend the close of the public comment period for these regulations from 5 p.m. Thursday, June 28, to 5 p.m. Friday, July 27. The purpose of this extension is to solicit comments concerning the pest control standards proposed in these regulations. These standards apply to all types of outdoor tire accumulations, including permitted facilities, facilities that are exempt from the permit requirement, and tires that are part of a beneficial use. The Department of Health and Environment is specifically requesting input on how to develop standards for mosquito control that are both protective and practical.

The public hearing will be conducted at 1:30 p.m. Thursday, June 28, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka. The following new and amended solid waste regulations will be considered:

**K.A.R. 28-29-28.** Definitions.

**K.A.R. 28-29-29.** Waste tire processing and disposal standards.

**K.A.R. 28-29-29a.** Beneficial use of waste tires.

**K.A.R. 28-29-29b.** Pest control standards for outdoor accumulations of new tires, used tires, waste tires and tire-derived products.

**K.A.R. 28-29-30.** Waste tire processing facility, waste tire collection center and mobile waste tire processor permits.

**K.A.R. 28-29-31.** Requirements for storage of waste tires, used tires and tire-derived product.

**K.A.R. 28-29-31a.** Requirements for permitted waste tire processing facilities, waste tire collection centers and mobile waste tire processors.

**K.A.R. 28-29-32.** Waste tire transporter permits.

**K.A.R. 28-29-33.** Requirements for waste tire transporters.

**K.A.R. 28-29-2011.** Waste tire permit fees.

**K.A.R. 28-29-2101.** Financial assurance for closure and postclosure.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request 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 regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke at (785) 296-0724 or [cmennick@kdhe.state.ks.us](mailto:cmennick@kdhe.state.ks.us).

All interested parties may submit written comments prior to 5 p.m. Friday, July 27, to Christine Mennicke, Kansas Department of Health and Environment, Bureau of Waste Management, 1000 S.W. Jackson, Suite 320, Topeka, 66612-1366, by fax to (785) 296-8909 or by e-mail to [cmennick@kdhe.state.ks.us](mailto:cmennick@kdhe.state.ks.us).

Complete copies of the proposed regulations and the corresponding regulatory impact statement may be obtained on the Bureau of Waste Management Web site at [www.kdheks.gov/waste/](http://www.kdheks.gov/waste/) or by contacting Sarah Segelquist at (785) 296-6171 or [ssegelquist@kdhe.state.ks.us](mailto:ssegelquist@kdhe.state.ks.us). Questions pertaining to these proposed regulations should be directed to Christine Mennicke.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034506

## State of Kansas

**Department of Health  
and Environment****Notice of Hearing**

A public hearing will be conducted at 3 p.m. Friday, June 29, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) Intended Use Plan (IUP) for the 2008 program year. Copies of the IUP can be obtained by calling Linda White at (785) 296-5514 or fax at (785) 296-5509.

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, KDHE, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034505

## State of Kansas

**Department of Health  
and Environment****Notice Concerning Annual Summary of Approved  
Environmental Use Control Agreements**

The Kansas Department of Health and Environment is publishing an annual summary of the number of approved environmental use control (EUC) agreements in order to fulfill the requirements of K.S.A. 65-1,233 (publication of approved use controls).

The EUC Act became state law July 1, 2003, with EUC regulations finalized in April 2006 as K.A.R. 28-73-1 through K.A.R. 28-73-7. Since inception of the program in 2003, KDHE has approved a total of 29 EUC agreements, 18 of which were approved in the calendar year 2006.

An EUC is a legal mechanism for applying restrictions, prohibitions and conditions on land use for a property that has environmental contamination at levels exceeding the cleanup standards for unrestricted use. The EUC process allows property owners to choose to establish restrictions on future property use instead of cleaning up the site to the most restrictive cleanup levels. Typical examples of EUC restrictions include: preventing disturbance of soil covers, prohibiting drilling of water wells, restricting excavation activities without advance notification to KDHE, restricting use of a property to only nonresidential use, and/or restricting access to a property.

To be eligible to receive an EUC, the property must be or have been active in a KDHE program with oversight authority. EUCs cannot be used in lieu of evaluating active remedial alternatives or substitute for remedial actions that are otherwise technically and economically practicable. EUCs must be applied as part of the overall approved cleanup plan.

EUCs protect the public by making sure that restrictions, designed to prevent people from coming into contact with contamination, are enforced. The mission of KDHE is to protect the health and environment of all Kansans by promoting responsible choices. This "promoting responsible choices" for Kansans philosophy is reinforced through implementation of the EUC Program.

Roderick Bremby  
Secretary of Health  
and Environment

Doc. No. 034512

## 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 operating permit. Kansas Gas Service — Minneola Compressor Station has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of nitrogen oxides and carbon monoxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Kansas Gas Service, Tulsa, Oklahoma, owns and operates Minneola Compressor Station located at Section 13, T29S, R25W, Ford County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Josh Weil, (620) 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 Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business July 2.

A person may request a public hearing be held 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 Sherry Walker, Bureau of Air and Radiation, not later than the close of business July 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034503

## State of Kansas

## Kansas Water Authority

## Notice of Meetings

The Kansas Water Authority will meet Thursday, June 14, and Friday, June 15, at the K-State Alumni Center, 1720 Alumni Center, Manhattan. The meeting will convene at 9 a.m. both days.

Meeting information, including a site map, agenda and other materials, will be posted on the Kansas Water Office Web page at [www.kwo.org](http://www.kwo.org) not later than June 4. Interested parties without Web access may call the Kansas Water Office at (888) KAN-WATER or (888) 526-9283 to request meeting materials.

Anyone needing special accommodations at the meeting site is asked to contact the Water Office before the meeting.

Steve Irsik  
Chairman

Doc. No. 034508

## 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. BioEnergy of Central Kansas, LLC, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct a biodiesel manufacturing plant. Emissions of particulate matter (PM), PM equal to or less than 10 microns in diameter (PM<sub>10</sub>), volatile organic compounds (VOCs), oxides of nitrogen (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

BioEnergy of Central Kansas, LLC, proposes to own and operate a stationary source located in Stafford County (located adjacent to Prairie Street and Old Highway 50, south of St. John), at which a 30-million-gallon-per-year biodiesel plant is to be constructed and operated.

A public comment period has been established until noon June 15 to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. All comments should be submitted in writing to Terry T. Tavener, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366.

Any member of the public may request a public hearing be held to receive comments on the proposed issuance of the draft air quality construction permit. Written requests to hold a public hearing should be sent to the attention of Sherry Walker at the address listed above or by fax to (785) 291-3953 and must be received by noon June 15.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 15 days from the date of publication during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air and Radiation,

1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact the air quality district representative, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034513

## 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 Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. June 20 and then publicly opened.

## District One — Northeast

**District**—106 KA-0614-02 — Wetlands and Wildlife/Gypsum Hills Scenic Byway, scenic byways enhancement. (Federal Funds)

**District**—106 KA-0614-03 — Smokey Valley/Post Rock Scenic Byway, scenic byways enhancement. (Federal Funds)

**Doniphan**—7-22 KA-0614-01 — Glacial Hills Scenic Byway, scenic byways enhancement. (Federal Funds)

**Jackson**—16-43 KA-0138-01 — Approach of North Road at the intersection with K-16, 0.2 mile, grading and surfacing. (State Funds)

**Jackson**—75-43 KA-0970-01 — South junction of U.S. 75/K-214, pavement reconstruction. (State Funds)

**Johnson**—69-46 N-0381-01 — U.S. 69 and 151st Street southbound off ramp in Overland Park, intersection improvement. (Federal Funds)

**Johnson**—46 KA-0513-01 — Portions of I-435, I-35, K-10 and U.S. 69, intelligent transportation system. (State Funds)

**Johnson-Wyandotte-Leavenworth**—7-106 KA-0401-01 — K-7, from 127th Street in Olathe to the south city limits of Lansing, 23.5 miles, signing. (Federal Funds)

**Riley**—81 C-4194-01 — County road 1.4 miles west of Keats, 0.4 mile, grading, bridge and surfacing. (Federal Funds)

**Riley**—81 C-4195-01 — County road 1.6 miles east of Keats, 0.4 mile, grading, bridge and surfacing. (Federal Funds)

**Shawnee**—70-89 KA-0930-01 — I-70 from milepost 362.9 to 364.8, 1.9 miles, pavement patching. (State Funds)

**Shawnee**—70-89 KA-0971-01 — One mile east of Valencia Road on I-70, pavement reconstruction. (State Funds)

**Wyandotte**—70-105 KA-0495-01 — I-70 bridge 0.6 mile west of the Kansas-Missouri state line, bridge repair. (State Funds)



**Wyandotte**—70-105 KA-0496-01 — I-70 bridge 0.5 mile west of the Kansas-Missouri state line, bridge overlay. (State Funds)

**Wyandotte**—105 N-0338-01 — Central Avenue viaduct in Kansas City, 0.6 mile, bridge repair. (Federal Funds)

#### District Two — Northcentral

**Chase**—50-9 KA-0869-01 — U.S. 50 from Strong City west 15 miles, overlay. (State Funds)

**Dickinson**—21 K-8304-01 — West of 7th Street over the Union Pacific Railroad to east of Third Street in Herington, 0.7 mile, grading, bridge and surfacing. (State Funds)

**District**—70-106 K-8646-01 — I-70, I-135 and U.S. 81, intelligent transportation system. (State Funds)

**Mitchell**—14-62 KA-0177-01 — K-14, Solomon River bridge, 2.1 miles south of the junction of U.S. 24, bridge overlay. (State Funds)

**Republic**—36-79 KA-0942-01 — U.S. 36 from the Jewell/Republic county line to 1.1 miles east of the junction of U.S. 81; K-199 from the junction of U.S. 36 south to the north city limits of Courtland, 17.6 miles, crack repair. (State Funds)

**Saline**—135-85 KA-0875-01 — I-135 bridge at the junction of 70, bridge repair. (State Funds)

#### District Three — Northwest

**Cheyenne**—36-12 KA-0939-01 — U.S. 36 from the junction of K-27 east 16.2 miles to the Rawlins/Cheyenne county line, 16.2 miles, seal. (State Funds)

**Osborne**—181-71 KA-0535-01 — K-181, South Fork Solomon River, 5.4 miles south of U.S. 24, bridge repair. (State Funds)

**Sheridan**—24-90 KA-0940-01 — Junction of U.S. 24/K-23 east to the Sheridan/Graham county line, 15.2 miles, seal. (State Funds)

**Thomas**—70-97 KA-0945-01 — I-70, 0.3 mile west of the I-70/U.S. 24 interchange at Levant east 8.7 miles, seal. (State Funds)

#### District Four — Southeast

**Cherokee**—69-11 K-6799-01 — U.S. 166 north to the Burlington Northern Santa Fe railroad crossing at Columbus, 9.1 miles, pavement reconstruction. (Federal Funds)

**Cherokee**—66-11 KA-0543-01 — K-66 Spring River bridge, 0.5 mile east of U.S. 69 alternate, bridge repair. (State Funds)

**Coffey-Greenwood**—58-106 KA-0983-01 — K-58 from the Greenwood-Coffey county line east to the north junction of U.S. 75; K-58/K-99 junction east to the Greenwood-Coffey county line, 24.7 miles, seal. (State Funds)

**Franklin**—30 U-2074-01 — Intersection of Montana Road and Sand Creek Road in Ottawa, intersection improvement. (Federal Funds)

**Labette**—59-50 K-9526-01 — U.S. 59 from the west junction of U.S. 160 north to the south city limits of Parsons, 8.3 miles, overlay. (State Funds)

**Miami**—169-61 KA-0758-01 — U.S. 169 and 223rd Road in Miami County, lighting. (Federal Funds)

**Neosho**—39-67 K-9527-01 — U.S. 39 from the east city limits of Chanute, east 3.7 miles, pavement patching. (State Funds)

**Neosho**—67 KA-0911-01 — Kansas Highway Patrol parking lot on West 14th Street in Chanute, improvement work. (State Funds)

**Wilson**—103 C-4006-01 — County road 1 mile north and 4.1 miles east of Neodesha, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

#### District Five — Southcentral

**Cowley-Sedgwick-Sumner**—42-106 KA-0935-01 — Junction of K-2/K-42 north and east to the junction of K-49; K-42 from the Sedgwick-Sumner county line northeast to the junction of K-49; junction of K-2/K-42 to the Sumner/Sedgwick county line, 17.4 miles, crack repair. (State Funds)

**Reno**—61-78 KA-0941-01 — K-61 at the north city limits of Hutchinson northeast to the Reno/McPherson county line, 3.3 miles, crack repair. (State Funds)

**Sedgwick**—135-87 K-7332-02 — I-135/U.S. 54 interchange, lighting. (Federal Funds)

**Sedgwick**—87 KA-0203-01 — Northbound I-235 ramp to K-96, bridge overlay. (State Funds)

**Sedgwick**—251-87 KA-0938-01 — Intersection of K-251 and U.S. 54 north 3.7 miles, crack repair. (State Funds)

**Sumner-Cowley**—160-106 KA-0932-01 — U.S. 160 from the Kansas Turnpike east to Winfield; U.S. 160 from the Sumner-Cowley county line west 10.5 miles; U.S. 160 from the Sumner-Cowley county line east to Winfield, 36.2 miles, crack repair. (State Funds)

#### District Six — Southwest

**Hodgeman**—283-42 KA-0488-01 — U.S. 283 from the Buckner Creek bridge north to Tucker Street in Jetmore, 0.2 mile, grading and surfacing. (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 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.

Deb Miller  
Secretary of Transportation

Doc. No. 034507

## 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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

**Effective 5-28-07 through 6-3-07**

Term	Rate
1-89 days	5.26%
3 months	4.79%
6 months	4.91%
1 year	4.86%
18 months	4.94%
2 years	4.83%

Derl S. Treff  
Director of Investments

Doc. No. 034495

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment has prepared 13 total maximum daily loads (TMDLs) for streams and lakes in the Marais des Cygnes, Missouri and Upper Arkansas River Basins that are impaired by not meeting state water quality standards. These TMDLs address impairment issues that KDHE has identified with the help of the Marais des Cygnes Basin Advisory Committee and represent the second round of TMDLs for waters in these basins since 2000-2001.

The TMDLs ready for public review are:

**Marais des Cygnes Basin**

1. Big Sugar Creek — Dissolved Oxygen
2. Bourbon County SFL — Eutrophication bundled with DO and pH
3. Drywood Creek, West Fork — Dissolved Oxygen
4. Lake Crawford — Eutrophication
5. Louisburg SFL — Eutrophication
6. Rock Creek Lake — Eutrophication

**Missouri Basin**

7. Atchison County SFL — Eutrophication Revision, Bundled with Siltation
8. Pony Creek Lake — Eutrophication Revision
9. Big Nemaha River, South Fork — Biology
10. Turkey Creek — Atrazine
11. Wolf River — Biology
12. Wyandotte County Lake — Eutrophication

**Upper Arkansas Basin**

13. Arkansas River from the Colorado state line to Pierceville — Selenium

These TMDLs are available for review at the Kansas Department of Health and Environment TMDL Web site, <http://www.kdheks.gov/tmdl/index.htm>. Additionally, copies of the TMDLs can be obtained by contacting the Bureau of Water, Watershed Planning Section, at (785) 296-6170.

Public comments and queries regarding these TMDLs will be taken by KDHE until June 30. After reviewing the public comments, KDHE will make any appropriate revisions to the TMDLs and will submit them to Region VII of the U.S. Environmental Protection Agency this summer.

Requests or questions should be directed to Tom Stiles, KDHE, Watershed Planning Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-6170, fax (785) 291-3266 or e-mail at [tstiles@kdhe.state.ks.us](mailto:tstiles@kdhe.state.ks.us).

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034514

## State of Kansas

**Department of Administration  
Division of Purchases****Notice to Bidders**

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

06/12/2007	10532	X-Ray Diffractometer
06/12/2007	10533	Transmission Tester
06/14/2007	10513	Furnish and Install Fire Alarm System
06/19/2007	10518	Air Samplers or Collectors
06/19/2007	10519	Sampling and Water Purification Equipment
06/19/2007	10530	Salt, Rock, for Snow and Ice Removal
06/20/2007	10510	Pest Control Services
06/22/2007	10440	Paper Products for Facility Supply
06/26/2007	10500	Juvenile Permanency Facilitation of Planning Groups

The above-referenced bid documents can be downloaded at the following Web site:

<http://www.da.ks.gov/purch/>

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default.htm>

Contractors wishing to bid on the projects listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/).

06/14/2007	A-010460	Fire Sprinkler System, Kansas Bureau of Investigation, Topeka
06/26/2007	A-9714	McCain Auditorium Lower Deck Re-roof, Kansas State University, Manhattan
06/26/2007	A-010387	Re-roof Project — C.E. Peters Recreation Center, Kansas State University, Manhattan
07-03-2007	A-010434	Metal Roof Retrofit — D Dorm, Topeka Correctional Facility

Chris Howe  
Director of Purchases

Doc. No. 034518

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-07-161/162  
Application(s) for New or Expansion of Existing Swine Facilities

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Alan Claassen 11195 N.W. Santa Fe Lake Road Whitewater, KS 67154	Glenwood Farms of Butler County, LLC 12735 N.W. Buffalo Road Potwin, KS 67123
<b>Legal Description</b>	<b>Receiving Water</b>
NW/4 of Section 32, T23S, R04E, Butler County	Walnut River Basin
Kansas Permit No. A-WABU-S025	
This is an application for a permit for construction/expansion at an existing swine facility for 1,038 head (415.2 animal units) of swine greater than 55 pounds and 864 head (86.4 animal units) of swine less than 55 pounds. A new or modified permit will not be issued without additional public notice.	

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Doug Metzger 2293 P Road Seneca, KS 66583	Doug Metzger 2293 P Road Seneca, KS 66538
<b>Legal Description</b>	<b>Receiving Water</b>
E/2 & SW/4 of Section 16 & S/2 of Section 09, T02S, R13E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-M023	
This is an application for a permit for new construction at an existing facility for 1,120 head (448 animal units) of swine greater than 55 pounds, 300 head (30 animal units) of swine less than 55 pounds, 270 head (270 animal units) of beef cattle greater than 700 pounds, 60 head (30 animal units) of beef cattle less than 700 pounds and 160 head (224 animal units) of mature dairy cattle. A new or modified permit will not be issued without additional public notice.	

Public Notice No. KS-AG-07-163/168  
Pending Permits for Confined Feeding Facilities

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Scott Cossairt 1938 N.W. 82nd Terr. Columbus, KS 66725	NW/4 of Section 03, T33S, R22E, Cherokee County	Neosho River Basin
Kansas Permit No. A-NECK-F024		
This is a renewal permit for an existing facility for 33,000 head (594 animal units) of turkeys.		

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
C&T Dairy Tim J. Pauly 1381 W. 80th Ave. North Conway Springs, KS 67031	NW/4 of Section 12, T31S, R04W, Sumner County	Lower Arkansas River Basin
Kansas Permit No. A-ARSU-M006		

This is a new permit for an existing facility for 1,150 head (210 animal units) of mature dairy cattle. The facility will consist of a new concrete manure storage structure and a new earthen wastewater retention structure. The new wastewater retention structure will replace the existing wastewater retention structure and provide additional storage. There is no change in the permitted animal units.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
K-6 Swine John P. Krueger 1369 E. Fox Road Kensington, KS 66951	NE/4 of Section 35 & S/2 of Section 25, T01S, R16W, Phillips County	Solomon River Basin
Kansas Permit No. A-SOPL-H002		Federal Permit No. KS0082198
This is a renewal permit for an existing facility for 4,521 head (1,808.4 animal units) of swine weighing greater than 55 pounds and 2,720 head (272 animal units) of swine weighing 55 pounds or less, for a total of 7,241 head (2,080.4 animal units) of swine.		

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Neb-Kan Feeders Larry Morehead 2056 N. 270th Road Clyde, KS 66938	SE/4 of Section 21, T05S, R01W, Cloud County	Lower Republican River Basin
Kansas Permit No. A-LRCD-C001		Federal Permit No. KS0096580
This is a renewal permit for an existing facility for 850 head (850 animal units) of cattle weighing greater than 700 pounds and 850 head (425 animal units) of cattle weighing less than 700 pounds for a total of 1,275 animal units of cattle.		

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Clarence & Alma Holthaus Farm 1117 96th Road Centralia, KS 66415	SW/4 of Section 35, T03S, R12E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-S056		
This is a renewal permit for an existing facility for a maximum of 560 head (224 animal units) of swine more than 55 pounds, 112 head (11.2 animal units) of swine 55 pounds or less, and 22 head (22 animal units) of beef cattle greater than 700 pounds, for a total of 257.2 animal units.		

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Spring Creek Farm Alan Haverkamp 2964 L4 Road Bern, KS 66408	SE/4 of Section 36, T01S, R18E & NW/4 of Section 01, T02S, R18E, Brown County	Missouri River Basin
Kansas Permit No. A-MOBR-H002		
This is a permit application and draft permit to renew the permit for an existing facility. The facility is reducing the number of head to a		

(continued)

maximum capacity of 7,186 head (2,874.4 animal units) of swine weighing more than 55 pounds and 3,860 head (386 animal units) of swine weighing 55 pounds or less, for a total of 3,260.4 animal units.

**Public Notice No. KS-07-044/055**

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Buhler, City of P.O. Box 187 Buhler, KS 67522	Little Arkansas River	Domestic Wastewater
Kansas Permit No. M-LA01-0001		Federal Permit No. KS0027553
Legal: SE¼, NW¼, NW¼, S21, T22S, R4W, Reno County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for chlorides, total recoverable copper, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Clafin, City of P.O. Box 383 Clafin, KS 67525	Cow Creek via Unnamed Tributary	Domestic Wastewater
Kansas Permit No. M-AR21-0001		Federal Permit No. KS0026441
Legal: SW¼, SE¼, SW¼, S33, T17S, R11W, Barton County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for dissolved oxygen, chlorides, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Ellinwood, City of P.O. Box 278 Ellinwood, KS 67526	Arkansas River	Domestic Wastewater
Kansas Permit No. M-AR32-0002		Federal Permit No. KS0090999
Legal: NW¼, S6, T20S, R11W, Barton County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for chlorides, sulfates, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen, total recoverable selenium and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Emmett, City of P.O. Box 27 Emmett, KS 66422	Kansas River via Cross Creek	Domestic Wastewater
Kansas Permit No. M-KS16-0001		Federal Permit No. KS0046396
Legal: NE¼, NE¼, SE¼, S34, T8S, R12E, Pottawatomie County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, fecal coliform/E. coli, pH and the water level of the last cell. Contained in the permit is a schedule of com-

pliance requiring the permittee to make improvements to the existing facility to meet the Kansas Minimum Standards of Design and the permit limits by October 2007. If the upgrades do not bring this into consistent compliance with the permit requirements, the permittee shall provide KDHE with a draft plan for construction upgrades by March 2009. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Halstead, City of 303 Main St. Halstead, KS 67056	Little Arkansas River	Domestic Wastewater
Kansas Permit No. M-LA06-0001		Federal Permit No. KS0026263
Legal: NW¼, NE¼, SW¼, S1, T24S, R2W, Harvey County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for chlorides, total recoverable copper, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Hillsboro, City of P.O. Box 125 Hillsboro, KS 67063	Cottonwood River via South Cottonwood River via Unnamed Tributary	Domestic Wastewater
Kansas Permit No. M-NE35-0002		Federal Permit No. KS0097896
Legal: SE¼, SE¼, SE¼, S35, T19S, R2E, Marion County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, fecal coliform/E. coli and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Hoisington, City of P.O. Box 418 Hoisington, KS 67544	Little Cheney Creek via Cheyenne Bottoms via Blood Creek via Unnamed Tributary	Domestic Wastewater
Kansas Permit No. M-AR45-0001		Federal Permit No. KS0022454
Legal: NW¼, S10, T18S, R13W, Barton County		

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, fecal coliform/E. coli, chlorides, sulfates and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Receiving Stream</b>	<b>Type of Discharge</b>
Louisburg, City of 5 S. Peoria St. Louisburg, KS 66053	South Wea Creek via Unnamed Tributary	Domestic Wastewater
Kansas Permit No. M-MC20-0001		Federal Permit No. KS0024856
Legal: SW¼, SE¼, S30, T16S, R25E, Miami County		

Facility Description: The proposed action is to modify an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. This facility is being expanded from a three-cell to a five-cell aerated lagoon system by adding two 0.63 acre, 12-foot-

deep aeration cells. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen, temperature and effluent flow also will be required. An antidegradation review has been completed for the plant expansion. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Manufacturing Development, Inc. 37515 W. 15th St. South Cheney, KS 67025	North Fork Ninnescah River via County Highway Ditch Water	Noncontact Cooling

Kansas Permit No. I-AR20-BO01 Federal Permit No. KS0092690  
Legal: NW¼, S33, T27S, R4W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for an existing facility. This facility fabricates aircraft parts by forming sheet metal. Occasionally, municipal water used for noncontact cooling of sheet metal parts and forms is discharged into the county highway ditch at about 1,000 gallons per day. The proposed permit also contains generic water-quality language to protect waters of the state. Finished parts are cleaned in an alkaline solution and rinsed by dipping in a rinse tank. Rinse tank overflow is collected in an aboveground holding tank and transferred to an evaporator. Domestic wastewater is directed to a clay lined nonoverflowing lagoon. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Solomon Valley Enterprises, LLC P.O. Box 737 Salina, KS 67402	Smoky Hill River via East Dry Creek	Groundwater Remediation

Kansas Permit No. I-SH33-PO08 Federal Permit No. KS0090336  
Legal Description: NE¼, S16, T14S, R2W, Saline County

Facility Name: Scoular Elevator  
Facility Location: 3339 E. Country Club Road, Salina, KS 67401

Facility Description: The proposed action is to reissue an existing permit for an existing groundwater remediation project. Groundwater contaminated with volatile organic compounds is pumped out of well #SC-3 at a rate of about 12,000 gpd and is routed through two 200-pound activated carbon filters operating in series, before commingling with about 13,000 gpd of well SC-1 water. The proposed permit contains limits for tetrachloromethane, ethylene dibromide and pH, as well as monitoring of the daily flow. The permittee shall be required to perform a volatile organic chemicals (VOC) scan annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Sedgwick, City of P.O. Box 131 Sedgwick, KS 67135	Little Arkansas River Via Sand Creek	Domestic Wastewater

Kansas Permit No. M-LA15-OO02 Federal Permit No. KS0081108  
Legal: SE¼, SW¼, SW¼, S27, T24S, R1W, Harvey County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli and pH. Monitoring for dissolved oxygen, chlorides, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen, total nitrogen and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Textron, Inc. 40 Westminster St. Providence, RI 02903	Arkansas River via Earthen Canal	Groundwater Project

Kansas Permit No. I-AR49-PO09 Federal Permit No. KS0088412  
Legal Description: NE¼, S16, T23S, R5W, Reno County  
Facility Name: Eaton Corporation Hydraulics Division  
Facility Location: 3401 E. 4th Ave., Hutchinson, KS 67504

Facility Description: The proposed action is to reissue an existing permit for an existing groundwater remediation project. This facility is engaged in a chlorinated solvents contaminated groundwater cleanup from recovery wells numbers RW-1, RW-2 and RW-3. Treatment consists of counter-flow air stripping to remove volatile organic chemicals (VOCs). A sequestering agent is added to the groundwater prior to treatment to prevent mineral deposits from fouling the air strippers. The proposed permit contains limits for carbon tetrachloride, trichloroethylene, cis-1,2 dichloroethylene, chloride and pH, as well as monitoring of daily flow. Contained in the permit is a schedule of compliance requiring the permittee to provide KDHE with an engineering report addressing all necessary improvement to achieve compliance with chloride limits. By October 2010, all construction of necessary improvements will be completed or the facility will be connected to the city of Hutchinson drinking water treatment system and the discharge to the Arkansas River eliminated. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Public Notice No. KS-ND-07-016**

Name and Address of Applicant	Legal Location	Type of Discharge
Quivira Council, Boy Scouts of America 1555 E. Second Wichita, KS 67214	NE¼, NW¼, NE¼, S28, T32S, R11E, Chautauqua County	Nonoverflowing

Kansas Permit No. C-VE33-NO01 Federal Tracking No. KSJ000537  
Facility Name: Quivira Scout Ranch

Facility Location: 1781 Road 19, Sedan, Kansas

Facility Description: The proposed action is to issue a new permit for operation of a new nonoverflowing lagoon wastewater treatment facility. The proposed permit contains generic water-quality language to protect waters of the state. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before June 30 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-161/168, KS-07-044/

(continued)

055, KS-ND-07-016) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034509

(Published in the Kansas Register May 31, 2007.)

**Summary Notice of Bond Sale  
City of Leavenworth, Kansas  
\$1,530,000  
General Obligation Bonds  
Series 2007-A**

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

**Bids**

Subject to the official notice of bond sale and preliminary official statement dated May 31, 2007, sealed, facsimile and electronic bids will be received by the city clerk of the city of Leavenworth, Kansas (the city or the issuer), on behalf of the governing body of the city, in the case of sealed bids, at City Hall, 100 N. Fifth St., Leavenworth, KS 66048, via facsimile at (913) 682-3874, and in the case of electronic bids, via BiDCOMP/PARITY electronic bid submission system, until 11 a.m. Tuesday, June 12, 2007, for the purchase of \$1,530,000 principal amount of General Obligation Bonds, Series 2007. 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 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, 2007, and will become due on September 1 in the years as follows:

Year	Principal Amount
2008	\$120,000
2009	135,000
2010	140,000
2011	145,000
2012	150,000
2013	155,000
2014	160,000
2015	170,000
2016	175,000
2017	180,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale.

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, 2008.

**Paying Agent and Bond Registrar**

The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar.

**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 \$30,600 (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 to the facilities of the Depository Trust Company, New York, New York, 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 city for the year 2006 is \$221,079,087. The total general obligation indebtedness of the issuer, following the concurrent issuance of the bonds and the issuer's Temporary Notes, Series A2007, in the aggregate principal amount of \$1,480,000, is \$28,975,000 (which excludes temporary notes outstanding in the principal amount of \$1,425,000, which will be retired out of the proceeds of the bonds).

**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 city clerk, (913) 682-9201, or from the city's financial advisor, Piper Jaffray & Co., 11150 Overbrook Road, Suite 310, Leawood, KS 66211-2298, (913) 345-3374, Attn: Greg Vahrenberg or Dustin Avey.

Dated April 24, 2007.

City of Leavenworth, Kansas  
Karen J. Logan, City Clerk  
City Hall  
100 N. Fifth St.  
Leavenworth, KS 66048

Doc. No. 034497

(Published in the Kansas Register May 31, 2007.)

**Summary Notice of Sale**  
**City of Salina, Kansas**  
**\$5,825,000\***  
**General Obligation Temporary Notes**  
**Series 2007-1**  
**\$6,545,000\***  
**General Obligation Internal Improvement Bonds**  
**Series 2007-A**  
**(General obligations payable from**  
**unlimited ad valorem taxes)**

225,000	2023
225,000	2024
225,000	2025
225,000	2026
225,000	2027

**Bids**

Sealed, facsimile and electronic (as explained below) bids for the purchase of \$5,825,000\* General Obligation Temporary Notes, Series 2007-1, and \$6,545,000\* General Obligation Internal Improvement Bonds, Series 2007-A, of the city of Salina, Kansas, will be received (1) in the case of sealed and facsimile bids, by the city clerk at the address and fax number hereinafter set forth, and (2) in the case of electronic bids, through *PARITY* electronic bid submission system, until 1:30 p.m. for the notes and until 2 p.m. for the bonds on Monday, June 11, 2007, at which time such bids will be publicly read and will be acted upon by the governing body at its meeting to be held at 4 p.m. that day. No oral or auction bids will be considered.

**Note Details**

Each series of the notes will be dated June 15, 2007, and will become due on August 1, 2008. Each series of the notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Each series of the notes will bear interest from the dated date at the rate determined when the notes are sold. The interest on the notes will be payable at maturity. The Kansas State Treasurer will be the paying agent and registrar for the notes.

**Bonds Details**

The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 15, 2007, and will become due annually on October 1 in the years and in the amounts set forth below:

<b>Principal Amount*</b>	<b>Maturity October 1</b>
\$365,000	2008
365,000	2009
365,000	2010
365,000	2011
360,000	2012
360,000	2013
360,000	2014
360,000	2015
360,000	2016
360,000	2017
360,000	2018
360,000	2019
360,000	2020
360,000	2021
360,000	2022

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold, which interest will be payable semiannually on April 1 and October 1, beginning April 1, 2008. The Kansas State Treasurer will be the paying agent and registrar for the bonds.

**Book-Entry Only System**

The bonds and the notes shall be registered under a book-entry only system administered through DTC.

**Good Faith Deposit**

A good faith deposit will not be required for the notes. Each bid for the bonds must be accompanied by a good faith deposit in the form of a certified or cashier's check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds, payable to the order of the city.

**Delivery**

The city will pay for preparing the notes and the bonds. The notes and bonds will be delivered in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about June 27, 2007.

**Assessed Valuation and Bonded Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$428,468,486. The total general obligation indebtedness of the city as of the date of the notes and bonds, including the notes and bonds being sold, is \$40,895,000.

**Approval of Bonds and Notes**

The notes and bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, which opinion will be furnished and paid for by the city, will accompany the notes and bonds and will be delivered to the successful bidder when the notes/bonds are delivered.

**Additional Information**

Additional copies of this notice of sale, official bid forms or further information may be obtained from the undersigned or from the city's financial advisor, George K. Baum & Company, 4801 Main St., Kansas City, MO 64112, Attn: David Arteberry, (816) 474-1100.

**Written and Facsimile Bid and Good Faith Deposit**

**Delivery Address:**

Lieu Ann Elsey, City Clerk  
 City/County Building, Room 206  
 300 W. Ash  
 Salina, KS 67402-0736  
 (785) 309-5735  
 Fax (785) 309-5738

Dated May 21, 2007.

City of Salina, Kansas

\* Preliminary; subject to change.

Doc. No. 034517

(Published in the Kansas Register May 31, 2007.)

**Notice of Partial Sinking Fund Redemption  
to the Holders of  
City of Dighton, Kansas  
First Mortgage Revenue Bonds  
(Section 8 Assisted Housing Project) Series 1978  
Dated July 10, 1978**

Notice is hereby given that, pursuant to the applicable provisions of the governing documents of the above-captioned bonds, \$35,000 principal amount of the bonds will be redeemed on July 1, 2007, at the price indicated below, together with interest accrued to July 1, 2007. From and after July 1, 2007, interest on the redeemed bonds shall cease to accrue.

The following bonds will be redeemed and paid upon presentation to the office(s) shown below:

**\*CUSIP Number: 253757AA6**

**7.60%, Due July 1, 2008**

**Redemption Price: 100.00%**

**Total Amount Called: \$35,000**

**Bearer Bonds called in the amount of \$5,000 each  
all with the prefix "Z"**

75 79 82 88 91 100 123

Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds at the location shown below. In the case of any registered bonds to be redeemed in part only, upon presentation of such bond for redemption, there will be issued in lieu of the unredeemed portion of the principal thereof a new registered bond or bonds in principal amount equal to such unredeemed portion.

Called bonds should be presented as follows:

**If by Mail:**

Commerce Trust Company  
P.O. Box 64107  
St. Paul, MN 55164-0107

**If by Overnight Mail:**

Commerce Trust Company  
Corporate Trust Services  
60 Livingston Ave.  
St. Paul, MN 55107  
1-866-837-0498

Federal law requires the payor to withhold at the current rate of withholding from the payment if a certified taxpayer (Social Security) number is not provided. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

\*The issuer and trustee shall not be responsible for the use of the CUSIP number(s) selected, nor is any representation made as to their correctness indicated in the notice or as printed on any bond. They are included solely for the convenience of the holders.

Dated May 31, 2007.

By: The Commerce Trust Company  
A Division of Commerce Bank N.A.  
As Trustee

Doc. No. 034511

**State of Kansas**

**Department of Revenue**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted by the Department of Revenue at 8 a.m. Tuesday, August 14, in Room 711, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of qualified biodiesel fuel producer incentive regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Kathleen Smith, Tax Specialist, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, or through e-mail at kathleen\_smith@kdor.state.ks.us.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulations. 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 statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at (785) 296-3081 or TTY (785) 296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is accessible.

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

**Article 27.—QUALIFIED BIODIESEL FUEL  
PRODUCER INCENTIVE**

Adoption of **K.A.R. 92-27-1. Definition.** This regulation defines the term quarter for the Kansas Qualified Biodiesel Fuel Producer Incentive.

Adoption of **K.A.R. 92-27-2. Application.** This regulation includes application content and requirements.

Adoption of **K.A.R. 92-27-3. Filing of quarterly reports; deadline.** This regulation provides for the filing of quarterly reports and deadlines.

Adoption of **K.A.R. 92-27-4. Record requirements, maintenance, and retention.** This regulation provides for the record requirements, maintenance and retention.

Adoption of **K.A.R. 92-27-5. Funds erroneously paid.** This regulation includes requirements if funds are erroneously paid to a qualified biodiesel fuel producer.

**Economic Impact:** Positive financial impact upon private business or individuals due to the economic development incentive being provided to biodiesel producers in Kansas, as well as due to potential job growth. The Kansas Qualified Biodiesel Fuel Producer Incentive is \$.30 per gallon **sold**. No impact on the department is anticipated.



A copy of the regulations and the economic impact statement may be obtained by contacting the Kansas Department of Revenue, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588, or via the department's Web site at [www.ksrevenue.org](http://www.ksrevenue.org).

Joan Wagon  
Secretary of Revenue

Doc. No. 034493

State of Kansas

Department of Health  
and Environment

Permanent Administrative  
Regulations

Article 19.—AMBIENT AIR QUALITY STANDARDS  
AND AIR POLLUTION CONTROL

**28-19-720. New source performance standards.** (a) 40 C.F.R. part 60 and its appendices, as revised on July 1, 2005 and as amended by 70 fed. reg. 51268-51269 (2005) and 71 fed. reg. 33398-33400 (2006), are adopted by reference except for the following:

- (1) 40 C.F.R. 60.4;
- (2) 40 C.F.R. 60.9;
- (3) 40 C.F.R. 60.10;
- (4) 40 C.F.R. 60.16; and
- (5) subpart HHHH.

(b) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 60, as adopted by reference in subsection (a):

- (1) The term "administrator" shall mean the secretary or the secretary's authorized representative.
- (2) The term "United States environmental protection agency" and any term referring to the United States environmental protection agency shall mean the department.
- (3) The term "state" shall mean the state of Kansas.

(c) The owner or operator of each source that is subject to this regulation shall submit to the department any required annual reports specified in 40 C.F.R. part 60 within 180 days of the last day of the year for which the report is required, unless the owner or operator is required in this article to submit annual reports on a different schedule. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3008 and 65-3010; effective Jan. 23, 1995; amended June 6, 1997; amended June 11, 1999; amended Dec. 3, 2004; amended June 15, 2007.)

**28-19-728. Definitions; measurements, abbreviations, and acronyms.** For the purposes of K.A.R. 28-19-728 through K.A.R. 28-19-728f, the following federal regulations, as revised on July 1, 2005 and hereby adopted by reference, shall apply:

- (a) 40 C.F.R. 60.4102; and
- (b) 40 C.F.R. 60.4103. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728a. Applicability.** 40 C.F.R. 60.4104, as revised on July 1, 2005 and as amended by 71 fed. reg. 33400-33401 (2006), is adopted by reference. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728b. Emissions budget requirements; appeal procedure.** The following federal regulations, as revised on July 1, 2005, are adopted by reference:

- (a) 40 C.F.R. 60.4106;
- (b) 40 C.F.R. 60.4107; and
- (c) 40 C.F.R. 60.4108. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728c. Mercury designated representative; permits.** The following federal regulations, as revised on July 1, 2005, are adopted by reference:

- (a) 40 C.F.R. 60.4110 through 60.4114; and
- (b) 40 C.F.R. 60.4120 through 60.4124. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728d. Mercury allowance allocations.** (a) State mercury budget, phase I. For each control period in year 2010 through year 2017, the total annual budget of mercury allocations for all units subject to K.A.R. 28-19-728 through K.A.R. 28-19-728f shall be 23,136 ounces.

(b) State mercury budget, phase II. For each control period beginning in year 2018 and thereafter, the total annual budget of mercury allocations for all units subject to K.A.R. 28-19-728 through K.A.R. 28-19-728f shall be 9,120 ounces.

(c) Distribution of mercury budget. The annual mercury allocation budget shall consist of the following components:

(1) An amount equal to 97 percent of the amount specified in subsection (a) or (b) as applicable, which shall be permanently allocated among the existing units pursuant to subsection (d); and

(2) an amount equal to 3 percent of the amount specified in subsection (a) or (b) as applicable, which shall be set aside for allocation to new units pursuant to subsection (e) or for other purposes to implement this regulation or related air quality regulations.

(d) Mercury emission allowances for existing units. For each control period in year 2010 and thereafter, a total amount of mercury emission allowances equal to 97 percent of the applicable state mercury budget shall be allocated to all mercury budget units in the state that commenced operation before January 1, 2001. The annual mercury allowance for each mercury budget unit shall be an amount that is determined by multiplying the total amount of mercury emission allowances by the ratio of the baseline heat input of the mercury budget unit to the total amount of baseline heat input of all of the mercury budget units, which shall then be rounded to the nearest whole allowance. This allowance shall not exceed the allocation specified in subsection (a) or (b). The baseline heat input for units that commenced operation before January 1, 2001 shall be determined pursuant to the following paragraphs, except as provided in subsection (f).

(continued)

(1) The baseline heat input, expressed in millions of British thermal units (MMBtu), shall be the average of the three highest amounts of the unit's control period heat input for year 2000 through year 2004.

(2) The control period heat input for each year shall be calculated by the following method:

(A) Multiplying the following:

(i) The total heat input for the unit during the control period; and

(ii) the sum of the number of tons of subbituminous coal burned in the unit during the control period, multiplied by 1.25, and the number of tons of bituminous coal burned in the unit during the control period; and

(B) dividing the product calculated in paragraph (d)(2)(A) by the total number of tons of subbituminous coal and bituminous coal burned in the unit during the control period.

(3) The data reported for the calculations in paragraph (d)(2) shall be as reported to the department.

(e) Mercury emission allowances for new units. For each control period in year 2010 and thereafter, the mercury allowances for mercury budget units that commenced operation on or after January 1, 2001 shall be allocated in accordance with the following procedures:

(1) Starting with the control period in year 2010 or the first control period in which the mercury budget unit commences commercial operation, whichever is later, the mercury designated representative of a new mercury budget unit may submit to the department a request to be permanently allocated mercury emission allowances from the set-aside. The request shall not exceed one-third of the amount of the mercury allowances in the set-aside for the control period. This request shall be submitted on forms provided by the department or approved by the secretary. The mercury allowance allocation request shall be submitted on or before July 1 of the first control period for which the mercury allowances are requested and after the date on which the mercury budget unit commences commercial operation. No allocation may be made without a written request from the mercury designated representative.

(2) Each mercury allowance request under paragraph (e)(1) shall specify a requested amount from the set-aside under paragraph (c)(2) for a specific control period that does not exceed the mercury budget unit's share of the set-aside for the control period on the basis of the nameplate capacity as defined in 40 C.F.R. 60.4102, which is adopted in K.A.R. 28-19-728. The requested emission rate shall not exceed five ounces of mercury for each megawatt of capacity for the control periods in year 2010 through year 2017 and two ounces of mercury for each megawatt of capacity for the control periods in year 2018 and thereafter.

(3) The mercury allowances for each control period pursuant to requests submitted under this subsection shall be allocated as follows:

(A) The mercury allowances from the set-aside for each qualifying new unit in each control period beginning in year 2010 shall not exceed the allowances in a qualifying request under paragraph (e)(1) or (2) or the remaining allowances in the set-aside, whichever is less.

(B) Allocations from the set-aside shall be made for new units in the order in which qualifying requests are received by the department.

(C) Each mercury designated representative that submitted an allowance allocation request shall be notified by mail of the amount of mercury allowances allocated for that control period and subsequent control periods allocated to the mercury budget unit covered by the request.

(D) For each control period beginning in year 2010, the balance of allocations in the set-aside budget shall be decreased by the amount allocated to each new unit.

(f) Unallocated set-aside. All unallocated mercury allowances remaining in the set-aside for a control period shall be retained within the state budget account. Any unused set-aside allowances may be held, retired, or allocated by the department, if the secretary determines that this is necessary for one or more of the following purposes:

(1) To protect public health and the environment;

(2) to respond to market changes; or

(3) to encourage energy resource development in an environmentally responsible manner.

(g) Determination of heat input and mercury emissions. A mercury budget unit's control period heat input and mercury emissions for a calendar year under subsection (d) shall be determined in accordance with 40 C.F.R. part 75, subpart I and appendices A, B, F and K, as adopted in K.A.R. 28-19-728f. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728e. Allowance tracking system; retired unit exemption.** The following federal regulations, as revised on July 1, 2005, are adopted by reference:

(a) 40 C.F.R. 60.4151 through 60.4157;

(b) 40 C.F.R. 60.4160 through 60.4162; and

(c) 40 C.F.R. 60.4105. However, in 40 C.F.R. 60.4105(b)(2), "§§60.4140 through 60.4142" shall be replaced by "K.A.R. 28-19-728d." (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3010; effective June 15, 2007.)

**28-19-728f. Monitoring and reporting.** (a) 40 C.F.R. 60.4170 through 60.4176, as revised on July 1, 2005, are adopted by reference.

(b) The following sections of 40 C.F.R. part 75, as revised on July 1, 2005 or as otherwise specified, are adopted by reference:

(1) 40 C.F.R. 75.2(d);

(2) 40 C.F.R. 75.6(a)(38), (43), and (44);

(3) 40 C.F.R. 75.6(b), (c), (d), and (e), as amended by 70 fed. reg. 51269 (2005);

(4) 40 C.F.R. 75.10(d)(1) and (3);

(5) 40 C.F.R. 75.15;

(6) 40 C.F.R. 75.20(a)(5)(i), (b), (c)(1), (c)(9), and (d)(2)(v);

(7) 40 C.F.R. 75.21(a)(3);

(8) 40 C.F.R. 75.22(a)(7) and (b)(5);

(9) 40 C.F.R. 75.24(d);

(10) 40 C.F.R. 75.31(a), (b)(1), and (b)(2);

(11) 40 C.F.R. 75.32(a);

(12) 40 C.F.R. 75.33, table 1;

- (13) 40 C.F.R. 75.38;
- (14) 40 C.F.R. 75.39;
- (15) 40 C.F.R. 75.53(e)(1)(i)(E), (iv), and (x);
- (16) 40 C.F.R. 75.57(i) and (j);
- (17) 40 C.F.R. 75.58(b)(3)(i) and (ii);
- (18) 40 C.F.R. 75.59(a)(1), (3), (5)(ii), (6), (7)(vii), (9)(vi), and (14), and (c);
- (19) subpart I; and
- (20) appendices A, B, F, and K. (Authorized by K.S.A. 2006 Supp. 65-3005 and K.S.A. 65-3007; implementing K.S.A. 65-3007 and 65-3010; effective June 15, 2007.)

**28-19-735. National emission standards for hazardous air pollutants.** (a) 40 C.F.R. part 61 and its appendices, as in effect on July 1, 2005, are adopted by reference except for the following:

- (1) 40 C.F.R. 61.04;
- (2) 40 C.F.R. 61.16;
- (3) 40 C.F.R. 61.17;
- (4) 40 C.F.R. 61, subpart H;
- (5) 40 C.F.R. 61, subpart I; and
- (6) 40 C.F.R. 61, subpart K.

(b) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 61:

(1) The term "administrator" shall mean the secretary or the secretary's authorized representative.

(2) The term "United States environmental protection agency" or any term referring to the United States environmental protection agency shall mean the department.

(3) The term "state" shall mean the state of Kansas. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3008 and 65-3010; effective Jan. 23, 1995; amended June 6, 1997; amended June 11, 1999; amended Dec. 3, 2004; amended June 15, 2007.)

**28-19-750. Hazardous air pollutants; maximum achievable control technology.** (a) 40 C.F.R. part 63 and its appendices, as in effect on July 1, 2005, are adopted by reference, except for the following:

- (1) 40 C.F.R. 63.12;
- (2) 40 C.F.R. 63.13;
- (3) 40 C.F.R. 63.15;
- (4) 40 C.F.R. 63.40 through 63.44; and
- (5) 40 C.F.R. part 63, subpart E.

(b) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 63:

(1) The term "administrator" shall mean the secretary or the secretary's authorized representative.

(2) The term "United States environmental protection agency" or any term referring to the United States environmental protection agency shall mean the department.

(3) The term "state" shall mean the state of Kansas. (Authorized by K.S.A. 2006 Supp. 65-3005; implementing K.S.A. 65-3008 and 65-3010; effective Jan. 23, 1995; amended June 6, 1997; amended June 11, 1999; amended Dec. 3, 2004; amended June 15, 2007.)

Roderick L. Bremby  
Secretary of Health  
and Environment

## State of Kansas

### Secretary of State

#### Certification of New State Laws

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.

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register May 31, 2007.)

#### SENATE Substitute for HOUSE BILL No. 2540

AN ACT concerning disaster emergencies; relating to certain severe weather-related disasters and the state emergency fund; establishing a business restoration assistance program for certain counties; providing certain sales tax exemptions; prescribing certain powers, duties and functions; amending K.S.A. 2006 Supp. 75-3712 and repealing the existing section.

WHEREAS, On May 4, 2007, a disaster of severe weather, which included a storm of tornadoes, hail, high winds and flooding, struck the State of Kansas and particularly the counties of Kiowa, Barton, Stafford, Pratt, Edwards and Phillips, causing loss of life, personal injury and severe damage to local governments, businesses and homes; and

WHEREAS, Governor Kathleen Sebelius pursuant to K.S.A. 48-924 declared by proclamation on May 4, 2007, a state of disaster emergency for the counties of Kiowa, Barton, Stafford, Pratt, Edwards and Phillips as a result of the May 4, 2007, disaster; and

WHEREAS, The tornado which struck the town of Greensburg, the county seat of Kiowa County, was the first tornado for which the highest of the six categories (0 to 5) of the new Enhanced Fujita scale (EF5) was used; this is the scale for rating the strength of tornadoes in the United States estimated through the damage caused; and

WHEREAS, A tornado measured at the EF5 level of severity is characterized by wind speed in excess of 200 miles per hour and is expected to result in incredible destruction including strong frame houses leveled off at foundations and swept away; automobile-sized missiles fly through the air in excess of 100 m (109 yd), and high-rise buildings will have significant structural deformation; and

WHEREAS, The tornado which struck Greensburg, Kansas, was distinctly remarkable in that the damage and destruction resulted in the complete devastation of county and city governmental facilities and in the interruption of all government services in the area: Now, therefore,

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

New Section 1. (a) There is hereby established the county business restoration assistance program which shall be implemented and administered by the secretary of revenue in accordance with this section. The program is established for the purpose of assisting businesses that were in operation in a county which was struck by the tornado and other severe weather in Kansas on May 4, 2007, which had damage and destruction to governmental buildings and facilities to the extent that there was a complete interruption of all governmental services provided by a major town and the county government, and which suffered a major loss of the property tax base for the county of 25% or more, and that were damaged by such tornado and other

(continued)

severe storms on May 4, 2007, to rebuild business facilities, to acquire business machinery and equipment, and to reestablish jobs in such county for such businesses.

(b) The assistance payments under the program shall be available only for qualifying businesses as defined by this section. The program shall provide investment assistance payments and job restoration assistance payments that are applied for during the period commencing on the effective date of this act through June 30, 2008.

(c) Each investment assistance payment shall be an amount of not more than 10% of a qualifying investment made to rebuild or replace the building or structure or to replace the business machinery and equipment in the county. In accordance with policies adopted by the secretary of revenue, the investment assistance payment shall be for the purpose of assisting the business recover from the damage sustained from the storm on May 4, 2007. To be a qualifying investment under this program, the investment must be made between May 4, 2007, and June 30, 2008.

(d) Each job restoration assistance payment shall be an amount of not more than \$3,500 per full-time-equivalent job for an employee the applicant business hires back in the county. In accordance with policies adopted by the secretary of revenue, the job restoration assistance payment shall be for the purpose of assisting the business recover from the damages sustained from the storm on May 4, 2007.

(e) As used in this section:

(1) "Business facility" means a building or structure used in business operations located within the county;

(2) "business machinery and equipment" means the real and tangible personal property permanently and physically located at a business facility and used in the business operations and shall not include (A) mobile equipment, such as motor vehicles, or (B) any items held for sale, such as business inventory;

(3) "qualifying business" means a business that was in existence and in operation providing goods or services within a county, which was struck by the tornado and other severe weather in Kansas on May 4, 2007, which had damage and destruction to governmental buildings and facilities to the extent that there was a complete interruption of all governmental services provided by a major town and the county government, and which suffered a major loss of the property tax base for the county of 25% or more, and that was damaged by the tornado and other severe storms that struck Kansas on May 4, 2007; and

(4) "qualifying job" means a job with a qualifying business that was lost as a result of damage sustained by the tornado and other severe storms that struck Kansas on May 4, 2007, that is restored and filled by an employee hired back in the county between May 4, 2007, and June 30, 2008, and shall not include any part-time job that provides the employee with less than 20 hours per week of paid employment.

(f) In accordance with the provisions of this section, the secretary of revenue shall adopt policies and procedures for the implementation and administration of the county business restoration assistance program and shall present such information to the state finance council requesting approval to make expenditures from the state emergency fund for assistance payments under the program in accordance with the proposed implementation and administration of the program. Upon approval of the state finance council by the affirmative vote of the governor and by a majority vote of the legislative members of the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and subject to the limitation that not more than \$5,000,000 may be approved by the state finance council to be expended from the state emergency fund for such payments, the director of the budget shall certify to the director

of accounts and reports the amount approved by the state finance council for expenditure by the department of revenue for such assistance payments from the state emergency fund.

New Sec. 2. The following shall be exempt from the tax imposed under the Kansas retailers' sales tax act: All sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business facility that was previously located in Kiowa County, Kansas, prior to May 4, 2007, and that has been damaged or destroyed by tornado and other severe weather on May 4, 2007, and the sale and installation of machinery and equipment purchased for installation at any such business facility, including any fence, the purpose for which is to enclose land devoted to agricultural use. Any person constructing, reconstructing, remodeling or enlarging a business facility in Kiowa County, Kansas, who had leased such a facility to a business in Kiowa County, Kansas, prior to May 4, 2007, and that such business has been damaged or destroyed by tornado and other severe weather on May 4, 2007, and which such facility shall be leased in whole or in part, to a business that was previously located in Kiowa County, Kansas, prior to May 4, 2007, and that such business has been damaged by tornado and other severe weather on May 4, 2007, that would be eligible for a sales tax exemption hereunder if such business had constructed, reconstructed, enlarged or remodeled such facility or portion thereof itself shall be entitled to the sales tax exemption under the provisions of this section. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business facility, such person shall obtain from the state prior to June 30, 2008, an exemption certificate for the project involved. The certificate shall be furnished to the contractor to purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the person that obtained the exemption certificate, a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. The provisions of this section shall be part of and supplemental to the Kansas retailers' sales tax act.

New Sec. 3. In addition to the authority granted by subsection (a)(3) of K.S.A. 48-924, and amendments thereto, the state of disaster emergency which was declared by the governor pursuant to K.S.A. 48-924 by proclamation on May 4, 2007, for the counties of Kiowa, Barton, Stafford, Pratt, Edwards and Phillips as a result of the May 4, 2007, severe weather-related disaster in such counties, which was extended and continued in existence by the finance council on May 16, 2007, for the counties of Kiowa, Barton, Stafford, Pratt, Edwards and Phillips for an additional 30 days through June 18, 2007, and which was ratified and continued in effect for the county of Kiowa by the house concurrent resolution adopted by the house of representatives, the senate concurring therein, on May 22, 2007, for an additional period ending on October 31, 2007, may be further extended and continued in existence for the county of Kiowa

for one or more additional periods after October 31, 2007, by the state finance council, by unanimous vote of all of the members of the council, acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such state of disaster emergency for the county of Kiowa shall not be extended and continued in effect after January 14, 2008.

Sec. 4. K.S.A. 2006 Supp. 75-3712 is hereby amended to read as follows: 75-3712. (a) The state emergency fund is hereby continued in the state treasury for the use of the state finance council created by K.S.A. 75-3708 and amendments thereto for the purposes and within the limitations prescribed by K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d ~~and~~, 75-3714 and section 1, and amendments thereto.

(b) (1) Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c ~~or~~, 75-3713d or section 1, and amendments thereto, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund, ~~except that~~. The total of all amounts transferred from the state general fund to the state emergency fund pursuant to this subsection (b)(1) during any fiscal year shall not exceed \$10,000,000, *excluding all amounts transferred from the state general fund pursuant to subsection (b)(2).*

(2) *In addition to the provisions of subsection (b)(1), during the period commencing on the effective date of this act until January 14, 2008, notwithstanding the provisions of any other statute to the contrary:*

(A) *The director of the budget shall provide (i) notice to the state finance council that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, or section 1, and amendments thereto, which is directly related to a severe weather-related state of disaster emergency declared by the governor pursuant to K.S.A. 48-924, and amendments thereto, and (ii) the director of the budget shall include with such notice the director's recommendations regarding a specific amount or amounts, which in the aggregate are equal to the insufficient amount, and which could be transferred to the state emergency fund for such purpose from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds; and*

(B) *upon approval such recommendation or any modification thereof by the state finance council, by unanimous vote of all of the members of the 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, the director of the budget shall certify to the director of accounts and reports such recommendation, including any modifications, as approved by the state finance council; and*

(C) *upon receipt of such certification by the director of the budget, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds, to the state emergency fund, except that the total of all amounts transferred to the state emergency fund pursuant to this subsection (b)(2) during the period commencing on the effective date of this act until January 14, 2008, shall not exceed \$25,000,000.*

Sec. 5. K.S.A. 2006 Supp. 75-3712 is hereby repealed.

Sec. 6. 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 vetoed by the Governor and sustained by the Legislature. The line-item vetoes are indicated in double-strike type. The Governor's line-item veto message is printed immediately following the bill.)**

(Published in the Kansas Register May 31, 2007.)

### HOUSE Substitute for SENATE BILL No. 357

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012, for state agencies; 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. 2006 Supp. 75-6702 and section 211 of 2007 House Bill No. 2368 and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012, 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 this act.

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

(c) This act shall be known and may be cited as the omnibus appropriation act of 2007 and shall constitute the omnibus reconciliation spending limit bill for the 2007 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702, and amendments thereto.

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

#### Sec. 2.

##### LEGISLATIVE COORDINATING COUNCIL

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

Legislative coordinating council — operations	
For the fiscal year ending June 30, 2008 .....	\$90,700
Legislative research department — operations	
For the fiscal year ending June 30, 2008 .....	\$121,724
Office of the revisor of statutes — operations	
For the fiscal year ending June 30, 2008 .....	\$150,000

#### Sec. 3.

##### LEGISLATURE

(a) During the fiscal years ending June 30, 2007, and June 30, 2008, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the legislature from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 for the legislature, as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, the legislature is hereby authorized to make expenditures from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 for the sale of the house chamber desks that are assigned to members of the house of representatives for the 2007 regular session of the legislature for the fair market value of such desks as fixed by the director of legislative administrative services after consultation with the secretary of administration: *Provided*, That, in accordance with procedures determined by the director of leg-

*(continued)*

islative administrative services, each such house chamber desk shall be offered first and may be sold to the current member of the house of representatives who is assigned to such desk, who is hereby authorized to purchase such house chamber desk: *Provided, however,* That, if any such member of the house of representatives declines the offer to purchase the house chamber desk assigned to such member, then such house chamber desk shall be offered and may be sold to another current member of the house of representatives on the basis of seniority, who is hereby authorized to purchase such house chamber desk, except that, in the event of two or more of such current members who would otherwise be considered next in seniority for such offer and who have the same seniority, then the order of priority shall be determined by a drawing of names which shall be conducted by the director of legislative administrative services and the revisor of statutes: *Provided further,* That the authority to sell and purchase such house chamber desks that is granted under this subsection shall not be subject to the provisions of any other law: *And provided further,* That all moneys received from such sales and purchases of such house chamber desks shall be deposited in the state treasury and credited to the legislative special revenue fund.

(b) During the fiscal year ending June 30, 2008, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the legislature from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the legislature, as authorized by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, the legislature is hereby authorized to make expenditures from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the sale of the computer equipment leased from Dell that is scheduled for replacement in the fall of 2007 for the fair market value of such computer equipment as fixed by the director of legislative administrative services after consultation with the legislative chief information technology officer and legislative director of computer services: *Provided,* That, in accordance with procedures determined by the director of legislative administrative services, each such item that is not to be returned to Dell shall be offered first and may be sold to the current staff member of the legislature who is assigned to use such computer equipment, and who is hereby authorized to purchase such computer equipment: *Provided, however,* That, if any such staff member declines the offer to purchase the computer equipment assigned to such staff member, then such computer equipment shall be offered and may be sold to other current staff members of the legislature on a drawing basis, and who are hereby authorized to purchase such computer equipment, except that, in the event of such current staff members who would want to purchase additional computer equipment, no more than two additional purchases shall be authorized by the director of legislative administrative services who is authorized to determine the order of priority by a drawing of names which shall be conducted by the director of legislative administrative services: *Provided further,* That the authority to sell and purchase such computer equipment that is granted under this subsection shall not be subject to the provisions of any other law: *And provided further,* That all moneys received from such sales and purchases of such computer equipment shall be deposited in the state treasury and credited to the legislative special revenue fund in order to make a final settlement with Dell regarding the disposition of the computer equipment for which the lease expires in the fall of 2007.

(c) During the fiscal years ending June 30, 2007, and June 30, 2008, in addition to the other purposes for which expenditures may be made by the legislature from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 for the legislature, as authorized

by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, the legislature shall make expenditures from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide for the capitol restoration commission to meet at least quarterly to monitor the status and progress of the statehouse restoration and renovation project: *Provided,* That such quarterly meetings shall also include a status report on the current projected and actual expenditures for the project and the construction timeline for the project: *Provided further,* That the legislative coordinating council shall expand the capitol restoration commission by at least three members to provide for the addition of one or more expert members who have a professional background in industry, building trades and technical professions.

(d) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas or by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the legislative coordinating council from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 to create email addresses for legislators which are identified by the first initial of such legislator's first name followed by such legislator's last name: *Provided,* That such addresses shall be created and in use on or before June 30, 2007: *Provided further,* That an individual legislator may select to use the first two initials of such legislator's first name or the first initial of such legislator's first name and the first initial of such legislator's middle name for such email address: *And provided further,* That if there are two legislators with the identical name or initials, the director of legislative administrative services, in consultation with such legislators, shall determine the email identification for such legislators: *And provided further,* That the director of legislative administrative services shall ensure that email addressed to legislators using the current email address consisting of using the last name only of a legislator shall be delivered to the new addresses through January 11, 2009: *And provided further,* That on and after January 12, 2009, the email addresses using the last name only of a legislator shall cease to exist.

Sec. 4. (a) (1) There is hereby appropriated for the state finance council from the state economic development initiatives fund for the fiscal year ending June 30, 2008, the sum of \$281,544 to be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of (A) the pay rate increases, salary increases and reassignment of job classes specified in subsection 160(p) of 2007 House Bill No. 2368, including any associated employer contributions, and (B) the bonus payments and the amounts which are provided for the additional amount of longevity bonus payments of section 160(q) of 2007 House Bill No. 2368, including any associated employer contributions.

(2) To pay the proportionate share of the cost to the state economic development initiatives fund of each state agency for the salary increases and bonus payments specified in subsection (a), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (a)(1) by the director of accounts and reports, who is hereby authorized and directed to make such

transfers in accordance with such approval, to the proper accounts created by state economic development initiatives fund appropriations for the fiscal year ending June 30, 2008.

(b) (1) There is hereby appropriated for the state finance council from the state water plan fund for the fiscal year ending June 30, 2008, the sum of \$11,797 to be used for the purpose of paying the proportionate share of the cost to the state water plan fund of (A) the pay rate increases, salary increases and reassignment of job classes specified in subsection 160(p) of 2007 House Bill No. 2368, including any associated employer contributions, and (B) the bonus payments and the amounts which are provided for the additional amount of longevity bonus payments of section 160(q) of 2007 House Bill No. 2368, including any associated employer contributions.

(2) To pay the proportionate share of the cost to the state water plan fund of each state agency for the salary increases and bonus payments specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state water plan fund appropriations for the fiscal year ending June 30, 2008.

(c)

LEGISLATIVE COORDINATING COUNCIL

(1) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

Legislative coordinating council — operations ..	\$970
Legislative research department — operations ..	\$3,071
Office of revisor of statutes — operations.....	\$2,385

(d)

LEGISLATURE

(1) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

Operations (including official hospitality).....	\$2,830
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(e)

DIVISION OF POST AUDIT

(1) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

Operations (including legislative post audit committee).....	\$2,102
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(f)

JUDICIAL BRANCH

(1) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

Judiciary operations.....	\$127,428
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(g) On July 1, 2007, of the \$40,309,854 appropriated for the state finance council for the fiscal year ending June 30, 2007, by section 160(a) of 2007 House Bill No. 2368 from the state general fund, the sum of \$138,786 is hereby lapsed.

(h) (1) On July 1, 2007, the appropriation for the legislature for the fiscal year ending June 30, 2008, made by section 160(j)(1) of 2007 House Bill No. 2368 authorizing expenditures from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2008, for an additional amount of allowance equal to the amount required

to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, a prescribed aggregate amount of allowance for each of the 20 two-week periods specified in section 160(j)(1) of 2007 House Bill No. 2368, is hereby lapsed: *Provided further*, That the provisions of section 160(j)(1) of 2007 House Bill No. 2368 are hereby declared to be null and void and shall have no force and effect.

(2) On July 1, 2008, the appropriation for the legislature for the fiscal year ending June 30, 2009, made by section 160(j)(2) of 2007 House Bill No. 2368 authorizing expenditures from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2009, for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, a prescribed aggregate amount of allowance for each of the 20 two-week periods specified in section 160(j)(2) of 2007 House Bill No. 2368, is hereby lapsed: *Provided further*, That the provisions of section 160(j)(2) of 2007 House Bill No. 2368 are hereby declared to be null and void and shall have no force and effect.

(i) (1) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2008, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2008 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance (A) of \$345.51 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2008 and for each of the 13 ensuing two-week periods thereafter, and (B) of \$345.51 for the two-week period which coincides with the biweekly payroll period which includes April 6, 2008, which is chargeable to fiscal year 2008 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2008, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (i)(1) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (i)(1) and which are chargeable to fiscal year 2008.

(2) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2009, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2009 for an additional amount of allowance equal to the amount required to provide, along with (A) the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance of \$345.51, except as otherwise provided in this subsection (j)(2), for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal

(continued)

year 2009 and for each of the 14 ensuing two-week periods thereafter, and (B) for the two-week period which coincides with the biweekly payroll period which includes April 5, 2009, which is chargeable to fiscal year 2009 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2009, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That, if the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for the payroll periods chargeable to the fiscal year ending June 30, 2009, then the aggregate amount of allowance payable under this subsection (i)(2) for the two-week period which coincides with the first biweekly pay period that such increase is effective and each of the two-week periods thereafter, which are chargeable to fiscal year 2009 and for which such allowance is payable under this subsection (i)(2), shall be increased by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the aggregate amount of allowance otherwise payable under this subsection (i)(2): *Provided further*, That all expenditures under this subsection (i)(2) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (i)(2) and which are chargeable to fiscal year 2009.

(j) (1) To pay the proportionate share of the cost to the Kansas highway patrol for the salary increases and bonus payments specified in section 160(r)(1) of 2007 House Bill No. 2368, including associated employer contributions, for officers and employees of the Kansas highway patrol, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve an amount or amounts to be transferred on one or more dates during fiscal year 2008 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the cost of such salary increases and bonus payments, including associated employer contributions, for the Kansas highway patrol: *Provided*, That upon such approval, the director of the budget shall certify the amount or amounts approved to be transferred for such purpose and the date or dates specified therefor: *Provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount or amounts certified from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol in accordance with such certification.

(2) To pay the proportionate share of the cost to the department of revenue for the salary increases and bonus payments specified in section 160(r)(1) of 2007 House Bill No. 2368, including associated employer contributions, for officers and employees of the department of revenue, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve an amount or amounts to be transferred on one or more dates during fiscal year 2008 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 such salary increases and bonus payments, including associated employer contributions, for the depart-

ment of revenue: *Provided*, That upon such approval, the director of the budget shall certify the amount or amounts approved to be transferred for such purpose and the date or dates specified therefor: *Provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount or amounts certified from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue in accordance with such certification.

(3) To pay the proportionate share of the cost to the state fire marshal for the salary increases and bonus payments specified in section 160(r)(1) of 2007 House Bill No. 2368, including associated employer contributions, for officers and employees of the hazardous materials program of the state fire marshal, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve an amount or amounts to be transferred on one or more dates during fiscal year 2008 from the fire marshal fee fund of the state fire marshal to the hazardous materials program fund of the state fire marshal for the purpose of financing the cost of such salary increases and bonus payments, including associated employer contributions, for the state fire marshal: *Provided*, That upon such approval, the director of the budget shall certify the amount or amounts approved to be transferred for such purpose and the date or dates specified therefor: *Provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount or amounts certified from the fire marshal fee fund of the state fire marshal to the hazardous materials program fund of the state fire marshal in accordance with such certification.

#### Sec. 5.

##### ATTORNEY GENERAL

(a) On July 1, 2007, the director of accounts and reports shall transfer \$1,560,000 from the interstate water litigation reserve account of the state general fund to the interstate water litigation fund of the attorney general.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$100,000 from the interstate water litigation reserve account of the state general fund to the interstate water litigation fund of the attorney general.

(c) In addition to the other purposes for which expenditures may be made from the crime victims compensation fund of the attorney general during fiscal year 2007 and fiscal year 2008, as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures may be made to distribute funds received on behalf of the state of Kansas in *State v. Mendoza, et. al.*, to the families of victims in the *State v. Rader* case in a manner prescribed by the attorney general: *Provided*, That all moneys received on behalf of the state of Kansas in *State v. Mendoza, et. al.*, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the crime victims compensation fund of the attorney general: *Provided further*, That, notwithstanding the provisions of K.S.A. 74-7313, and amendments thereto, all moneys received on behalf of the state of Kansas in *State v. Mendoza, et. al.*, shall be paid to the families of victims in the *State v. Rader* case.

#### Sec. 6.

##### SECRETARY OF STATE

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

For the fiscal year ending June 30, 2007 ..... \$50,000



Sec. 7.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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 deferred compensation fees fund

For the fiscal year ending June 30, 2008 ..... No limit

*Provided*, That all moneys received for service charges and credit allowances or reimbursements of specified plan expenses authorized by subsection (c) of K.S.A. 75-5523, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas public employees deferred compensation fees fund for the purpose of paying costs of administering the Kansas public employees deferred compensation plan.

(b) On January 1, 2008, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys from the deferred compensation fees fund of the department of administration to the Kansas public employees deferred compensation fees fund of the Kansas public employees retirement system and all liabilities of the deferred compensation fees fund of the department of administration are hereby transferred to and imposed on the Kansas public employees deferred compensation fees fund of the Kansas public employees retirement system.

(c) On the effective date of this act, the amount of \$43,651,166 authorized for transfer by section 28 (a) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$47,361,933.

(d) All moneys received by the state of Kansas pursuant to the tobacco litigation settlement agreements entered into by the attorney general on behalf of the state of Kansas that are amounts allocated to Kansas from the strategic contribution fund established under the master settlement agreement during the fiscal year ending June 30, 2008, shall be deposited in the state treasury and credited to the Kansas endowment for youth fund: *Provided*, That all such moneys received from the strategic contribution fund shall be deposited in a separate account of the Kansas endowment for youth fund: *Provided further*, That, except as specifically authorized by act of the legislature during the 2008 regular session, the amount transferred or expended from the Kansas endowment for youth fund during fiscal year 2008 shall not include any amount attributable to revenues from the strategic contribution fund.

Sec. 8.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Radio Kansas — Hutchinson grant

For the fiscal year ending June 30, 2008 ..... \$201,479

Public broadcasting council grants

For the fiscal year ending June 30, 2008 ..... \$250,000

*Provided*, That, as a condition precedent to receipt of any grant from the public broadcasting council grants account for the fiscal year ending June 30, 2008, Washburn university of Topeka, broadcasting as Channel 11 (KTWU) from facilities in Topeka, Kansas, shall allow the use of the studio and other broadcast facilities of KTWU located on the campus to be utilized by Kansas Public Telecommunications Service, Inc., (KPTS) for the production and broadcasting of the "Ask your Legislator" television program.

Facilities management

For the fiscal year ending June 30, 2008 ..... \$68,000

Long-term care ombudsman

For the fiscal year ending June 30, 2008 ..... \$63,200

Accounts and reports

For the fiscal year ending June 30, 2008 ..... \$2,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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:

Financial management system development fund

For the fiscal year ending June 30, 2008 ..... \$1,988,553

Landon state office building repair expense fund

For the fiscal year ending June 30, 2007 ..... \$2,530,000

For the fiscal year ending June 30, 2008 ..... No limit

MacVicar avenue assessment expense fund

For the fiscal year ending June 30, 2008 ..... \$1,285,749

(c) On and after the effective date of this act, during fiscal year 2007 and fiscal year 2008, the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund of the department of administration.

(d) On July 1, 2007, the \$2,000,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 163(b) of 2007 House Bill No. 2368 from the state general fund in the financial management system account, is hereby lapsed.

(e) No expenditures shall be made from the state general fund or any other fund of the department of administration for the printing of the governor's budget report in the fiscal year ending June 30, 2008, except that a limited number of paper copies may be produced for those individuals who request paper copies and copies which would be needed for historical and archival purposes.

(f) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for the department of administration for fiscal year 2007 and fiscal year 2008, as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas or by this or any other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for the legislature for fiscal year 2007 and fiscal year 2008, to establish a ride-sharing website in order to encourage state agency personnel when traveling to maximize the use of state-owned and rental vehicles: *Provided*, That, notwithstanding the provisions of any other statute, expenditures may be made from the moneys in any such fund or funds appropriated to the department of administration for the purposes of establishing and maintaining the website and promoting the use of such website for the ride-sharing program.

~~(g) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas or by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2007 for the purpose of printing a state employee telephone directory once every two~~

(continued)

~~years, beginning in the fiscal year ending June 30, 2009, and commencing after the November 2008 election.~~

(h) (1) On and after the effective date of this act, during fiscal year 2007 and fiscal year 2008, the director of accounts and reports shall not make any transfer directed to be made by subsection (e) of K.S.A. 79-4710, and amendments thereto, from the state bingo regulation fund of the department of revenue to the problem gambling grant fund established by K.S.A. 79-4805, and amendments thereto.

(2) On July 1, 2007, or as soon thereafter as sufficient moneys are available, notwithstanding the provisions of subsection (e) of K.S.A. 79-4710, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$20,000 from the state bingo regulation fund of the department of revenue to the problem gambling and addictions grant fund established by K.S.A. 79-4805, as amended by section 55 of 2007 Senate Bill No. 66.

(3) On and after the effective date of this act, during fiscal year 2007 and fiscal year 2008, the director of accounts and reports shall not make any transfer directed to be made by K.S.A. 79-4806, and amendments thereto, from the state gaming revenues fund of the department of administration to the problem gambling grant fund established by K.S.A. 79-4805, and amendments thereto.

(4) On July 1, 2007, or as soon thereafter as sufficient moneys are available, notwithstanding the provisions of K.S.A. 79-4806, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$80,000 from the state gaming revenues fund of the department of administration to the problem gambling and addictions grant fund established by K.S.A. 79-4805, as amended by section 55 of 2007 Senate Bill No. 66.

(i) On July 1, 2007, the limitation established on the monumental buildings surcharge fee of not more than \$2.07 per square foot for fiscal year 2008 by section 107(b) of 2007 House Bill No. 2368, in the last proviso to the appropriation of moneys in the state buildings operating fund, is hereby increased to a monumental buildings surcharge fee of not less than \$2.19 per square foot for fiscal year 2008.

(j) (1) On the effective date of this act, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$11,000,000 from the state general fund to the statewide maintenance and disaster relief fund of the department of administration.

(2) On July 1, 2007, the amount of \$40,000,000 authorized by section 162(b) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the state general fund to the statewide maintenance and disaster relief fund of the department of administration on July 1, 2007, or as soon after such date as moneys are available therefor, is hereby increased to \$47,489,095.

(3) On July 1, 2007, the amount of \$40,000,000 authorized by section 162(b) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the state general fund to the statewide maintenance and disaster relief fund of the department of administration on January 1, 2008, or as soon after such date as moneys are available therefor, is hereby decreased to \$21,623,665.

(4) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,530,000 from the statewide maintenance and disaster relief fund of the department of administration to the Landon state office building repair expense fund of the department of administration.

(5) On July 1, 2007, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,285,749 from the statewide maintenance and disaster relief fund of the department of administration to the MacVicar ave-

nue assessment expense fund of the department of administration.

(6) On June 30, 2008, the director of accounts and reports shall transfer \$8,623,665 from the statewide maintenance and disaster relief fund of the department of administration to the state general fund.

(k) On the effective date of this act, in addition to the other purposes for which expenditures may be made by the department of administration from the operating expenditures account of the state general fund for fiscal year 2007 and 2008 as authorized by section 107 of 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the above agency from the operating expenditures account of the state general fund for fiscal year 2007 and 2008 for the Kansas advisory council on intergovernmental relations established by K.S.A. 12-4001, and amendments thereto: *Provided, however*, That during the fiscal year ending June 30, 2008, no expenditures shall be made from any moneys appropriated for any other state agency from the state general fund or any special revenue fund for fiscal year 2008 by chapter 142 or 216 of the 2006 Session Laws of Kansas, or by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature for this purpose.

(l) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department of administration is hereby increased from 759.55 to 760.55.

Sec. 9. During the fiscal year ending June 30, 2008, no expenditures shall be made from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2008 by chapter 142 or 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature for any state agency to print annual reports, except that a limited number of paper copies may be produced for those individuals who request paper copies and copies which would be needed for historical and archival purposes.

Sec. 10.

#### KANSAS RACING AND GAMING COMMISSION

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 111(a) of 2007 House Bill No. 2368 on the state racing fund is hereby increased from \$2,849,186 to \$4,259,494.

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the Kansas racing and gaming commission — state racing operations is hereby increased from 43.00 to 53.00.

(c) During the fiscal year ending June 30, 2008, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in

accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(d) During the fiscal year ending June 30, 2008, upon request of the executive director of the Kansas racing and gaming commission, the pooled money investment board is authorized and directed to loan to the Kansas racing and gaming commission an amount or amounts of moneys during fiscal year 2008 as needed for the operating expenses of the Kansas racing and gaming commission for the expanded lottery operations under 2007 Senate Bill No. 66 at such time or times as requested by the executive director of the Kansas racing and gaming commission: *Provided*, That such loan shall not be made unless the terms thereof have been approved by the director of the budget: *Provided, however*, That the aggregate of all such loan amounts provided to the Kansas racing and gaming commission by the pooled money investment board shall not exceed \$3,000,000: *Provided further*, That each such loan amount shall be credited to the expanded lottery act regulation fund: *And provided further*, That, upon such approval, the director of the budget shall deliver a copy of the terms of such loan to the director of the legislative research department: *And provided further*, That the pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan: *And provided further*, That such loan shall be repaid on or before June 30, 2009, with interest at a rate equal to the total of the net earnings rate for the pooled money investment portfolio at the time of the entering into the loan agreement, plus 3%: *And provided further*, That such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(e) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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:  
Expanded lottery act regulation fund

For the fiscal year ending June 30, 2008 .....	No limit
Live horse racing purse supplement fund	
For the fiscal year ending June 30, 2008 .....	No limit
Live greyhound racing purse supplement fund	
For the fiscal year ending June 30, 2008 .....	No limit
Greyhound promotion and development fund	
For the fiscal year ending June 30, 2008 .....	No limit

(f) The number of full-time and regular part-time positions equated to full-time, paid from appropriations for the fiscal year or years specified, made in this or other appropriation act of the 2007 regular session of the legislature for the agency or agencies specified, shall not exceed the following, except upon approval of the state finance council:

Kansas racing and gaming commission — expanded lottery act regulation division

For the fiscal year ending June 30, 2008 .....	25.00
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Sec. 11.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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:

Expanded lottery act revenues fund	
For the fiscal year ending June 30, 2007 .....	No limit
For the fiscal year ending June 30, 2008 .....	No limit
Expanded lottery act receipts fund	
For the fiscal year ending June 30, 2007 .....	No limit
For the fiscal year ending June 30, 2008 .....	No limit

Lottery gaming facility manager fund

For the fiscal year ending June 30, 2007 .....	No limit
For the fiscal year ending June 30, 2008 .....	No limit

(b) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 2006 Supp. 74-8711 and amendments thereto, as amended by section 45 of 2007 Senate Bill No. 66, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

Sec. 12.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:  
State parks operating expenditures

For the fiscal year ending June 30, 2008 .....	\$119,000
Kaw river state park operating expenditures	
For the fiscal year ending June 30, 2008 .....	\$205,500

(b) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 154(b) of 2007 House Bill No. 2368 on the parks fee fund is hereby increased from \$3,304,860 to \$3,889,063.

(c) On July 1, 2007, the amount of \$1,545,000 authorized for transfer by section 190(c) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks is hereby increased to \$2,190,000.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for the fiscal year or years specified, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2008 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:  
Kaw river state park capital improvements

For the fiscal year ending June 30, 2008 .....	\$100,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for the fiscal year or years specified.

(e) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department of wildlife and parks is hereby increased from 409.5 to 410.5.

(f) There is appropriated for the above agency from the state water plan fund for the fiscal year or years specified, for the capital improvement project or projects specified, the following:  
Sebelius reservoir restoration

For the fiscal year ending June 30, 2008 .....	\$1,000,000
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(g) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 154(b) of 2007 House Bill No. 2368 on the wildlife fee fund is hereby increased from \$23,433,552 to \$24,195,850.

(h) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 154(b) of 2007 House Bill No. 2368 on the boating fee fund is hereby increased from \$1,302,149 to \$1,359,526.

Sec. 13.

KANSAS HEALTH POLICY 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

For the fiscal year ending June 30, 2008 .....	\$1,602,073
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*Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is

(continued)

not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, of the amount appropriated for the above agency for the fiscal year ending June 30, 2008, by this section from the state general fund in the operating expenditures account, the sum of \$500,000 is hereby lapsed.

Other medical assistance

For the fiscal year ending June 30, 2007 .....	\$41,787,770
For the fiscal year ending June 30, 2008 .....	\$5,000,000

Office of the inspector general

For the fiscal year ending June 30, 2008 .....	\$175,000
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*Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$175,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by this section from the state general fund in the office of the inspector general account is hereby lapsed.

(b) In addition to the other purposes for which expenditures may be made by the Kansas health policy authority from the moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2007 or fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the Kansas health policy authority from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to enter into discussions with pharmacy representatives to assess the impact of the final average manufacturers' price rules as soon as the centers for medicare and medicaid services provide the formula and related pricing data: *Provided*, That the Kansas health policy authority shall use economic impact studies done by national organizations and shall work with pharmacy representatives to attain an agreed-upon approach to gathering data on generic acquisition costs to enable an assessment of total reimbursement: *Provided further*, That in response to the publication of average manufacturers' price-based federal upper limits, the Kansas health policy authority shall adjust dispensing fees as necessary to meet federal guidelines and maintain total medicaid reimbursement to pharmacies at current levels: *And provided further*, That the Kansas health policy authority shall monitor future adjustments to generic dispensing fees as necessary based on continuing changes in federal reimbursement policy to ensure an appropriate level of state reimbursement: *And provided further*, That state reimbursements shall be designed to maintain the same level of access to pharmacies for medicaid beneficiaries: *And provided further*, That in an effort to keep costs down, the Kansas health policy authority shall continue to partner with pharmacies to encourage higher levels of utilization of generic drugs under the medicaid program.

(c) In addition to the other purposes for which expenditures may be made by the Kansas health policy authority from the moneys appropriated from the state general fund or from any special revenue fund for the Kansas health policy authority for fiscal year 2008, as authorized by this or any other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the Kansas health policy authority from moneys appropriated from the state general fund or from any special revenue fund for the Kansas health policy authority for fiscal year 2008 to work with the department of social and rehabilitation services to consider an increase in rates for case managers and in-home nursing care providers in the attendant care for independent living program, so that the program can efficiently and effectively move technology-dependent children from high cost hospital to lower cost in-home settings and improve patient outcomes: *Provided further*, That the discussion should include shifting funding as deemed appropriate from projected medicaid inpatient case load saving to fund the rate increases: *And*

*provided further*, That the Kansas health policy authority shall prepare and present a report of the findings to the legislature on January 15, 2008.

Sec. 14.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

State operations	
For the fiscal year ending June 30, 2008 .....	\$1,751,000
Alcohol and drug abuse services grants	
For the fiscal year ending June 30, 2008 .....	\$887,330
Cash assistance	
For the fiscal year ending June 30, 2007 .....	\$200,000
For the fiscal year ending June 30, 2008 .....	\$1,290,000
Other medical assistance	
For the fiscal year ending June 30, 2007 .....	\$10,092,859
For the fiscal year ending June 30, 2008 .....	\$4,820,810
Community based services	
For the fiscal year ending June 30, 2007 .....	\$700,000
For the fiscal year ending June 30, 2008 .....	\$5,444,943
Mental health and retardation services aid and assistance	
For the fiscal year ending June 30, 2008 .....	\$45,367,441

*Provided*, That all developmental disability community service providers are hereby required to provide information in the biennial independent rate study conducted by the department of social and rehabilitation services as required by the developmental disability reform act: *Provided further*, That the information required will provide the department of social and rehabilitation services with sufficient data to perform a benefit and wage analysis for the developmental disability system: *And provided further*, That the department of social and rehabilitation services and the Kansas health policy authority will mandate participation in the biennial rate study as a condition of participation in the medicaid program: *And provided further*, That the results of the study shall be made available to the legislature upon completion.

Youth services aid and assistance

For the fiscal year ending June 30, 2007 .....	\$700,000
For the fiscal year ending June 30, 2008 .....	\$10,000,000

Kansas neurological institute — operating expenditures

For the fiscal year ending June 30, 2008 .....	\$31,300
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Larned state hospital — operating expenditures

For the fiscal year ending June 30, 2007 .....	\$25,172
For the fiscal year ending June 30, 2008 .....	\$346,015

Osawatomie state hospital — operating expenditures

For the fiscal year ending June 30, 2008 .....	\$18,800
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Parsons state hospital and training center — operating expenditures

For the fiscal year ending June 30, 2008 .....	\$78,267
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(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Pre-K pilot

For the fiscal year ending June 30, 2008 .....	\$3,000,000
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*Provided*, That any unencumbered balance in the Pre-K pilot account in excess of \$100 as of June 30, 2008, is hereby reappropriated for fiscal year 2009.

Early headstart

For the fiscal year ending June 30, 2008 .....	\$500,000
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*Provided*, That any unencumbered balance in the early headstart account in excess of \$100 as of June 30, 2008, is hereby reappropriated for fiscal year 2009.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year or years specified, for the capital improvement project or projects specified, the following:

## Osawatomie state hospital remodeling

For the fiscal year ending June 30, 2008 ..... \$2,700,000

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Problem gambling and addictions grant fund

For the fiscal year ending June 30, 2008 ..... No limit

(e) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from the moneys appropriated from the state general fund or from any special revenue fund for the department of social and rehabilitation services for fiscal year 2008, as authorized by this or any other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or from any special revenue fund for the department of social and rehabilitation services for fiscal year 2008 to work with the Kansas health policy authority to consider an increase in rates for case managers and in-home nursing care providers in the attendant care for independent living program, so that the program can efficiently and effectively move technology-dependent children from high cost hospital to lower cost in-home settings and improve patient outcomes: *Provided*, That the discussion should include shifting funding as deemed appropriate from projected medicaid inpatient case load saving to fund the rate increases: *Provided further*, That the department of social and rehabilitation services shall prepare and present a report of the findings to the legislature on January 15, 2008.

## Sec. 15.

## STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$3,200,000 appropriated for the above agency for the fiscal year ending June 30, 2007, by section 50(a) of chapter 216 of the 2006 Session Laws of Kansas from the state general fund in the assigned counsel account, the sum of \$1,800,000 is hereby lapsed.

## Sec. 16.

## JUDICIAL COUNCIL

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

For the fiscal year ending June 30, 2008 ..... \$150,000

*Provided*, That all expenditures from the recodification commission account shall be made for the expenses of the recodification commission created by 2007 House Substitute for Senate Bill No. 14: *Provided, however*, That during the fiscal year ending June 30, 2008, no expenditures shall be made from the recodification commission account to reimburse any employee, agent or contractor for mileage and other travel expenses out-of-state or mileage and other travel expenses for traveling from or returning to a location outside the state of Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Recodification commission gifts and grants fund

For the fiscal year ending June 30, 2008 ..... No limit

*Provided*, That all moneys received by the recodification commission created by 2007 House Substitute for Senate Bill No. 14, for gifts and grants from any source shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the recodification commission gifts and grants fund: *Provided, however*, That during the fiscal year ending June 30, 2008, no

expenditures shall be made from the recodification commission gifts and grants fund to reimburse any employee, agent or contractor for mileage and other travel expenses out-of-state or mileage and other travel expenses for traveling from or returning to a location outside the state of Kansas.

## Sec. 17.

## JUDICIAL BRANCH

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

For the fiscal year ending June 30, 2008 ..... \$144,827

(b) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2008, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2008 for an additional amount of biweekly compensation for the following justices and judges equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such justices and judges as follows:

(1) For the chief justice of the supreme court, an additional amount of biweekly compensation equal to the amount required to provide an aggregate amount of \$5,227.38 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2008;

(2) for each justice of the supreme court other than the chief justice, an additional amount of biweekly compensation equal to the amount required to provide an aggregate amount of \$5,099.62 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2008;

(3) for the chief judge of the court of appeals, an additional amount of biweekly compensation equal to the amount required to provide an aggregate amount of \$5,056.27 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2008; and

(4) for each judge of the court of appeals other than the chief judge, an additional amount of biweekly compensation equal to the amount required to provide an aggregate amount of \$4,935.00 per biweekly pay period for each biweekly pay period which is chargeable to fiscal year 2008: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such justices and judges for the biweekly pay periods which are chargeable to fiscal year 2008.

(c) During the fiscal year ending June 30, 2008, notwithstanding the provisions of K.S.A. 75-31201, and amendments thereto, or any other statute, no expenditures shall be made from any moneys appropriated for the judicial branch from the state general fund or any special revenue fund for fiscal year 2008, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in the base salary for the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals or any other judge of the court of appeals for fiscal year 2008 that is greater than the amount of additional compensation specified in subsection (b) of this section for such justices of the supreme court and judges of the court of appeals: *Provided further*, That, for the fiscal year ending June 30, 2008, no provision of K.S.A. 75-31201, and amendments thereto, this section or any other statute shall be construed to constitute or to otherwise authorize increases in the rates of the base salaries of any justice of the supreme court or judge of the court of appeals, including the increases in all monthly steps of the pay plan for persons in

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the classified service under the Kansas civil service act or the increases in rates of compensation from step movements on such pay plan.

(d) Prior to August 1, 2007, the judicial branch shall prepare and submit a report to the joint committee on state building construction detailing the long-term plans of the judicial branch for (1) the office locations of the offices and facilities for the supreme court, the court of appeals, the clerk of the appellate courts, the judicial administrator and the other officers and employees of the judicial branch that are located in the judicial center, and (2) the proposed location of such judicial branch offices and facilities after the judicial branch expands the court of appeals to 14 judges, and the future location of the judicial council's office space.

Sec. 18.

STATE CORPORATION COMMISSION

(a) In addition to the other purposes for which expenditures may be made by the state corporation commission from moneys appropriated from the state general fund or from any special revenue fund for the state corporation commission for fiscal year 2008, as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the state corporation commission from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 to review the rules and regulations concerning the definition of commercial motor vehicles that is consistent with, and not more stringent than the definition of commercial motor vehicles as defined by federal regulations: *Provided*, That the state corporation commission shall review the rules and regulations establishing exemptions from the commercial motor vehicle definition for off-road construction equipment including specific language establishing which equipment qualifies for the exemption: *Provided however*, That the state corporation commission shall report back such findings to the house of representatives committee on appropriations, the senate committee on ways and means and the joint committee on administrative rules and regulations on or before the first day of the 2008 regular session of the legislature.

(b) On July 1, 2007, the aggregate expenditure limitation established for the fiscal year ending June 30, 2008, by section 105(b) of 2007 House Bill No. 2368 on expenditures from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund, in the aggregate, is hereby increased from \$15,559,438 to \$15,789,438.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Carbon dioxide injection well and underground storage fund

For the fiscal year ending June 30, 2008 ..... No limit

Sec. 19.

KANSAS DEPARTMENT OF AGRICULTURE

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

For the fiscal year ending June 30, 2008 ..... \$402,198

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the Kansas department of agriculture is hereby increased from 308.49 to 314.49.

Sec. 20.

KANSAS ANIMAL HEALTH DEPARTMENT

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

Operating expenditures

For the fiscal year ending June 30, 2008 ..... \$114,127

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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 health protection fund

For the fiscal year ending June 30, 2007 ..... No limit

For the fiscal year ending June 30, 2008 ..... No limit

*Provided*, That all moneys received as grants, donations or gifts from any source whatsoever for any lawful purpose to assist in the protection of the health of domestic animals, which grants, donations or gifts are hereby authorized to be accepted by the livestock commissioner, shall be deposited in the state treasury to the credit of the animal health protection fund: *Provided further*, That all moneys credited to the animal health protection fund shall be expended for purposes consistent with the law to protect the health of domestic animals.

Sec. 21.

STATE FAIR BOARD

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

Alternative energy projects

For the fiscal year ending June 30, 2008 ..... \$25,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Economic impact and demographic study

For the fiscal year ending June 30, 2008 ..... \$40,000

Sec. 22.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year or years specified, the following:

Conservation district aid

For the fiscal year ending June 30, 2008 ..... \$1,086,154

Lake restoration

For the fiscal year ending June 30, 2008 ..... \$2,719,713

*Provided*, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2007, is hereby reappropriated for fiscal year 2008: *Provided further*, That the state conservation commission shall allocate moneys in the lake restoration account and make expenditures during fiscal year 2008 from the lake restoration account through the multipurpose small lakes program to rehabilitate the Washington county rural water district No. 1 structure in and across the Big Blue River.

Salt cedar demonstration projects

For the fiscal year ending June 30, 2008 ..... \$50,000

Nonpoint source pollution assistance

For the fiscal year ending June 30, 2008 ..... \$60,000

Any unencumbered balance in the conservation reserve enhancement program account in excess of \$100 as of June 30, 2007, is hereby reappropriated for fiscal year 2008.

(b) On July 1, 2007, notwithstanding the provisions of section 152(g) of 2007 House Bill No. 2368, the criteria and limitations on the number of acres which may be enrolled in Kansas in the conservation reserve enhancement program (CREP) for the fiscal years ending June 30, 2007, and June 30, 2008, established by subsections (g)(1), (g)(2) and (g)(3) of section 152 of 2007 House Bill No. 2368 are hereby modified from 20,000 acres during fiscal year 2007 and 20,000 acres during fiscal year 2008 as follows: (1) The total number of acres enrolled in Kansas in CREP for fiscal year 2007 may be enrolled during the period from the effective date of this act through December 31, 2007, and shall not exceed 20,000 acres for such period; (2) the total

number of acres enrolled in Kansas in CREP for fiscal year 2008 may be enrolled during the period from July 1, 2007, through June 30, 2008, and shall not exceed 20,000 acres for such period; and (3) the total number of acres enrolled in Kansas in CREP for the two fiscal years 2007 and 2008 during period specified in clause (1) and the period specified in clause (2) shall not exceed 40,000 acres: *Provided*, That, the state conservation commission shall determine which acres that are enrolled during the period from July 1, 2007, through December 31, 2007, shall be allocated to and accounted for as having been enrolled for fiscal year 2007 and which acres enrolled during such period shall be allocated to and accounted for as having been enrolled for fiscal year 2008 for all purposes under this subsection and section 152(g) of 2007 House Bill No. 2368: *Provided further*, That, on the effective date of this act, the provisions of subsections (g)(1), (g)(2) and (g)(3) of section 152 of 2007 House Bill No. 2368 are hereby declared to be null and void and shall have no force and effect: *And provided further*, That the remaining criteria and provisions of section 152(g) of 2007 House Bill No. 2368 shall remain in force and effect.

Sec. 23.

KANSAS WATER OFFICE

(a) During the fiscal year ending June 30, 2008, expenditures may be made from the water conservation projects fund for the following water conservation projects and reimbursements provided pursuant to subsection (d) of K.S.A. 82a-1803, and amendments thereto, to the following, within any expenditure limitation imposed on the water conservation projects fund for fiscal year 2008, subject to the following expenditure limitations prescribed therefor:

Arkansas River reconnaissance study	
For the fiscal year ending June 30, 2008 .....	\$29,448
Ditch irrigation companies	
For the fiscal year ending June 30, 2008 .....	\$35,000

*Provided*, That the Kansas water office shall make expenditures from the water conservation projects fund for the following water conservation projects: Alternate delivery system for Lake McKinney; capacity storage and control structures at Lake McKinney; lining of the southside ditch; alternate delivery system for the farmers ditch; recharge projects; check dam and structures as determined feasible by studies and recommended by the director of the Kansas water office in consultation with the chief engineer of the division of water resources of the Kansas department of agriculture and stakeholders: *Provided further*, That all expenditures from each such water conservation project account shall be within any expenditure limitation imposed on the water conservation projects fund for fiscal year 2008.

Sec. 24.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Vocational education capital outlay aid	
For the fiscal year ending June 30, 2008 .....	\$2,565,000

*Provided*, That expenditures from the vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the area vocational school, the area vocational-technical school or the technical college awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2007, in the vocational education capital outlay aid account is hereby reappropriated for fiscal year 2008.

Technology innovation and internship program	
For the fiscal year ending June 30, 2008 .....	\$180,500

*Provided*, That any unencumbered balance in excess of \$100 as

of June 30, 2007, in the technical innovation and internship program account is hereby reappropriated for fiscal year 2008.

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

Technical college hold harmless funding	
For the fiscal year ending June 30, 2008 .....	\$350,000

*Provided*, That any unencumbered balance in the technical college hold harmless funding account in excess of \$100 as of June 30, 2007, is hereby reappropriated for fiscal year 2008: *Provided further*, That the state board of regents is hereby authorized to make expenditures from the technical college hold harmless funding account for grants to the technical colleges and schools: *And provided further*, That such grants shall be distributed so that no technical college shall receive less state aid in fiscal year 2008, than that technical college received in the previous fiscal year.

Community college operating grant	
For the fiscal year ending June 30, 2008 .....	\$3,848,656

*Provided*, That any unencumbered balance in the community college operating grant account in excess of \$100 as of June 30, 2007, is hereby reappropriated for fiscal year 2008.

KAN-ED operating expenditures	
For the fiscal year ending June 30, 2008 .....	\$2,000,000
Postsecondary technical education authority	
For the fiscal year ending June 30, 2008 .....	\$817,687

*Provided*, That expenditures shall be made from the postsecondary technical education authority account to develop a new credit-hour funding formula for postsecondary technical training programs based on rates established by the postsecondary technical education authority: *Provided further*, That the formula should be tiered to recognize and support cost differentials in providing high-demand, high-tech training: *And provided further*, That the formula should target industries that are critical to the Kansas economy: *And provided further*, That the formula should be responsive to program growth opportunities: *And provided further*, That, if 2007 House Bill No. 2556 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$817,687 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the postsecondary technical education authority account is hereby lapsed.

Technical education technology and equipment grants	
For the fiscal year ending June 30, 2008 .....	\$4,000,000

*Provided*, That expenditures from the technical education technology and equipment grants account for grants shall be made on a \$2 to \$1 matching basis to technical colleges and schools and community colleges: *Provided further*, That no technical college, school or community college shall receive more than 20% of the available moneys in technical education technology and equipment grants account for any fiscal year: *And provided further*, That, if 2007 House Bill No. 2556 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$4,000,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the technical education technology and equipment grants account is hereby lapsed.

Teachers scholarship program	
For the fiscal year ending June 30, 2008 .....	\$1,136,115

Postsecondary aid for vocational education	
For the fiscal year ending June 30, 2008 .....	\$6,957,162

Military service scholarships	
For the fiscal year ending June 30, 2008 .....	\$250,000

(c) (1) The state board of regents is authorized to expend moneys appropriated by this section in the military service scholarships account of the state general fund for the payment of tuition and fees for persons described in paragraph (2) at Kansas educational institutions as defined by K.S.A. 75-4364, and

(continued)

amendments thereto: *Provided*, That the state board of regents is authorized to determine the terms and conditions relating to such educational assistance.

(2) The educational assistance provided by this subsection shall be for any person: (A) Who graduated from high school in Kansas or who, as a resident of Kansas for at least two years, has received a general educational development (G.E.D.) credential; and (B) who either (i) has served in military service in Iraq or Afghanistan at least 90 days after September 11, 2001, or served less than such 90 days because of injuries received in Iraq or Afghanistan or (ii) has served in military service in international waters or on foreign soil in support of military operations in Iraq or Afghanistan for at least 90 days after September 11, 2001, or has served less than such 90 days because of injuries received during such service; and (C) the person has received an honorable discharge from military service or is still in military service; and (D) the person has a DD-214 form or active duty orders that indicate the person has served after September 11, 2001, in one or more of the following military operations: (i) Enduring Freedom; (ii) Nobel Eagle; or (iii) Iraqi Freedom.

(d) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the state board of regents is hereby increased from 58.5 to 63.5.

(e) (1) On July 1, 2007, the \$250,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 from the state general fund in the mathematics and science teacher service scholarship program account, is hereby lapsed.

(2) On July 1, 2007, the appropriation for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 of any unencumbered balance in excess of \$100 as of June 30, 2007, in the mathematics and science teacher service scholarship program account of the state general fund, is hereby lapsed.

(f) (1) On July 1, 2007, the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 from the state general fund in the special education teacher scholarship program account, is hereby lapsed.

(2) On July 1, 2007, the appropriation for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 of any unencumbered balance in excess of \$100 as of June 30, 2007, in the special education teacher scholarship program account of the state general fund, is hereby lapsed.

(g) (1) On July 1, 2007, the \$86,115 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 from the state general fund in the teacher education scholarship program account, is hereby lapsed.

(2) On July 1, 2007, the appropriation for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 of any unencumbered balance in excess of \$100 as of June 30, 2007, in the teacher education scholarship program account of the state general fund, is hereby lapsed.

(h) On July 1, 2007, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 138(a) of 2007 House Bill No. 2368 from the state general fund in the competitive teachers grant account, is hereby lapsed.

Sec. 25.

#### FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2008 ..... \$500,000  
*Provided*, That future expenditures for the information assurance

program shall be made from moneys authorized for the university operating budget.

Kansas wetlands education center at Cheyenne bottoms

For the fiscal year ending June 30, 2008 ..... \$100,000

(b) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 29(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 29(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 29(a) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 26.

#### UNIVERSITY OF KANSAS MEDICAL CENTER

(a) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 to report to the house of representatives committee on appropriations and the senate committee on ways and means, on or before February 1, 2008, with a plan to add 25 residents at the university of Kansas medical school affiliated hospitals in Wichita, Kansas.

~~(b) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to enter into a new operating agreement with the university of Kansas hospital authority for the operations of the university of Kansas hospital. *Provided*, That, on and after the effective date of this act, no expenditures shall be made by the university of Kansas medical center from any moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to enter into any affiliation~~



~~agreement with any other entity unless and until after the date upon which the university of Kansas medical center has entered into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital. *Provided further*, That the university of Kansas medical center shall exercise all due diligence and shall undertake discussions and negotiations with the university of Kansas hospital authority in the most expeditious manner practicable in order to enter into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital. *And provided further*, That the university of Kansas hospital authority shall exercise all due diligence and shall undertake discussions and negotiations with the university of Kansas medical center in the most expeditious manner practicable in order to enter into a new operating agreement with the university of Kansas medical center for the operation of the university of Kansas hospital. *And provided further*, That the university of Kansas medical center shall not enter into any affiliation agreement with any entity unless and until the university of Kansas medical center has entered into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital.~~

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to conduct a study of physician workforce needs in Kansas which shall include specific information regarding the impact of any new hospital affiliations entered into by the university of Kansas or the university of Kansas medical center, or any of the schools thereof, on access to primary care physicians in Kansas and shall present the results of the study to the legislature prior to December 1, 2007.

(d) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 25(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 25(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 25(a) of chapter 216 of the 2006 session laws of Kansas

are hereby declared to be null and void and shall have no force and effect.

Sec. 27.

#### WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Aviation research

For the fiscal year ending June 30, 2008 ..... \$2,250,000

(b) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 27(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 27(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 27(a) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 28.

#### KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 23(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 23(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That,

(continued)

on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 23(b) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 29.

KANSAS STATE UNIVERSITY

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 24(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 24(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 24(b) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 30.

UNIVERSITY OF KANSAS

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 26(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 26(b) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in

section 26(b) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 31.

EMPORIA STATE UNIVERSITY

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 28(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 28(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 28(a) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(b) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2008 ..... \$29,411

Sec. 32.

PITTSBURG STATE UNIVERSITY

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 30(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 30(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in

the deferred maintenance support fund of the above agency in section 30(a) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 33.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) Notwithstanding the provisions of the first proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 31(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made during fiscal year 2008 from the deferred maintenance support fund of the above agency for any project for rehabilitation, maintenance or repair of any building or facility of the above agency that does not constitute a infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency: *Provided*, That no expenditures shall be made for an infrastructure improvement project, as defined by section 2 of 2007 Substitute for Senate Substitute for House Bill No. 2237, and amendments thereto, for the above agency unless the above agency has first advised and consulted with the joint committee on state building construction regarding such project: *Provided further*, That, notwithstanding the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 31(a) of chapter 216 of the 2006 session laws of Kansas, no expenditures shall be made from the deferred maintenance support fund of the above agency for operating expenditures for the above agency during fiscal year 2008: *And provided further*, That, on July 1, 2007, the provisions of the second proviso to the appropriation of all moneys lawfully credited to and available in the deferred maintenance support fund of the above agency in section 31(a) of chapter 216 of the 2006 session laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 34.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2008 ..... \$104,868

*Provided*, That, if 2007 Senate Bill No. 68 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$40,558 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the operating expenditures account is hereby lapsed: *Provided further*, That, if 2007 House Bill No. 2123 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$64,310 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the operating expenditures account is hereby lapsed.

General state aid

For the fiscal year ending June 30, 2008 ..... \$1,318,000

Supplemental general state aid

For the fiscal year ending June 30, 2007 ..... \$764,000

For the fiscal year ending June 30, 2008 ..... \$14,933,000

Special education service aid

For the fiscal year ending June 30, 2008 ..... \$16,100,000

School district juvenile detention facilities and Flint Hills jobs corps center grants

For the fiscal year ending June 30, 2008 ..... \$400,000

Kansas career pipeline grant

For the fiscal year ending June 30, 2008 ..... \$420,120

*Provided*, That the grant awarded to the Kansas career pipeline shall require a \$1 for \$1 match by business and industry.

Mentor teacher program grants

For the fiscal year ending June 30, 2008 ..... \$500,000

(b) On July 1, 2007, of the \$2,104,677,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 30(a) of chapter 197 of the 2006 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$10,000,000 is hereby lapsed, if 2007 Senate Bill No. 68 is not passed by the legislature during the 2007 regular session and enacted into law.

(c) (1) The director of accounts and reports shall not make the transfer of \$122,700,000 from the state general fund to the keeping education promises trust fund which was directed to be made on July 1, 2008, by section 161(c) of 2007 House Bill No. 2368 and, on July 1, 2008, the provisions of section 161(c) of 2007 House Bill No. 2368 are hereby declared to be null and void and shall have no force and effect.

(2) On July 1, 2008, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$122,700,000 from the keeping education promises trust fund to the state general fund.

Sec. 35.

KANSAS STATE SCHOOL FOR THE BLIND

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

Operating expenditures

For the fiscal year ending June 30, 2008 ..... \$84,597

Sec. 36.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures

For the fiscal year ending June 30, 2008 ..... \$133,135

Sec. 37.

STATE BOARD OF TAX APPEALS

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

Operating expenditures

For the fiscal year ending June 30, 2007 ..... \$16,880

For the fiscal year ending June 30, 2008 ..... \$33,760

Sec. 38.

DEPARTMENT OF REVENUE

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

Operating expenditures

For the fiscal year ending June 30, 2008 ..... \$392,754

(b) On July 1, 2007, the expenditure limitation established by section 109(b) of 2007 House Bill No. 2368 on the division of vehicles operating fund is hereby increased from \$39,525,978 to \$39,913,122: *Provided*, That, if 2007 House Bill No. 2145 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by this subsection on the division of vehicles operating fund is hereby decreased from \$39,913,122 to \$39,772,322.

(c) On July 1, 2007, the amount of \$9,673,794.75 authorized by section 109(c) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue on July 1, 2007, October 1, 2007, January 1, 2008, and April 1, 2008, is hereby increased to \$9,770,580.75: *Provided*, That, if 2007 House Bill No. 2145 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the amount of \$9,770,580.75 authorized by this subsection to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the division of ve-

(continued)

hicles operating fund of the department of revenue on July 1, 2007, October 1, 2007, January 1, 2008, and April 1, 2008, is hereby decreased to \$9,735,380.75.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Intra-governmental service fund

For the fiscal year ending June 30, 2007 ..... No limit

(e) On July 1, 2007, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas qualified agricultural ethyl alcohol producer incentive fund.

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$437,500 from the Kansas qualified biodiesel fuel producer incentive fund to the state general fund.

(g) (1) During the fiscal year ending June 30, 2008, notwithstanding the provisions of K.S.A. 2006 Supp.79-34,156, and amendments thereto, the director of accounts and reports shall not transfer any amount from either the state economic development initiatives fund or the state general fund to the Kansas qualified biodiesel fuel producer incentive fund on any date during the fiscal year ending June 30, 2008.

(2) On July 1, 2007, the director of accounts and reports shall transfer \$400,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund: *Provided*, That, if sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2007, then the director of accounts and reports shall transfer on July 1, 2007, the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on July 1, 2007, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

(h) In addition to the other purposes for which expenditures may be made by the department of revenue from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008, as authorized by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the department of revenue from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the secretary of revenue to prepare and submit to the senate committee on ways and means and the house of representatives committee on appropriations prior to the beginning of the 2008 regular session of the legislature a report on expenditures of moneys transferred from the state bingo regulation fund to the problem gambling grant fund for assistance to problem gamblers for fiscal year 2007.

Sec. 39.

#### DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Operating grant (including official hospitality)

For the fiscal year ending June 30, 2008 ..... \$61,250

Eisenhower foundation grant (one time)

For the fiscal year ending June 30, 2008 ..... \$200,000

*Provided*, That expenditures shall be made from the Eisenhower foundation grant (one time) account only if non-state funding sources are available to match such state grants on the basis of \$1 from the non-state sources to match \$1 from the Eisenhower foundation grant (one time) account.

Kansas sports hall of fame grant

For the fiscal year ending June 30, 2008 ..... \$250,000

*Provided*, That expenditures shall be made from the Kansas sports hall of fame grant account only if non-state funding sources are available to match such state grants on the basis of \$1 from non-state sources to match \$1 from the Kansas sports hall of fame grant account: *Provided further*, That, except as provided in this section, no moneys shall be appropriated from the state general fund or from any special revenue fund for the Kansas sports hall of fame or for payment to the Kansas sports hall of fame, until substantive legislation regarding funding for the Kansas sports hall of fame is passed by the legislature and enacted into law.

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department of commerce is hereby increased from 423.10 to 424.60: *Provided*, That, if 2007 Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the position limitation established by this subsection for the fiscal year ending June 30, 2008, is hereby decreased from 424.60 to 423.10.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Small employer cafeteria plan development program fund

For the fiscal year ending June 30, 2008 ..... \$150,000

*Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, the appropriation of all moneys now or hereafter lawfully credited to and available in the small employer cafeteria plan development program fund for the above agency for the fiscal year ending June 30, 2008, by this subsection is hereby lapsed, and on July 1, 2007, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(d) On July 1, 2007, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the state economic development initiatives fund to the small employer cafeteria plan development program fund of the department of commerce: *Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, the director of accounts and reports shall not make the transfer of \$150,000 from the state economic development initiatives fund to the small employer cafeteria plan development program fund of the department of commerce which is authorized to be made on July 1, 2007, by this subsection, and on July 1, 2007, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(e) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Association assistance plan fund

For the fiscal year ending June 30, 2008 ..... \$500,000

Sec. 40.

#### KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Operations, assistance and grants (including official hospitality)

For the fiscal year ending June 30, 2008 ..... \$125,000

Sec. 41.

DEPARTMENT ON AGING

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

Administration	
For the fiscal year ending June 30, 2008 .....	\$5,978
Administration — medicaid	
For the fiscal year ending June 30, 2008 .....	\$21,740
Senior care act	
For the fiscal year ending June 30, 2008 .....	\$478,800
LTC — medicaid assistance — HCBS/FE	
For the fiscal year ending June 30, 2008 .....	\$874,969
Nursing facilities regulations	
For the fiscal year ending June 30, 2008 .....	\$190,301
Nursing facilities regulation — title XIX	
For the fiscal year ending June 30, 2008 .....	\$2,853

(b) On the effective date of this act, of the \$136,443,560 appropriated for the above agency for the fiscal year ending June 30, 2007, by section 88(a) of chapter 142 of the 2006 Session Laws of Kansas from the state general fund in the LTC — medicaid assistance — NF account, the sum of \$1,900,000 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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 licensure fee fund	
For the fiscal year ending June 30, 2007 .....	\$285,000
For the fiscal year ending June 30, 2008 .....	\$570,000

(d) In addition to the other purposes for which expenditures may be made by the department on aging from the moneys appropriated in the long-term care loan and grant fund for fiscal year 2008, as authorized by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, notwithstanding the provisions of K.S.A. 2006 Supp. 75-4265, and amendments thereto, expenditures may be made by the above agency from the long-term care loan and grant fund for fiscal year 2008 for expenditures related to providing home and community based services.

(e) In addition to the other purposes for which expenditures may be made by the department on aging from the moneys appropriated from the state general fund or from any special revenue fund for the department on aging for fiscal year 2008, as authorized by 2007 House Bill No. 2368 or by this or any other appropriation act of the 2007 regular session of the legislature, expenditures may be made by the department on aging from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the development and submission of a plan to the federal centers for medicare and medicaid for approval of a plan to expand the PACE program to Wyandotte county in fiscal year 2009.

(f) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department on aging is hereby increased from 208.00 to 209.00.

Sec. 42. (a) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Nelle E. Bunten Trust, Jane Hanisch Trustee 8319 Overbrook St. Wichita, KS 67206.....	\$10,975.00
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(b) The director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this section, upon vouchers duly executed by the state agency directed to pay the amounts specified

in this section to the claimants or their legal representatives or duly authorized agents, as provided by law.

(c) The director of accounts and reports shall secure prior to the payment of any amount to any claimant listed in this section, 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. 43.

STATE LIBRARY

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

Operating expenditures	
For the fiscal year ending June 30, 2008 .....	\$99,937

Sec. 44.

STATE HISTORICAL SOCIETY

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

Operating expenditures	
For the fiscal year ending June 30, 2008 .....	\$91,700
Kansas humanities council	
For the fiscal year ending June 30, 2008 .....	\$50,000

Sec. 45.

BOARD OF NURSING

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 79(a) of 2007 House Bill No. 2368 on the board of nursing fee fund is hereby increased from \$1,678,666 to \$1,746,453.

(b) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 79(a) of 2007 House Bill No. 2368 on the board of nursing fee fund is hereby increased from \$1,695,014 to \$1,762,801.

(c) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 88 of 2007 House Bill No. 2368 for the board of nursing is hereby increased from 23.00 to 24.00.

(d) On July 1, 2008, the position limitation established for the fiscal year ending June 30, 2009, by section 88 of 2007 House Bill No. 2368 for the board of nursing is hereby increased from 23.00 to 24.00.

Sec. 46.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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 revolving fund	
For the fiscal year ending June 30, 2008 .....	No limit

*Provided*, That, if an agency or entity agrees to receive grant money from the EMS revolving fund, the agency or entity shall enter into a grant agreement requiring such agency or entity to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2008.

Sec. 47.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2007, by section

(continued)

17(a) of 2007 House Bill No. 2368 on the credit union fee fund is hereby increased from \$882,168 to \$892,868.

(b) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 75(a) of 2007 House Bill No. 2368 on the credit union fee fund is hereby increased from \$891,767 to \$902,767.

Sec. 48.

STATE BOARD OF PHARMACY

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 81(a) of 2007 House Bill No. 2368 on the state board of pharmacy fee fund is hereby increased from \$712,112 to \$865,235: *Provided*, That if 2007 Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by this subsection on the state board of pharmacy fee fund is hereby decreased from \$865,235 to \$725,012.

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 88 of 2007 House Bill No. 2368 for the state board of pharmacy is hereby increased from 8.00 to 10.00: *Provided*, That if 2007 Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the position limitation established by this subsection for the fiscal year ending June 30, 2008, is hereby decreased from 10.00 to 8.00.

Sec. 49.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 84(a) of 2007 House Bill No. 2368 on the securities act fee fund is hereby increased from \$2,631,626 to \$2,644,591.

(b) On July 1, 2007, the amount of \$1,250,000 authorized by section 84 (b) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the investor education fund of the office of the securities commissioner of Kansas to the state general fund is hereby decreased to \$1,000,000.

(c) On July 1, 2008, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 84(a) of 2007 House Bill No. 2368 on the securities act fee fund is hereby increased from \$2,656,100 to \$2,669,467.

Sec. 50.

DEPARTMENT OF LABOR

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 115(b) of 2007 House Bill No. 2368 on the workmen’s compensation fee fund is hereby increased from \$12,462,231 to \$12,539,631.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2007 as authorized by this or other appropriation act of the 2007 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2007 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of associated expenses for the unemployment insurance system modernization project: *Provided*, That expenditures from the employment security fund during fiscal year 2007 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of the unemployment insurance system modernization project shall not exceed \$26,000,000: *Provided further*, That any unencumbered balance as of June 30, 2007, is hereby reappropriated for fiscal year 2008.

Sec. 51.

KANSAS COMMISSION ON VETERANS AFFAIRS

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

Kansas soldiers’ home	
For the fiscal year ending June 30, 2008 .....	\$104,800
Kansas veterans’ home	
For the fiscal year ending June 30, 2008 .....	\$34,620

Sec. 52.

DEPARTMENT OF HEALTH AND ENVIRONMENT—

DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2008 .....	\$102,000
Operating expenditures (including official hospitality) — health	
For the fiscal year ending June 30, 2008 .....	\$301,744

*Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, of the \$301,744 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the operating expenditures (including official hospitality) — health account, the sum of \$108,289 is hereby lapsed.

Aid to local units — primary health projects  
For the fiscal year ending June 30, 2008 .....

\$2,000,000

*Provided*, That expenditures shall be made by the above agency from the aid to local units — primary health projects account to expand access to primary health care services, development of new access points through a supplemental grant process and support of a health professional recruitment program for rural and underserved areas: *Provided further*, That the awards for dental hubs shall be targeted to maximize or leverage the commitment of the private investment from the united methodist health ministry fund and the sunflower foundation, health for Kansans, and other foundations to equip and strengthen the operations of dental hubs: *And provided further*, That funding and administration of awards for dental hubs shall be made collaboratively in a consolidated request for proposals and review process grant as determined by representatives from united methodist health ministry fund, sunflower foundation, the REACH foundation, delta dental foundation, and the department of health and environment: *And provided further*, That expenditures by the above agency from the \$2,000,000 appropriated by this subsection in the aid to local units — primary health projects account for fiscal year 2008 for such purposes shall not exceed \$500,000.

Youth mentoring program

For the fiscal year ending June 30, 2008 .....	\$100,000
Lodging establishment inspections	
For the fiscal year ending June 30, 2008 .....	\$246,616

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department of health and environment— division of health is hereby increased from 418.20 to 424.20: *Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by this subsection for the department of health and environment — division of health is hereby decreased from 423.20 to 422.20.

Sec. 53.

DEPARTMENT OF HEALTH AND ENVIRONMENT—

DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2008 .....	\$9,125
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(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the department of health and environment—

division of environment is hereby increased from 464.30 to 465.30.

Sec. 54.

#### ADJUTANT GENERAL

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

Operating expenditures	
For the fiscal year ending June 30, 2008 .....	\$109,045
Civil air patrol — operating expenditures	
For the fiscal year ending June 30, 2007 .....	\$500
For the fiscal year ending June 30, 2008 .....	\$2,060
Incident management team	
For the fiscal year ending June 30, 2008 .....	\$18,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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:

Adjutant general expense fund	
For the fiscal year ending June 30, 2007 .....	No limit
For the fiscal year ending June 30, 2008 .....	No limit

(c) Expenditures may be made by the above agency for the fiscal year or years specified from the adjutant general expense fund for the following specified purposes: *Provided*, That expenditures from the adjutant general expense fund for the fiscal year or years specified, other than refunds authorized by law, for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Disaster assistance	
For the fiscal year ending June 30, 2007 .....	\$8,357,240
For the fiscal year ending June 30, 2008 .....	\$9,627,346
Hazard mitigation	
For the fiscal year ending June 30, 2008 .....	\$6,576,000

*Provided*, That expenditures from the hazard mitigation account of the adjutant general expense fund for fiscal year 2008 for a fusion center shall not exceed \$1,612,500: *Provided, however*, That no expenditures shall be made from the hazard mitigation account of the adjutant general expense fund for a fusion center until such proposed expenditures have been reviewed by the joint committee on Kansas security.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,357,240 from the statewide maintenance and disaster relief fund of the department of administration to the adjutant general expense fund of the adjutant general.

(e) On July 1, 2007, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$16,203,346 from the statewide maintenance and disaster relief fund of the department of administration to the adjutant general expense fund of the adjutant general.

(f) (1) During fiscal year 2007 and fiscal year 2008, the state finance council, acting on this matter by unanimous vote of all its members, 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, is hereby authorized and empowered to make allocations to, and authorize expenditures by, the adjutant general from the state emergency fund for the reimbursement of expenses resulting from training or deployment of members of the division of emergency management of the adjutant general's department incident management team, including, but not limited to, travel, lodging, mileage and subsistence expenses.

(2) Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to subsection (f)(1), the director of ac-

counts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund, except that the total of all amounts transferred pursuant to this subsection (f)(2) and all amounts transferred pursuant to K.S.A. 75-3712, and amendments thereto, during fiscal year 2007 or fiscal year 2008 shall not exceed \$10,000,000.

(g) In addition to the other purposes for which expenditures may be made by the adjutant general from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 or for fiscal year 2009 or any other fiscal year as authorized by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature or by any appropriation act of the 2008 regular session of the legislature or by any appropriation act of any other regular session of the legislature, expenditures shall be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 or for fiscal year 2009 or for any other fiscal year to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to provide financing for the capital improvement project to construct, equip, and purchase land for training centers: *Provided*, That such capital improvement project is hereby approved for the adjutant general 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: *Provided further*, That the adjutant general may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$9,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 55.

#### STATE FIRE MARSHAL

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 142(a) of 2007 House Bill No. 2368 on the fire marshal fee fund is hereby increased from \$3,352,658 to \$3,608,997: *Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by this subsection on the fire marshal fee fund is hereby decreased from \$3,608,997 to \$3,466,224.

(b) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 157(a) of 2007 House Bill No. 2368 for the state fire marshal is hereby increased from 51.00 to 52.00: *Provided*, That, if 2007 House Substitute for Senate Bill No. 11 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by this subsection for the state fire marshal is hereby decreased from 52.00 to 50.00.

(continued)

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 56(a) of 2007 House Bill No. 2368 on the fire marshal fee fund is hereby increased from \$3,489,873 to \$3,507,345.

Sec. 56.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2007, by section 57(c) of 2007 House Bill No. 2368 on the Kansas highway patrol operations fund is hereby increased from \$17,590,382 to \$17,832,348.

(b) On the effective date of this act, the amount authorized by section 57(f) of 2007 House Bill No. 2368 to be transferred on April 1, 2007, by the director of accounts and reports from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol is hereby increased from \$3,860,360 to \$4,102,326.

(c) On July 1, 2007, of the \$35,260,830 appropriated for the above agency for the fiscal year ending June 30, 2008, by section 144(a) of 2007 House Bill No. 2368 from the state general fund in the operating expenditures account, the sum of \$66,090 is hereby lapsed.

(d) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Homeland security interoperability grant

For the fiscal year ending June 30, 2008 ..... \$2,000,000

Provided, That all expenditures from the homeland security interoperability grant account shall be made to provide matching funds for the public safety interoperable communications grant program administered by the national telecommunications and information administration of the United States department of commerce: Provided further, That, if the above agency does not receive funds from the public safety interoperable communications grant program during fiscal year 2008, then, on June 30, 2008, the \$2,000,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by this section from the state general fund in the homeland security interoperability grant account is hereby lapsed.

(e) On the effective date of this act, the amount of \$658,318.50 authorized by section 144(d) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol on July 1, 2007, and January 1, 2008, is hereby increased to \$854,193.

(f) On July 1, 2007, the amount of \$7,565,207.50 authorized by section 144(i) of House Bill No. 2368 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the state general fund on July 1, 2007, October 1, 2007, January 1, 2008, and April 1, 2008, is hereby decreased to \$7,548,685.

Sec. 57.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

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

For the fiscal year ending June 30, 2008 ..... \$208,750

Sec. 58.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On July 1, 2007, the director of accounts and reports shall transfer all moneys in the Kansas commission on peace officers' standards and training fund of the university of Kansas to the Kansas commission on peace officers' standards and training fund of the Kansas commission on peace officers' standards and training. On July 1, 2007, all liabilities of the Kansas commission

on peace officers' standards and training fund of the university of Kansas are hereby transferred to and imposed on the Kansas commission on peace officers' standards and training fund of the Kansas commission on peace officers' standards and training and the Kansas commission on peace officers' standards and training fund of the university of Kansas is hereby abolished.

Sec. 59.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 156(b) of 2007 House Bill No. 2368 on the agency operations account of the state highway fund of the department of transportation is hereby increased from \$260,959,100 to \$263,664,840.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, 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: Traffic records enhancement fund

For the fiscal year ending June 30, 2008 ..... No limit

Provided, That the department of transportation shall prepare and submit a report on the expenditures of the traffic records enhancement fund to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2008.

Sec. 60.

STATE BANK COMMISSIONER

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 70(a) of 2007 House Bill No. 2368 on the bank commissioner fee fund is hereby increased from \$7,673,144 to \$7,723,244.

Sec. 61.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Central administration operations and parole and post-release supervision operations

For the fiscal year ending June 30, 2008 ..... \$495,123

Community corrections

For the fiscal year ending June 30, 2008 ..... \$4,491,763

Provided, That, if 2007 House Substitute for Senate Bill No. 14 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the \$4,491,763 appropriated for the above agency for the fiscal year ending June 30, 2008, by this subsection from the state general fund in the community corrections account is hereby lapsed.

Topeka correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$25,800

Hutchinson correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$66,400

Lansing correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$46,100

Ellsworth correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$25,800

Winfield correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$20,300

Norton correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$59,000

El Dorado correctional facility — facilities operations

For the fiscal year ending June 30, 2008 ..... \$66,400

(b) On July 1, 2007, the position limitation established by section 157(a) of 2007 House Bill No. 2368 for the department of corrections is hereby increased from 3,112.70 to 3,119.70, Provided, however, if 2007 House Substitute for Senate Bill No. 14 is not passed by the legislature during the 2007 regular session and enacted into law, then, on July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by sec-



tion 157(a) of 2007 House Bill No. 2368 for the department of corrections is hereby decreased from 3,119.70 to 3,112.70.

(c) Notwithstanding any provisions to the contrary in section 185 of 2007 House Bill No. 2368, the bonding authority of \$39,525,000 of proceeds of the bonds authorized by subsections (h) and (i) of section 185 of 2007 House Bill No. 2368 for the department of corrections shall be allocated in accordance with the provisions of this subsection: *Provided*, That, upon determination by the secretary of corrections of the need to expand prison capacity, such capital improvement projects to expand prison capacity shall occur in the following order: Two cell houses or 256 beds at El Dorado correctional facility; 240 substance abuse treatment beds at Yates Center; 100 minimum security beds at Ellsworth correctional facility; and 72 beds at Stockton correctional facility.

(d) During the fiscal year ending June 30, 2008, notwithstanding the provisions of section 139(a) of 2007 House Bill No. 2368, expenditures may be made by the above agency from the reappropriated balance in the central administration operations and parole and postrelease supervision operations account for the total offender activity documentation system replacement information technology project without the prior approval of the state finance council: *Provided further*, That all expenditures by the above agency from the reappropriated balance in the central administration operations and parole and postrelease supervision operations account for the total offender activity documentation system replacement information technology project for fiscal year 2008 shall be in addition to any expenditure limitation imposed on expenditures from such reappropriated balance in such account for fiscal year 2008.

Sec. 62.

KANSAS PAROLE BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following: Parole from adult correctional institutions

For the fiscal year ending June 30, 2008 ..... \$15,100

Sec. 63.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2007, the expenditure limitation established for the fiscal year ending June 30, 2008, by section 83(a) of 2007 House Bill No. 2368 on the real estate fee fund is hereby increased from \$923,397 to \$1,050,197.

(b) On July 1, 2008, the expenditure limitation established for the fiscal year ending June 30, 2009, by section 83(a) of 2007 House Bill No. 2368 on the real estate fee fund is hereby increased from \$946,679 to \$1,074,435.

(c) On July 1, 2007, the position limitation established for the fiscal year ending June 30, 2008, by section 88 of 2007 House Bill No. 2368 for the Kansas real estate commission is hereby increased from 14.00 to 15.00.

(d) On July 1, 2008, the position limitation established for the fiscal year ending June 30, 2009, by section 88 of 2007 House Bill No. 2368 for the Kansas real estate commission is hereby increased from 14.00 to 15.00.

Sec. 64.

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

For the fiscal year ending June 30, 2008 ..... \$37,980,426

~~Sec. 65. (a) On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 for the department of health and environment division of health as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the~~

~~legislature, except upon the approval of the director of the budget acting after ascertaining that the department of health and environment has established and implemented procedures requiring each report by a physician pursuant to subsection (b)(4) of K.S.A. 65-6703, and amendments thereto, to specify the diagnosis and either the condition necessitating abortion to preserve the life of the pregnant woman or the substantial and irreversible impairment of a major bodily function of the pregnant woman which continuation of the pregnancy would cause. (b) The terms used in this section shall have the meanings provided in K.S.A. 65-6701, and amendments thereto.~~

Sec. 66. On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 for the state board of technical professions as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, to conduct any proceedings or enforce any orders relating to services performed by Eldon L. Ray, Mayetta, for the Mayetta Christian Church.

Sec. 67. On July 1, 2007, K.S.A. 2006 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to ~~7 1/2%~~ 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2007~~ 2008, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2006~~ 2007 regular session of the legislature.

Sec. 68. On July 1, 2007, K.S.A. 2006 Supp. 75-6702 is hereby repealed.

Sec. 69. On July 1, 2007, section 211 of 2007 House Bill No. 2368 is hereby amended to read as follows: Sec. 211. *Savings.* (a) Any unencumbered balance as of June 30, 2007, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2008, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2008, in any special revenue fund, or account thereof, of any state agency named in section ~~89~~ 88 of this act ~~2007 House Bill No. 2368~~ which is not otherwise specifically appropriated or limited for fiscal year 2009 by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas or by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for fiscal

(continued)

year 2009 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 70. On July 1, 2007, section 211 of 2007 House Bill No. 2368 is hereby repealed.

Sec. 71. *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 years ending June 30, 2007, or ending June 30, 2008, made in chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, in 2007 House Bill No. 2368, or in this act or in any other appropriation act of the 2007 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 72. *Appeals to exceed expenditure limitations.* (a) 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.

(b) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 73. *Savings.* (a) Any unencumbered balance as of June 30, 2007, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2008, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2007, in any special revenue fund, or account thereof, of any state agency named in section 88 of 2007 House Bill No. 2368 which is not otherwise specifically appropriated or limited for fiscal year 2008 by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for fiscal year 2008 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 74. During the fiscal year ending June 30, 2008, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2008, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 75. *Federal grants.* (a) During the fiscal year ending June 30, 2008, 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 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2008, 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. This subsection shall not apply to any state agency named in section 79 of chapter 174 of the 2005 Session Laws of Kansas.

(b) During the fiscal year ending June 30, 2008, each federal grant or other federal receipt which is received by a state agency named in section 88 of 2007 House Bill No. 2368 and which is not otherwise appropriated to that state agency for fiscal year 2008 by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, is hereby appropriated for fiscal year 2008 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, for fiscal year 2008, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2008.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in 2007 House Bill No. 2368 or in this or other appropriation act of the 2007 regular session of the legislature and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2008 by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature to apply for and receive federal grants during fiscal year 2008, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, 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. 76. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in 2007 House Bill No. 2368 or in this or other appropriation act of the 2007 regular session of the legislature, and having an unencumbered balance as of June 30, 2007, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2008, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2006.

Sec. 77. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in 2007 House Bill No. 2368 or in this or other appropriation act of the 2007 regular session of the legislature and having an unencumbered balance as of June 30, 2007, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2008, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2006.

Sec. 78. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in 2007 House Bill No. 2368 or in this or other appropriation act of the 2007 regular session of the legislature and having an unencumbered balance as of June 30, 2007, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2008, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2006.

Sec. 79. Any transfers of money during the fiscal year ending June 30, 2008, 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, 2008.

Sec. 80. During the fiscal year ending June 30, 2008, each state agency named in this act that has a cost reduction for which an employee suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2006 Supp. 75-37,105, and amendments thereto, shall transfer (1) from each state general fund appropriation or reappropriation account for fiscal year 2008 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2006 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such account, and (2) from each special revenue fund, excluding federal funds, for fiscal year 2008 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2006 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such special revenue fund, excluding federal funds.

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

### Message from the Governor

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Sub for S 357 with my signature approving the bill, except for the items enumerated below.

#### Proviso regarding Kansas Department of Health and Environment

Section 65 has been line item vetoed in its entirety.

I believe all Kansans support efforts to reduce the number of abortions, and those efforts are underway through a variety of support services, including expanded access to health care and the promotion of adoption and financial support for caregivers. All Kansans also want our laws upheld, including laws protecting the privacy of our personal medical records.

The questions required by this proviso are open-ended and request detailed information on a patient's medical condition. Rather than collecting sound data that is able to be properly analyzed and protected, this proviso is likely to have little substantive effect, yet opens up pa-

tients' private medical information to public viewing. This measure runs counter to Kansans' strong belief in the importance of medical privacy, and therefore I veto this proviso.

#### Department of Administration

Section 8(g) has been line item vetoed in its entirety.

Printing the state employee directory wastes taxpayer dollars and natural resources, which is why it was eliminated as part of my administration's efficiency efforts five years ago. Printed directories are out-of-date almost the instant they are published and it makes much more sense to use a searchable electronic directory instead. In addition to being much easier to keep up-to-date, the on-line directory saves taxpayers money and conserves paper.

Operating state government more efficiently is the reason the Legislature passed other provisos that require fewer budget books be printed — another administration savings effort — so it makes little sense to then increase printing costs in another area.

That's why I veto this proviso, just as I have done the two prior times the Legislature has sent such provisos to me, and I direct interested parties to visit <http://www.da.ks.gov/phonebook/> if they are looking for a phone number.

#### University of Kansas Medical Center

Section 26(b) has been line item vetoed in its entirety.

Currently, the University of Kansas Medical Center and the KU Hospital Authority are negotiating an affiliation agreement that incorporates new guiding principles for the working relationship between the two organizations for the next decade. Those negotiations are proceeding appropriately, yet the proposed proviso attempts to micromanage those discussions, preventing them from thoroughly addressing all of the issues involved, by imposing an artificial deadline for completion of an agreement.

In addition to interfering in what have so far been productive discussions, the proviso prohibits the KU Medical Center from entering into any other affiliations until this agreement with the KU Hospital is reached. This would have significant unintended consequences since the KU Medical Center currently has roughly 1,000 affiliation agreements that must be renewed regularly. These affiliation agreements are made with every health provider that hosts a medical resident or a student from the medical, nursing or allied health programs.

Imposing these restrictions would unnecessarily interfere in ongoing negotiations with the KU Hospital and prevent the KU Medical Center from accomplishing its core mission of educating its students, which is why I veto this proviso.

Dated May 21, 2007.

Kathleen Sebelius  
Governor

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-46	Amended	V. 25, p. 1831
1-2-77	Revoked	V. 25, p. 1832
1-3-5	New	V. 25, p. 1832
1-3-6	New	V. 25, p. 1832
1-5-8	Amended	V. 25, p. 1305
1-6-2	Amended	V. 25, p. 1306
1-6-22a	Amended	V. 25, p. 1306
1-9-7b	Amended	V. 25, p. 1307
1-9-18	Revoked	V. 25, p. 1832
1-9-25	Amended	V. 25, p. 1832
1-9-26	Amended	V. 25, p. 1833

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-4-1 through		
3-4-7	New (T)	V. 25, p. 984, 985
3-4-1 through		
3-4-7	New	V. 25, p. 1446, 1447

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-7-213	Amended	V. 25, p. 1142
4-7-216	Revoked	V. 25, p. 1142
4-7-510	Amended	V. 25, p. 1142
4-7-530	Amended	V. 25, p. 1142
4-7-716	Amended	V. 25, p. 1142
4-7-717	Amended	V. 25, p. 1142
4-8-14a	Amended	V. 26, p. 489
4-8-27	Amended	V. 26, p. 489
4-8-28	Amended	V. 26, p. 489
4-8-29	Amended	V. 26, p. 489
4-8-30	Amended	V. 26, p. 489
4-8-31	Amended	V. 26, p. 489
4-8-33	Amended	V. 26, p. 489
4-8-34	Amended	V. 26, p. 489
4-8-35	Amended	V. 26, p. 489
4-8-39	Amended	V. 26, p. 490
4-8-42	Amended	V. 26, p. 490
4-11-2	Amended	V. 26, p. 100
4-11-3	Amended	V. 26, p. 100
4-11-5	New	V. 26, p. 101
4-11-15	New (T)	V. 25, p. 1632
4-15-9	Amended	V. 26, p. 81
4-16-1a	Amended	V. 25, p. 1143
4-16-1c	Amended	V. 25, p. 1143
4-16-3a	Amended	V. 25, p. 1143
4-16-250	Revoked	V. 25, p. 1145
4-16-251	Revoked	V. 25, p. 1145
4-16-252	Revoked	V. 25, p. 1145
4-16-260	Revoked	V. 25, p. 1145
4-17-1a	Amended	V. 25, p. 1145
4-17-1c	Amended	V. 25, p. 1145
4-17-5a	Revoked	V. 25, p. 1145
4-19-1	Amended	V. 26, p. 173

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-24-10	Amended	V. 25, p. 1692
5-40-1	Amended	V. 26, p. 642
5-40-2	Amended	V. 26, p. 644

5-40-2a	New	V. 26, p. 646
5-40-2b	New	V. 26, p. 647
5-40-3	Amended	V. 26, p. 647
5-40-4	Amended	V. 26, p. 647
5-40-5	Amended	V. 26, p. 648
5-40-5a	New	V. 26, p. 648
5-40-8	Amended	V. 26, p. 648
5-40-9	Revoked	V. 26, p. 648
5-40-10	Revoked	V. 26, p. 648
5-40-11	Revoked	V. 26, p. 648
5-40-12	Amended	V. 26, p. 648
5-40-13	Revoked	V. 26, p. 649
5-40-20	New	V. 26, p. 649
5-40-21	New	V. 26, p. 649
5-40-22	New	V. 26, p. 649
5-40-23	New	V. 26, p. 650
5-40-24	New	V. 26, p. 650
5-40-26	New	V. 26, p. 651
5-40-30	New	V. 26, p. 651
5-40-31	New	V. 26, p. 652
5-40-32	New	V. 26, p. 653
5-40-33	New	V. 26, p. 653
5-40-40	New	V. 26, p. 653
5-40-41	New	V. 26, p. 654
5-40-42	New	V. 26, p. 654
5-40-43	New	V. 26, p. 655
5-40-44	New	V. 26, p. 655
5-40-45	New	V. 26, p. 655
5-40-46	New	V. 26, p. 655
5-40-50	New	V. 26, p. 656
5-40-51	New	V. 26, p. 656
5-40-52	New	V. 26, p. 657
5-40-53	New	V. 26, p. 657
5-40-54	New	V. 26, p. 657
5-40-55	New	V. 26, p. 658
5-40-56	New	V. 26, p. 658
5-40-57	New	V. 26, p. 658
5-40-70	New	V. 26, p. 659
5-40-71	New	V. 26, p. 659
5-40-72	New	V. 26, p. 659
5-40-73	New	V. 26, p. 659
5-40-73a	New	V. 26, p. 660
5-40-74	New	V. 26, p. 661
5-40-75	New	V. 26, p. 661
5-40-76	New	V. 26, p. 662
5-40-77	New	V. 26, p. 662
5-40-90	New	V. 26, p. 662
5-40-91	New	V. 26, p. 663
5-40-92	New	V. 26, p. 663
5-40-93	New	V. 26, p. 663
5-40-94	New	V. 26, p. 663
5-40-100	New	V. 26, p. 663
5-40-101	New	V. 26, p. 663
5-40-102	New	V. 26, p. 664
5-40-103	New	V. 26, p. 664
5-40-104	New	V. 26, p. 664
5-40-105	New	V. 26, p. 664
5-40-106	New	V. 26, p. 664
5-42-1	Amended	V. 26, p. 664
5-42-5	New	V. 26, p. 665
5-44-7	New	V. 26, p. 666

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-17-22	Amended	V. 26, p. 325
7-44-1 through		
7-44-7	New (T)	V. 26, p. 15
7-44-1 through		
7-44-7	New	V. 26, p. 505, 506

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-32-1 through		
9-32-8	New (T)	V. 25, p. 46-48
9-32-1 through		
9-32-8	New	V. 25, p. 375-378

**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

Reg. No.	Action	Register
10-20-1	Amended	V. 26, p. 507
10-20-2	Amended	V. 26, p. 507
10-20-2a	Amended	V. 26, p. 507
10-20-14	Amended	V. 26, p. 507

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-3-1 through		
11-3-10	Amended	V. 25, p. 250, 251
11-3-11	New	V. 25, p. 252
11-3-12	New	V. 25, p. 252
11-4-1 through		
11-4-4	Amended	V. 25, p. 1268, 1269
11-4-6 through		
11-4-14	Amended	V. 25, p. 1269, 1270
11-4-15	New	V. 25, p. 1270
11-4-16	New	V. 25, p. 1270

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-11-1 through		
16-11-6	New (T)	V. 25, p. 980-982, 1019
16-11-1 through		
16-11-7	New	V. 25, p. 1598-1600
16-11-8	New	V. 25, p. 1772

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-8-2	Amended	V. 25, p. 274
22-8-3	Amended	V. 25, p. 275
22-8-5	Amended	V. 25, p. 275
22-8-8 through		
22-8-14	New	V. 25, p. 276, 277
22-8-17	New	V. 25, p. 277

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 25, p. 413
28-1-26	Amended	V. 25, p. 866
28-4-501	Amended (T)	V. 25, p. 985, 1019
28-4-501	Amended	V. 25, p. 1402
28-4-510	Amended (T)	V. 25, p. 986, 1019
28-4-510	Amended	V. 25, p. 1403
28-4-514	New (T)	V. 25, p. 987, 1019
28-4-514	New	V. 25, p. 1403
28-15-35	Amended	V. 26, p. 825
28-15-36a	Amended	V. 26, p. 829
28-16-28g	Amended	V. 26, p. 691
28-16-56c	Amended	V. 26, p. 283
28-16-56d	Amended	V. 26, p. 284
28-18-1	Amended	V. 26, p. 284
28-18-2	Amended	V. 26, p. 288
28-18-4	Amended	V. 26, p. 289
28-18-8	Amended	V. 26, p. 289
28-18-9	Amended	V. 26, p. 290
28-18-11	Amended	V. 26, p. 290
28-18-12	Amended	V. 26, p. 290
28-18-13	Amended	V. 26, p. 291
28-18-14	Amended	V. 26, p. 292
28-18-16	New	V. 26, p. 292
28-18-17	New	V. 26, p. 293
28-18a-1	Amended	V. 26, p. 294
28-18a-2	Amended	V. 26, p. 298
28-18a-4	Amended	V. 26, p. 299
28-18a-8	Amended	V. 26, p. 299
28-18a-9	Amended	V. 26, p. 300
28-18a-11	Amended	V. 26, p. 300
28-18a-12	Amended	V. 26, p. 300
28-18a-19	Amended	V. 26, p. 301
28-18a-21	Amended	V. 26, p. 302
28-18a-22	Amended	V. 26, p. 302
28-18a-26	Amended	V. 26, p. 303

Table with 3 columns: Regulation Number, Action, Register. Rows include 28-18a-32, 28-18a-33, 28-19-350, etc.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with 3 columns: Regulation Number, Action, Register. Rows include 30-4-64, 30-4-90, 30-5-88, etc.

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Table with 3 columns: Regulation Number, Action, Register. Rows include 40-2-20, 40-3-5, 40-3-12, etc.

AGENCY 44: DEPARTMENT OF CORRECTIONS

Table with 3 columns: Regulation Number, Action, Register. Rows include 44-6-101, 44-6-125, 44-6-136, etc.

Table with 3 columns: Regulation Number, Action, Register. Rows include 44-11-123, 44-15-101a, 44-15-102, etc.

AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT — MINED-LAND CONSERVATION AND RECLAMATION

Table with 3 columns: Regulation Number, Action, Register. Rows include 47-2-75, 47-3-2, 47-3-42, etc.

AGENCY 49: DEPARTMENT OF LABOR

Table with 3 columns: Regulation Number, Action, Register. Rows include 49-45-1, 49-45-2, 49-45-3, etc.

Table with 3 columns: Regulation Number, Action, Register. Rows include 49-52-14, 49-52-17, 49-52-18, etc.

AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT

Table with 3 columns: Regulation Number, Action, Register. Row includes 50-3-2a.

AGENCY 60: BOARD OF NURSING

Table with 3 columns: Regulation Number, Action, Register. Rows include 60-4-101, 60-7-106, 60-8-101, etc.

AGENCY 63: BOARD OF MORTUARY ARTS

Table with 3 columns: Regulation Number, Action, Register. Rows include 63-1-1, 63-5-1.

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Table with 3 columns: Regulation Number, Action, Register. Rows include 66-6-4, 66-8-4, 66-8-8, etc.

AGENCY 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

Table with 3 columns: Regulation Number, Action, Register. Rows include 67-3-5, 67-5-3, 67-5-4, etc.

AGENCY 68: BOARD OF PHARMACY

Table with 3 columns: Regulation Number, Action, Register. Rows include 68-1-1b, 68-1-1d, 68-1-1f, etc.

AGENCY 71: KANSAS DENTAL BOARD

Table with 3 columns: Regulation Number, Action, Register. Rows include 71-8-1, 71-8-9.

AGENCY 74: BOARD OF ACCOUNTANCY

Table with 3 columns: Regulation Number, Action, Register. Rows include 74-4-1a, 74-4-7, 74-4-8, etc.

(continued)

74-5-202	Amended	V. 26, p. 127
74-5-203	Amended	V. 25, p. 613
74-5-403	Amended	V. 26, p. 128
74-5-408	New	V. 25, p. 128
74-11-6	Amended	V. 26, p. 128
74-11-7	Amended	V. 25, p. 614

**AGENCY 81: OFFICE OF THE  
SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-1-1	Amended	V. 26, p. 20
81-2-1	Amended	V. 25, p. 1057
81-3-1	Amended	V. 25, p. 1058
81-3-2	Amended	V. 25, p. 1059
81-3-5	Amended	V. 25, p. 1059
81-3-6	New	V. 25, p. 1060
81-3-7	New	V. 25, p. 1064
81-4-1	Amended	V. 26, p. 21
81-4-2	Amended	V. 26, p. 22
81-5-3	Amended	V. 26, p. 22
81-5-4	Revoked	V. 26, p. 22
81-5-5	Revoked	V. 26, p. 23
81-5-6	Amended	V. 26, p. 23
81-5-7	Amended	V. 26, p. 24
81-5-8	Amended	V. 26, p. 24
81-5-10	Amended	V. 26, p. 24
81-5-11	Amended	V. 26, p. 25
81-5-12	Amended	V. 26, p. 25
81-5-13	Amended	V. 26, p. 26
81-5-14	Amended	V. 26, p. 27
81-5-16	through	
81-5-20	New	V. 26, p. 28-30
81-6-1	Amended	V. 26, p. 30
81-7-1	Amended	V. 26, p. 30
81-7-2	Amended	V. 26, p. 31
81-7-3	New	V. 26, p. 31
81-10-1	Amended	V. 26, p. 32
81-14-1	Amended	V. 25, p. 1065
81-14-2	Amended	V. 25, p. 1066
81-14-3	Revoked	V. 25, p. 1066
81-14-4	Amended	V. 25, p. 1066
81-14-5	Amended	V. 25, p. 1071
81-14-6	Amended	V. 25, p. 1075
81-14-7	Amended	V. 25, p. 1076
81-14-8	Revoked	V. 25, p. 1076
81-14-9	New	V. 25, p. 1076
81-14-10	New	V. 25, p. 1079

**AGENCY 82: STATE CORPORATION  
COMMISSION**

Reg. No.	Action	Register
82-3-101	Amended	V. 25, p. 1750
82-3-206	Amended	V. 25, p. 1754
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
82-3-305	Amended	V. 25, p. 1754
82-3-307	Amended	V. 25, p. 1754
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844
82-14-1	through	
82-14-5	New	V. 26, p. 16-19
82-15-1	New (T)	V. 25, p. 984, 1019
82-15-1	New	V. 25, p. 1363

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8	Amended	V. 25, p. 1057
88-15-1	Revoked	V. 25, p. 1403
88-15-2	Revoked	V. 25, p. 1403
88-16-1	Revoked	V. 25, p. 1404
88-16-1b	Revoked	V. 25, p. 1404
88-16-2	Revoked	V. 25, p. 1404
88-16-5	Revoked	V. 25, p. 1404
88-16-5b	Revoked	V. 25, p. 1404
88-16-6	Revoked	V. 25, p. 1404
88-16-8	Revoked	V. 25, p. 1404
88-23-1	Revoked	V. 25, p. 1404
88-23-2	Revoked	V. 25, p. 1404

88-23-2a	Revoked	V. 25, p. 1404
88-23-3a	Revoked	V. 25, p. 1404
88-23-4	Revoked	V. 25, p. 1404
88-23-5	Revoked	V. 25, p. 1404
88-23-6	Revoked	V. 25, p. 1404
88-23-7	Revoked	V. 25, p. 1404
88-28-1	through	
88-28-6	New	V. 25, p. 1404-1410
88-28-7	New	V. 25, p. 1451
88-28-8	New	V. 25, p. 1411
88-29-1	through	
88-29-19	New	V. 26, p. 216-229

**AGENCY 91: DEPARTMENT OF  
EDUCATION**

Reg. No.	Action	Register
91-1-201	Amended	V. 25, p. 1098
91-1-202	Amended	V. 25, p. 1099
91-1-205	Amended	V. 25, p. 1101

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-12-4	Revoked	V. 25, p. 252
92-12-4a	New	V. 25, p. 252
92-12-5	Revoked	V. 25, p. 254
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-13-9	Amended	V. 25, p. 1568
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
92-19-22a	Amended	V. 25, p. 254
92-19-55a	Revoked	V. 26, p. 409
92-19-81	Amended	V. 26, p. 409
92-21-7	Revoked	V. 26, p. 409
92-21-8	Revoked	V. 26, p. 409
92-21-10	Revoked	V. 26, p. 409
92-21-14	Amended	V. 26, p. 409
92-21-16	Revoked	V. 26, p. 409
92-21-17	Revoked	V. 26, p. 409
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

**AGENCY 93: DEPARTMENT OF REVENUE—  
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-7-1	New	V. 26, p. 14
93-7-2	New	V. 26, p. 14
93-7-3	New	V. 26, p. 14
93-8-1	New	V. 26, p. 14
93-8-2	New	V. 26, p. 14
93-8-3	New	V. 26, p. 14

**AGENCY 97: KANSAS COMMISSION ON  
VETERANS' AFFAIRS**

Reg. No.	Action	Register
97-4-1	through	
97-4-8	New	V. 25, p. 1596, 1597
97-6-1	New	V. 26, p. 484
97-6-2	New	V. 26, p. 485
97-6-4	through	
97-6-11	New	V. 26, p. 485-488

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-22-8	New (T)	V. 26, p. 628
100-25-1	through	
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended	V. 25, p. 217
100-26-2	New	V. 25, p. 217
100-26-3	New	V. 25, p. 217
100-27-1	Amended	V. 25, p. 1206
100-29-1	Amended	V. 25, p. 639

100-29-2	Amended	V. 25, p. 890
100-29-3	Amended	V. 25, p. 640
100-29-4	Amended	V. 25, p. 890
100-29-5	Revoked	V. 25, p. 640
100-29-6	Amended	V. 25, p. 640
100-29-8	Amended	V. 25, p. 640
100-29-9	Amended	V. 25, p. 640
100-29-10	Amended	V. 25, p. 641
100-29-11	Revoked	V. 25, p. 1601
100-29-12	Amended	V. 25, p. 642
100-29-13	Amended	V. 25, p. 643
100-29-14	Revoked	V. 25, p. 890
100-29-15	New	V. 25, p. 643
100-29-16	New	V. 25, p. 890
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602

**AGENCY 102: BEHAVIORAL SCIENCES  
REGULATORY BOARD**

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 25, p. 184
102-1-12	Amended (T)	V. 26, p. 629
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-6	Amended	V. 25, p. 1453
102-2-10	Revoked	V. 26, p. 881
102-3-3a	Amended	V. 25, p. 1454
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-4a	Amended	V. 25, p. 1456
102-3-8a	Revoked	V. 26, p. 881
102-4-1a	Amended	V. 25, p. 1458
102-4-3a	Amended	V. 25, p. 1460
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-4a	Amended	V. 25, p. 1463
102-4-8a	Revoked	V. 26, p. 881
102-5-3	Amended	V. 25, p. 1464
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-4a	Amended	V. 25, p. 1466
102-5-5	Amended	V. 25, p. 187
102-5-8	Revoked	V. 26, p. 881
102-6-8	Amended	V. 26, p. 881

**AGENCY 105: BOARD OF  
INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-2	Amended	V. 25, p. 1530
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended	V. 25, p. 1530
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended	V. 25, p. 1530
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-7	Amended	V. 25, p. 1531
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended	V. 25, p. 1531
105-11-1	Amended (T)	V. 25, p. 983, 1019
105-11-1	Amended	V. 25, p. 1531

**AGENCY 108: STATE EMPLOYEES  
HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-4	Amended	V. 25, p. 180

**AGENCY 109: BOARD OF EMERGENCY  
MEDICAL SERVICES**

Reg. No.	Action	Register
109-8-1	Amended (T)	V. 26, p. 12

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-9-1	through	
110-9-8	New	V. 25, p. 373-375
110-13-4	Amended	V. 25, p. 447
110-14-1	New	V. 25, p. 1771
110-14-2	New	V. 25, p. 1771

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-30	Amended	V. 25, p. 414
111-2-187	New	V. 25, p. 381
111-2-188	New	V. 25, p. 1363
111-2-189	New	V. 25, p. 1411
111-2-190	New	V. 25, p. 1694
111-2-191		
through		
111-2-196	New	V. 26, p. 129, 130
111-2-194	Amended	V. 26, p. 173
111-2-197	New	V. 26, p. 173
111-2-198	New	V. 26, p. 174
111-2-199		
through		
111-2-204	New	V. 26, p. 202, 203
111-2-204	Amended	V. 26, p. 565
111-2-205	New	V. 26, p. 565
111-2-206	New	V. 26, p. 631
111-2-207	New	V. 26, p. 631
111-4-2342		
through		
111-4-2349	New	V. 25, p. 217-221
111-4-2350		
through		
111-4-2362	New	V. 25, p. 311-319
111-4-2363		
through		
111-4-2382	New	V. 25, p. 339-351
111-4-2383		
through		
111-4-2387	New	V. 25, p. 381-384
111-4-2389		
through		
111-4-2393	New	V. 25, p. 385, 386
111-4-2394		
through		
111-4-2404	New	V. 25, p. 415-422
111-4-2405		
through		
111-4-2418	New	V. 25, p. 787-795
111-4-2419		
through		
111-4-2427	New	V. 25, p. 868-874
111-4-2420	Amended	V. 25, p. 1019
111-4-2428		
through		
111-4-2434	New	V. 25, p. 1020-1025
111-4-2435		
through		
111-4-2454	New	V. 25, p. 1364-1376
111-4-2455		
through		
111-4-2467	New	V. 25, p. 1412-1420
111-4-2468		
through		
111-4-2482	New	V. 25, p. 1695-1702
111-4-2483		
through		
111-4-2496	New	V. 26, p. 130-138
111-4-2495	Amended	V. 26, p. 203
111-4-2497		
through		
111-4-2503	New	V. 26, p. 174-179

111-4-2504		
through		
111-4-2520	New	V. 26, p. 204-212
111-4-2521		
through		
111-4-2525	New	V. 26, p. 566-569
111-4-2526		
through		
111-4-2552	New	V. 26, p. 632-641
111-4-2553		
through		
111-4-2557	New	V. 26, p. 692-695
111-4-2558		
through		
111-4-2566	New	V. 26, p. 881-885
111-5-126		
through		
111-5-138	New	V. 25, p. 386-390
111-5-131	Amended	V. 26, p. 570
111-5-139	New	V. 25, p. 423
111-5-139a	New	V. 25, p. 795
111-5-140		
through		
111-5-149	New	V. 25, p. 795-797
111-5-150		
through		
111-5-154	New	V. 25, p. 842-844
111-5-155		
through		
111-5-159	New	V. 25, p. 1703, 1704
111-5-160		
through		
111-5-164	New	V. 26, p. 696, 697
111-6-1	Amended	V. 25, p. 222
111-6-27	New	V. 26, p. 259
111-7-81	Amended	V. 25, p. 319
111-7-193	New	V. 25, p. 1026
111-7-194	New	V. 25, p. 1027
111-7-195		
through		
111-7-207	New	V. 25, p. 1420-1423
111-7-197	Amended	V. 26, p. 886
111-7-198	Amended	V. 26, p. 886
111-7-208		
through		
111-7-217	New	V. 26, p. 138-141
111-7-218		
through		
111-7-222	New	V. 26, p. 887, 888
111-9-130		
through		
111-9-133	New	V. 25, p. 351-353
111-9-134	New	V. 25, p. 1704
111-9-135	New	V. 25, p. 1705
111-9-136	New	V. 26, p. 141
111-9-137	New	V. 26, p. 180
111-9-138	New	V. 26, p. 212
111-9-139	New	V. 26, p. 212
111-9-140	New	V. 26, p. 213
111-9-141	New	V. 26, p. 570
111-9-142	New	V. 26, p. 571
111-9-143	New	V. 26, p. 697
111-9-144	New	V. 26, p. 698
111-9-145	New	V. 26, p. 699
111-9-146		
through		
111-9-151	New	V. 26, p. 888-891
111-11-1	Amended	V. 25, p. 223
111-12-4	Amended	V. 26, p. 571
111-14-2	New	V. 26, p. 214

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 1602
115-2-2	Amended	V. 25, p. 1603

115-2-3a	Amended	V. 25, p. 1603
115-2-4	Amended	V. 25, p. 336
115-4-4	Amended	V. 26, p. 410
115-4-4a	Amended	V. 26, p. 411
115-4-6	Amended	V. 25, p. 336
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-9-9	Amended	V. 26, p. 641
115-16-5	Amended	V. 25, p. 1607
115-18-10	Amended	V. 26, p. 101
115-18-12	Amended	V. 25, p. 1608
115-18-18	New	V. 25, p. 1608
115-18-19	New	V. 25, p. 1608
115-18-20	New	V. 25, p. 1609
115-20-5	New	V. 25, p. 1609
115-20-6	New	V. 25, p. 1611

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-2	Amended	V. 25, p. 1146
117-3-2	Amended	V. 25, p. 1146
117-3-2a	Amended	V. 26, p. 564
117-4-2	Amended	V. 25, p. 1147
117-4-2a	Amended	V. 26, p. 564
117-5-1	Amended	V. 25, p. 1148
117-6-1	Amended	V. 25, p. 1148
117-6-2	Amended	V. 25, p. 1148
117-8-1	Amended	V. 25, p. 866

**AGENCY 118: STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-1	Amended	V. 25, p. 1727
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-2	Revoked	V. 25, p. 1727
121-5-3	New (T)	V. 25, p. 1304
121-5-3	New	V. 25, p. 1727
121-7-1	New	V. 25, p. 1728
121-8-1	New (T)	V. 25, p. 1304
121-8-1	New	V. 25, p. 1728

**AGENCY 123: JUVENILE JUSTICE AUTHORITY**

Reg. No.	Action	Register
123-6-101		
through		
123-6-106	New	V. 25, p. 1634, 1635

**AGENCY 129: KANSAS HEALTH POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 26, p. 281
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-22	New	V. 25, p. 1030
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849

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