



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, June 15, at the American Legion Post 64, 2815 N. Joplin, Pittsburg. The public is invited to attend. For further information, call (785) 296-3976.

Stoney Wages
Executive Director

Doc. No. 026681

State of Kansas

Secretary of State

Code Mortgage Rate for June

Pursuant to the provisions of K.S.A. 2000 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of June 1, 2001 through June 30, 2001, is 12.13 percent.

Ron Thornburgh
Secretary of State

Doc. No. 026679

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 11 through 24. 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://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
June 12	Hays	2:00 p.m.	Redistricting Public Hearing	Agenda not available.
June 13	Garden City	10:00 a.m.	Redistricting Public Hearing	Agenda not available.
June 14	519-S	1:00 p.m.	Senate Confirmations Committee	Agenda not available.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 026685

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State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for a Kansas Highway Patrol Troop E headquarters building and Kansas Department of Transportation District 6 materials lab in Garden City. A single architect will be chosen for the two projects. The two buildings are to be built on an 8-acre site adjacent to the District 6 complex in Garden City near US-50 Business and Campus Drive.

The Highway Patrol building will have approximately 7,200 square feet, which will be comprised of approximately 6,000 square feet of office space for a staff of 20 to 24 people, a meeting/training room, a break room, adequate restrooms with showers, an emergency generator room and a mechanical room. Approximately 1,200 square feet will provide a two-bay garage for vehicle maintenance and storage. Consideration of housing Motor Carrier Inspection personnel and Kansas Bureau of Investigation personnel should be made. The building design should lend itself to the addition of offices for additional personnel and future growth.

The total budget for the project is \$1,158,184, with a construction budget of \$1,024,942.

The Department of Transportation building will have approximately 5,880 square feet occupied by the materials laboratory facility, comprised of two equipment/storage bays, a sample breakdown area, an area for laboratory testing equipment, a nuclear meter storage area, office space and storage space. Six full-time positions, and two temporary positions during construction season, are assigned to the District Materials Laboratory.

The total budget for the project is \$684,886, with a construction budget of \$561,382.

For information regarding the scope of services, contact Jaci Vogel, Assistant Chief of Construction and Maintenance, Kansas Department of Transportation, (785) 296-3576.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 22.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026672

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a series of water and sediment control basins located in Roy's Creek Watershed District No. 75, Brown County, will be received at 2022 240th St., Hiawatha, 66434, until noon June 25. Bids will be opened at 8 p.m. June 26 at the Natural Resources Conservation Service office, 1310 Oregon, Hiawatha. A copy of the invitation for bids and plans and specifications can be obtained from Paul Kleppe, contracting officer, at (785) 544-7759.

Tracy D. Streeter
Executive Director

Doc. No. 026692

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 25,690 cubic yard detention dam, Site 6-34A in Nemaha County (re-advertisement), will be received by the Nemaha-Brown Watershed Joint District No. 7 at the district office, 612 Community Drive, Seneca, 66538, until 10 a.m. June 28 and then opened. A copy of the invitation for bids and the plans and specifications will be available June 14 and can be obtained from the district office, (785) 336-6044. There will be a \$50 nonrefundable charge for each set of plans and specifications.

Tracy D. Streeter
Executive Director

Doc. No. 026693

State of Kansas

Board of Examiners in Optometry

Notice of Review of Administrative Regulations

The Kansas Board of Examiners in Optometry is involved in a review of its regulations pursuant to Executive Order 00-3. The board is using the following criteria in its review: need, clarity, cost, fairness and effectiveness.

The board is currently reviewing K.A.R. 65-4-1, 65-4-2, 65-4-3, 65-4-4, 65-4-5, 65-5-1 and 65-5-2. A subcommittee of the board has prepared a preliminary report regarding these regulations. Copies of the report are available by contacting the board office, 3111 W. 6th, Suite A, Lawrence, 66049, (785) 832-9986.

All interested parties may comment on the regulations currently being reviewed. The board will again consider these regulations at its meeting July 13 at 555 S. Kansas Ave., Suite 303, Topeka. Interested parties may submit written comments to the board office prior to the meeting or may attend the meeting and comment at that time.

Dr. Sharon Green
Executive Director

Doc. No. 026676

State of Kansas

Secretary of State**Usury Rate for June**

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of June 1, 2001 through June 30, 2001, is 8.63 percent.

Ron Thornburgh
Secretary of State

Doc. No. 026678

State of Kansas

**Department of Administration
Division of Architectural Services****Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for civil engineering services to study, design and perform construction inspection services for the repair and renovation of the Rooks State Fishing Lake dam for the Department of Wildlife and Parks.

The dam for Rooks State Fishing Lake is a 1,000 foot-long earthen structure with a maximum height of 36 feet, built in 1934, and is located in the NW ¼ of Section 34, Township 7 South, Range 18 West, Rooks County. Rooks State Fishing Lake had 67 surface acres originally with an average depth of 19.1 feet. The watershed is 27 square miles in size. The concrete spillway is 9.6 feet deep and 276 feet wide and is located on the right abutment. The dam is classified as a size 3, significant hazard structure. Some structural problems include a sag in the crest of the embankment, obstructions and erosion in the outlet channel, damaged concrete in the overflow spillway, deteriorated slope protection and instability of the upstream slope, trees and rodent holes, and seepage. The objectives of the repair and renovation are to correct the structural problems, to upgrade the dam to meet current Division of Water Resources criteria, to comply with federal dam safety guidelines, and to repair other items as needed for the purpose of extending and enhancing the life of this public fishing resource. Inspection reports and plans are on file. The budgeted project cost is \$690,000.

For information regarding the scope of services, contact Russell LaForce, Project Engineer, Department of Wildlife and Parks, (785) 296-2281, or e-mail russell@wp.state.ks.us.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311,

(785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. June 22.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026675

State of Kansas

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

The Kansas Department of Health and Environment has prepared a proposed Kansas Water Pollution Control Permit, A-URNT-H003, for Nelson Hog Farms, L.L.C., located near Long Island, Kansas. Nelson Hog Farms, L.L.C. proposes to expand its facility for the confined feeding of 16,000 head (1,600 animal units) of swine weighing 55 pounds or less from 14,000 head (1,400 animal units). The proposed facility location is in the SE/4 of Section 29, Township 1S, Range 21W in Norton County. The public was informed of the availability of the proposed permit for Nelson Hog Farm, L.L.C. through Public Notice No. KS-AG-01-145 dated June 7, 2001. A public hearing has been scheduled in conformance with Kansas Administrative Regulation 28-16-61.

The public hearing on KDHE's intention to issue the proposed permit has been scheduled at 6 p.m. Wednesday, July 18, at the City Hall, 415 Main St., Alma.

Copies of Nelson Hog Farms' application, the proposed KDHE permit and other pertinent documents may be requested by contacting Shonda Domme, Kansas Department of Health and Environment, Bureau of Water, Livestock Waste Management Section, Forbes Field, Building 283, Topeka, 66620, (785) 296-6432 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the proposed permit may do so at the public hearing or may submit written statements to the address above by July 7. It is recommended that persons wishing to present oral testimony at the public hearing supply the hearing officer with a written copy of the testimony.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permit in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above.

The Secretary of Health and Environment will make a final permit decision after consideration of all requirements of state statutes and regulations and comments received during the public notice and public hearing processes.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026684

State of Kansas

Kansas, Inc.

Notice of Meeting

The Kansas Inc. Board of Directors will meet from 9 a.m. to 2 p.m. Monday, June 11, at the Capitol Plaza Hotel, Emerald Room 4, 1717 S.W. Topeka Blvd., Topeka. The meeting is open to the public. For further information, call (785) 296-1460.

Charles R. Ranson
President

Doc. No. 026694

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

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, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-01-145

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Stefan Busenitz 17093 N.W. Shumway Road Burns, KS 66840	Stefen Busenitz 17093 N.W. Shumway Road Burns, KS 66840	Walnut River Basin
Legal Description SE/4 of Section 2, T23S, R4E, Butler County		
Kansas Permit No. A-WABU-S042 This is an application for 1,325 head (290 Kansas animal units) at a swine facility. A new or modified permit will not be issued without additional public notice.		

Public Notice No. KS-AG-01-146/153

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Hog Farms, LLC Route 2, Box 18 Long Island, KS 67647	SE/4 of Section 29, T1S, R21W, Norton County	Upper Republican River Basin
Kansas Permit No. A-URNT-H003 Federal Permit No. KS0094102 This is a permit modification for the expansion of the facility from 14,000 head (1,400 animal units) to 16,000 head (1,600 animal units) of swine		

weighing 55 pounds or less. Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. Nelson Hog Farms must continue to sample its existing groundwater monitoring wells. The samples must be analyzed by a KDHE-certified laboratory, and the results must be reported to KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hoxie Feedyard, Inc. P.O. Box 11 Bucyrus, KS 66013	S/2 of Section 28, N/2 of Section 33, T7S, R29W, Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-C002 Federal Permit No. KS0117897
This is a new permit for an expanding facility for 40,000 head (40,000 animal units) of cattle weighing greater than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Darrell Allison 1607 Sunset Road Delphos, KS 67436	SW/4 of Section 26, T9S, R3W, Ottawa County	Solomon River Basin

Kansas Permit No. A-SOOT-S012
This is a permit renewal for an existing facility for 1394 head (397.7 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Bradford Feedyard c/o Dennis Bradford Jetmore, KS 67854	S/2 of Section 18, T24S, R23W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-C010 Federal Permit No. KS0096261
This is a new permit for an existing facility for 3,500 head (1,750 animal units) of beef cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: Permeability test shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms Inc. Farm Unit 259 P.O. Box 1207 Guymon, OK 73942	SW/4 of Section 24, T33S, R39W, Stevens County	Cimarron River Basin

Kansas Permit No. A-CISV-H005 Federal Permit No. KS0092703
This is a renewal permit for an existing facility for 9,600 head (3,840 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

(continued)

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms, Inc. Farm Units 12, 13, 14, 15, and 16 P.O. Box 1207 Guymon, OK 73942	NW/4 of Section 33 (12), NE/4 of Section 34 (13), NE/ 4 of Section 33 (14), NW/4 of Section 25 (15), SW/4 of Section 30 (16), T31S (all), R39W (13-15), R38W (16), Morton County (12 & 14), Stevens County (13, 15 & 16)	Cimarron River Basin

Kansas Permit No. A-CISV-H001 Federal Permit No. KS0091626
This is a renewal permit for an existing facility for 77,310 head (19,086 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Clarence and Alma Holthaus Route 1, Box 109 Centralia, KS 66415	SW/4 of Section 35, T3S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S056

This is a permit renewal of a current permit for an existing facility for 560 head (224 animal units) of swine greater than 55 pounds and 112 head (11.2 animal units) of swine 55 pounds or less for a total of 235.2 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Steve Holthaus Route 1, Box 144B Seneca, KS 66538	NW/4 of Section 35, T3S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S025

This is a permit renewal of a current permit for an existing facility for 1,885 head (754 animal units) of swine greater than 55 pounds and 1,400 head (140 animal units) of swine 55 pounds or less for a total of 894 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Persons wishing to comment on or object to the draft permits 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 or objections considered in the decision making process. Comments or objections should be submitted to the attention of Shonda Domme for agricultural permits or applications, or to the permit clerk for all other permits, at

the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before July 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-145/153) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th,
Hays, 67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place,
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th,
Lawrence, 66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor,
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th,
Chanute, 66720, (316) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots/stindex.html>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026683

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, June 18, 2001

03482

Department of Wildlife and Parks—Meade State Park Beach Improvements

03484

Department of Wildlife and Parks—Bridge Repair, Various Locations

03508

Department of Administration, Division of Facilities Management—Security and Access Control System

Wednesday, June 20, 2001

03509

Department of Administration, Division of Facilities Management—Security Guard Services, Curtis State Office Building and other Capitol Complex Facilities

03438

Kansas State University—Carpet Material Only

Thursday, June 21, 2001

A-9079

Beloit Juvenile Correctional Facility—Replace Dishwasher, Conveyor and Disposal, Cafeteria/ Commissary Buildings

A-9223

Kansas Insurance Department—New Masonry Retaining Wall

Tuesday, July 3, 2001

A-9204

Hutchinson Correctional Facility—Roof Replacement, Various Buildings

Request for Proposals

Friday, June 22, 2001

03535

Actuary Services for the Kansas Insurance Department

03536

Investment Banker Services for the Kansas Insurance Department

John T. Houlihan
Director of Purchases

Doc. No. 026695

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

Friday, June 15, 2001

#40045

Internet retail operations

William H. Sesler
Director of Purchasing

Doc. No. 026691

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 Capitol Plaza Hotel, Topeka, until 2 p.m. June 20, and then publicly opened:

District One—Northeast

Atchison—59-3 K-2858-01 - U.S. 59 bridge 10, White Clay Creek, 9.6 miles (15.4 kilometers) northeast of K-116, bridge replacement. (Federal Funds)

Atchison—59-3 K-5874-01 - U.S. 59, 0.2 mile (0.4 kilometer) east of the west junction of U.S. 73 in Atchison, 0.12 mile (0.2 kilometer), grading and surfacing. (State Funds)

Atchison—73-3 K-6240-01 - Green Street north to Spring Street in Atchison, 0.7 mile (1.2 kilometers), curb and gutter. (State Funds)

Douglas—24-23 K-8285-01 - U.S. 24/U.S. 40 and U.S. 59 in Douglas County, traffic signals. (State Funds)

Leavenworth—52 C-3651-01 - County Route 1400, 0.6 mile (1 kilometer) north of County Route 855, grading. (Federal Funds)

Leavenworth—52 K-7298-01 - Leavenworth County State Lake bridge, bridge deck. (State Funds)

Lyon—56 C-3534-01 - U.S. 56, 2.5 miles (4 kilometers) east of Emporia, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (Federal Funds)

Shawnee—70-89 K-6358-03 - Crossover construction for I-70 project from 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line east to 0.3 mile (0.5 kilometer) west of Valencia Road, 3.7 miles (6 kilometers), detour construction. (Federal Funds)

Wabaunsee—70-99 K-6357-02 - Crossover construction for I-70 project from 0.4 mile (0.6 kilometer) east of the junction of K-30 east 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line, 4.1 miles (6.6 kilometers), detour construction. (Federal Funds)

District Two—Northcentral

Cloud—9-15 K-7953-01 - K-9, culvert 546 at Milepost 12.17, culvert construction. (State Funds)

(continued)

Cloud—194-15 K-7960-01 - K-194, culvert 533, 1.4 miles (2.2 kilometers) south of U.S. 24, culvert construction. (State Funds)

District Two—106 K-5926-01 - Various locations in District 2, 200 miles (321.1 kilometers), signing. (State Funds)

Geary—77-31 K-4509-01 - U.S. 77 Smoky Hill River bridge 40, 1.5 miles (2.4 kilometers) south of I-70, bridge repair. (State Funds)

Marion—56-57 K-5745-01 - U.S. 56 from the south city limits of Lincolnville north to the Marion-Dickinson county line, 8.4 miles (13.5 kilometers), grading, bridge and surfacing. (Federal Funds)

Mitchell—14-2 K-7159-01 - K-14, Mulberry Creek drainage bridge, 5 miles (8.1 kilometers) north of U.S. 24, bridge replacement. (Federal Funds)

Mitchell—181-62 K-7959-01 - K-181, culverts at Mileposts 9.4 and 9.5, culvert construction. (State Funds)

District Three—Northwest

Gove—32 C-3598-01 - County road, 2.1 miles (3.4 kilometers) south and 6.3 miles (10.1 kilometers) east of Gove, 0.1 mile (0.17 kilometer), grading and bridge. (Federal Funds)

Osborne—281-71 K-7963-01 - U.S. 281, north fork Solomon River bridge, bridge painting. (State Funds)

Rooks—183-82 K-5880-01 - U.S. 183 from 7th Street north to U.S. 24 in Stockton, 0.5 mile (0.8 kilometer), pavement reconstruction. (State Funds)

Smith—191-92 K-7962-01 - K-19, culvert 533 at Milepost 0.1 and culvert 534 at Milepost 0.8, culvert construction. (State Funds)

District Four—Southeast

Bourbon—3-6 K-7964-01 - K-3, Marmaton River and Little Osage River, bridge overlay. (State Funds)

Bourbon—69-6 K-7967-01 - U.S. 69 bridges over National Avenue in Fort Scott, bridge overlay. (State Funds)

Butler—8 C-3649-01 - County road 6.5 miles (9 kilometers) east of K-196 at Whitewater River, grading and surfacing. (Federal Funds)

Crawford—57-19 K-6362-01 - K-57, 2nd Cow Creek drainage bridge, 3.2 miles (5.2 kilometers) east of the junction of K-7, bridge replacement. (Federal Funds)

Crawford—57-19 K-6783-01 - K-57 bridges over First Cow Creek, 5.6 miles (9 kilometers) east of K-7, bridge replacement. (Federal Funds)

Miami—169-61 K-7142-01 - U.S. 169, 0.3 mile (0.5 kilometer) southwest of the interchange of old K-263 at Paola northeast to the existing four-lane, 10.7 miles (17.2 kilometers), grading, bridge and surfacing. (Federal Funds)

District Five—Southcentral

Barber—160-4 K-8433-01 - U.S. 160 from the east city limits of Medicine Lodge east to the Barber-Harper county line, 13.1 miles (21.2 kilometers), crack repair. (State Funds)

Harper—160-39 K-6700-01 - Intersection of U.S. 160/K-14 in Harper, 0.18 mile (0.3 kilometer), grading and surfacing. (State Funds)

Harvey-Reno—50-106 K-8430-01 - U.S. 50 from the Reno-Harvey county line east to the east city limits of Burrton; U.S. 50 from Halstead Road east to the Reno-Harvey county line, 12 miles (19.3 kilometers), crack repair. (State Funds)

Pratt—281-76 K-8426-01 - U.S. 281 from the Pratt-Barber county line north to north of the junction of K-64, 12.6 miles (20.3 kilometers), slurry seal. (State Funds)

Reno-Kingman-Sedgwick—106 K-1802-08 - Cheney State Park, surfacing. (State Funds)

Rush—183-83 K-8265-01 - U.S. 183 culvert in LaCrosse near the junction of K-4, culvert construction. (State Funds)

Sedgwick—87 C-3556-01 - 85th Street north over the Wichita Valley Center Floodway, 0.25 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

Sumner—166-96 K-7976-01 - U.S. 166 bridge over the Kansas Turnpike Authority, bridge painting. (State Funds)

District Six—Southwest

Finney—156-28 K-8432-01 - K-156, 0.5 mile (0.8 kilometer) northeast of the junction of U.S. 400, northeast to the west junction of K-23, 21.7 miles (34.9 kilometers), sealing. (State Funds)

Seward—88 C-3730-01 - County route 1562 from U.S. 83 west 6 miles (9.6 kilometers), surfacing. (Federal Funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 026645

**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. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 6-4-01 through 6-10-01

Term	Rate
1-89 days	4.11%
3 months	3.57%
6 months	3.65%
1 year	4.05%
18 months	4.37%
2 years	4.49%

Derl S. Treff
Director of Investments

Doc. No. 026673

(Published in the Kansas Register June 7, 2001.)

**Summary Notice of Bond Sale
City of Pratt, Kansas
\$2,400,000**

General Obligation Bonds, Series A, 2001
(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated May 7, 2001, sealed, facsimile and electronic bids will be received by the clerk of the City of Pratt, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 126 S Main, Pratt, Kansas, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 5 p.m. June 18, 2001, for the purchase of \$2,400,000 principal amount of General Obligation Bonds, Series A, 2001. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 15, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$ 90,000
2003	120,000
2004	125,000
2005	130,000
2006	140,000
2007	145,000
2008	150,000
2009	160,000
2010	165,000
2011	175,000
2012	180,000

2013	190,000
2014	200,000
2015	210,000
2016	220,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of 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 \$48,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 29, 2001, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$32,049,014. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$4,520,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds 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, 126 S. Main, Pratt, KS 67124, (620) 672-5571, fax (620) 672-6415; or from the financial advisor, Stifel, Nicolaus & Company, Inc., 301 N. Main, Suite 1800, Wichita, KS 67202-4800, Attention: Larry McKown, (316) 337-8498, fax (316) 337-8492.

Dated May 7, 2001.

City of Pratt, Kansas

Doc. No. 026690

**State of Kansas
Social and Rehabilitation Services**

Request for Proposals

The Kansas Department of Social and Rehabilitation Services, Office of Prevention, will release a Request for Proposals June 15 to provide services through a system of 13 regional Centers for Caring Communities (formally known as Regional Prevention Centers). The mission of the Office of Prevention and of the Centers for Caring Communities is to create and support environments for children to become healthy and contributing members of Kansas communities. The nine outcomes of *Connect Kansas* provide the framework to define such an environment and describe the characteristics of caring, healthy communities.

Anyone interested in receiving a Request for Proposals should contact Debbie Kern after June 15 at the Office of Prevention, 610 S.W. 10th, 2nd Floor, Topeka, 66612-1616, (785) 296-4529. Completed proposals must be received not later than 3 p.m. August 3.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 026674

(Published in the Kansas Register June 7, 2001.)

**Summary Notice of Bond Sale
City of Louisburg, Kansas
\$995,000**

**General Obligation Bonds, Series 2001-A
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated May 21, 2001, bids will be received by the city clerk of the City of Louisburg, Kansas, on behalf of the governing body at 5 S. Peoria St., Louisburg, KS 66054, until 2 p.m. Monday, June 18, 2001, for the purchase of \$995,000 principal amount of General Obligation Bonds, Series 2001-A. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered book-entry-only bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 2001, and will become due on September 1 in the years as follows:

Maturity	Principal Amount
September 1 2002	\$40,000
2003	50,000
2004	55,000
2005	55,000
2006	60,000
2007	60,000
2008	65,000
2009	65,000

2010	70,000
2011	70,000
2012	75,000
2013	75,000
2014	80,000
2015	85,000
2016	90,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$19,900 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 7, 2001, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation of the city for computation of bonded debt limitations for the year 2001 is \$21,071,695. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$3,730,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city 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) 837-5371; from the city's financial advisor, George K. Baur & Co., 435 Nichols Road, Kansas City, MO 64112, Attention: David Arterberry, (816) 283-5137; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated May 21, 2001.

City of Louisburg, Kansas
By Sue Seufferling
City Clerk
5 S. Peoria St.
Louisburg, KS 66054

Doc. No. 026680

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Friday, August 17, at the SRS Learning Center, Conference Room A, 300 S.W. Oakley, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective October 1, 2001. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to or during the public hearing to Hope Burns, Office of the Secretary for SRS, Docking State Office Building, Room 603-N, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, but it may be necessary to request each participant to limit any oral presentation to five minutes. The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns at (785) 296-3969.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 11:30 a.m. August 27 in the SRS executive conference room, 603-N, Docking State Office Building, Topeka. Telephone conference will not be available.

A summary of the proposed regulations and the economic impact follows:

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

30-5-64. Prior authorization. The proposed policy changes would remove the following items from prior authorization:

1) Medium chain triglyceride oil (was removed in 1998, and was thought to have been removed from the regulation at that time).

2) Histamine (H₂) antagonists at full therapeutic (higher) dose for longer than 60 days (maintenance or lower doses do not require prior authorization):

cimetidine (Tagamet®) 1200 mg/day

famotidine (Pecid®) 40 mg/day

nizatidine (Axiid®) 300 mg/day

ranitidine (Zantac®) 300 mg/day

Ranitidine (Zantac®) is available generically at a fraction of the cost of proton pump inhibitors. Famotidine (Pecid®) will lose patent exclusivity in 2001 and will be

available generically at a low cost comparable to generic ranitidine.

The intent of removing prior authorization from the H₂ antagonists is to shift utilization, where appropriate, from the more expensive brand name proton pump inhibitors (Prilosec, for example) to the less expensive generic H₂ antagonist medication, which have similar therapeutic effect.

3) Add to this regulation that name brand Coumadin® (warfarin) can be dispensed *with* prior authorization to the patient if specifically required by the physician as medically necessary. The prior authorization would override the MAC (maximum allowable cost) or FUL (federal upper limit) pricing and reimburse the pharmacy provider at average wholesale (AWP) less 10%.

Federal Mandate: N/A

Economic Impact:

1) No impact. Occurred in 1998-1999, very little use at that time.

2) Although there could be some small cost savings by shifting proton pump inhibitor usage to generic H₂ antagonists, this may be budget neutral given the trend in increased usage of anti-ulcer medications.

3) Expected to be budget neutral. Coumadin® was added to the FUL (federal upper limit) pricing in December 2000, which lowered the reimbursement. Prior to that time, all claims were paid at brand name cost (AWP-10%). With the FUL pricing, there will be savings on warfarin prescriptions. The intent is to use the generic warfarin whenever possible; however, there will be cases where the physician specifies the brand-name drug is medically necessary. This would allow payment to the pharmacy for brand-name Coumadin® at AWP-10%.

Bearer of Cost: SRS does not anticipate an economic impact on other governmental agencies, private businesses or individuals.

Affected Parties: N/A

Other Methods: No other method was appropriate for desired change.

Article 6.—MEDICAL ASSISTANCE PROGRAM—CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-89. Individuals with breast or cervical cancer; determined eligibles. This regulation is being added to provide medical coverage to individuals who have been screened for breast or cervical cancer based on the Center for Disease Control and Prevention guidelines and who need treatment for either breast or cervical cancer. The individual must be uninsured and under the age of 65. Coverage ends when the course of treatment is completed.

Economic Impact: It is anticipated that up to 60 women in Kansas will qualify for the program resulting in a total fiscal impact of \$1.2 million (\$336,000 state general funds).

Bearer of Cost: The taxpayers of the State of Kansas will bear the cost of this regulation through increased state and federal costs.

Affected Parties:

1. This change will have a minimal administrative impact on SRS staff.

(continued)

2. This change will benefit approximately 60 uninsured women who have been diagnosed with breast or cervical cancer by providing coverage of needed medical care.

Other Methods: No other methods were considered in adopting this change.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 026677

State of Kansas

Department of Commerce and Housing

Temporary Administrative Regulations

Article 4.—INVESTMENTS IN MAJOR PROJECTS AND COMPREHENSIVE TRAINING (IMPACT) ACT

110-4-1. Definitions. As used in these regulations, and for purposes of administering the IMPACT act, the following terms shall have the following meanings: (a) "Existing job" means a job of an employer meeting the following criteria:

(1) Has the same or similar description, or involves performing the same or a similar function as that for a job being created by that employer; and

(2) was filled or in use within the 18 months before the date of filing an application with the secretary for funding from the IMPACT program services fund, unless the job was lost due to an act of God and the secretary finds that the IMPACT program or project will be a major factor for the Kansas basic enterprise to remain in Kansas.

(b) "IMPACT act" means K.S.A. 74-50,102 through 74-50,112, and amendments thereto.

(c) "Maximum funding amount" means the maximum dollar amount for which a qualified project would be eligible under the IMPACT act, assuming that sufficient funds exist to fund the maximum dollar amount permitted for all qualified projects as determined by the secretary according to K.A.R. 110-4-2(c).

(d) "MPI" means major project investment.

(e) "Project cost" means the total cost of a qualified project, including program costs.

(f) "Qualified project" means any project described in an application that has been determined by the secretary to be complete, in compliance with the funding limitations set forth in the IMPACT act, and qualified for funding from the IMPACT program services fund.

(g) "Secretary" means the secretary of commerce and housing. (Authorized by and implementing K.S.A. 2000 Supp. 74-50,104; effective, T-110-3-27-92, March 27, 1992; effective, T-110-7-23-92, July 23, 1992; effective Sept. 8, 1992; amended Aug. 29, 1997; amended, T-110-5-31-01, May 31, 2001.)

Gary Sherrer
Secretary of Commerce
and Housing

Doc. No. 026688

State of Kansas

Animal Health Department

Temporary Administrative Regulations

Article 7.—MOVEMENT OF LIVESTOCK INTO OR THROUGH KANSAS

9-7-19. Equine passport. (a)(1) For the purposes of these regulations, the term "equidae" shall have the meaning in K.A.R. 9-7-14.

(2) "Equine passport" means a document issued by a veterinarian licensed and accredited in the state of origin and written on a form approved by and bearing a certificate number issued by the animal health regulatory agency in the state of origin. This passport shall individually identify an equidae, show the date of a negative EIA test conducted on that equidae at an approved laboratory within the preceding six months, and provide the information specified below in subsections (b) and (c).

(3) "EIA test" means an equine infectious anemia test.

(b) Each equidae entering Kansas on an equine passport shall be identified by name and shall be further identified on the passport by the designation of one of the following:

(1) A description of any brands;

(2) a description of a lip tattoo;

(3) a statement that a microchip is present, with the brand name and location of the microchip written on the passport; or

(4) any alternate method of designation approved by the livestock commissioner.

(c) The following information shall appear on the equine passport:

(1) A description of the equidae that includes its age, breed, color, and sex, as well as any marks that help identify the equidae;

(2) the date of the EIA test used for validation;

(3) the type of test utilized;

(4) the test results;

(5) the name of the testing laboratory; and

(6) the laboratory accession number.

(d) Each equine passport shall be accompanied by a valid, completed "equine infectious anemia laboratory test" report on USDA veterinary services form VS 10-11T. The equidae shall be identified on the report in the same manner as on the equine passport.

(e) In order for an equidae passport to be valid in Kansas, the veterinarian who issued the equidae passport in another state shall have verified the following:

(1) That the equidae listed on the VS 10-11T form is the same equidae listed on the equine passport, based on one of the methods of identification described in subsection (b); and

(2) that the equidae listed on the equine passport was examined on the date of issuance and found to be free from evidence of contagious, infectious, or communicable disease.

(f)(1) Completed equine passport forms and EIA test information for equidae originating from Kansas shall be submitted to the department for validation. Validated copies shall be returned to the veterinarian and the equidae owner.

(2) The equidae owner shall be provided by the department with itinerary forms at the time the validated equine passport is returned. The itinerary forms shall be completed and returned to the department with the next application for an equine passport for that equidae. Additional equine passports shall not be issued for the identified equidae until the completed itinerary forms have been received by the department.

(g) Each validated equine passport shall remain in effect for six months from the date of the EIA test listed on the passport. (Authorized by K.S.A. 47-607, K.S.A. 47-607d, and K.S.A. 47-610; implementing K.S.A. 47-607 and K.S.A. 47-610; effective, T-9-5-31-01, May 31, 2001.)

Article 18.—ANIMAL FACILITY INSPECTION PROGRAM—LICENSE AND REGISTRATION FEES

9-18-1. Fees. Each applicant for a license and each registrant under K.S.A. 47-1701 et seq., and any amendments thereto shall pay the appropriate application fee as set forth below:

(a) License for animal breeder premises of a person licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(b) License for animal breeder premises of a person not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(c) License for a pound or shelter	\$200.00
(d) License for a retail breeder licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(e) License for a retail breeder not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(f) License for an operator of a temporary pet shop not licensed under 7 U.S.C. § 2131 et seq.	
(1) 1-2 sale days during license year	\$50.00
(2) 3-4 sale days during license year	\$75.00
(3) 4-6 sale days during license year	\$100.00
(4) 7-12 sale days during license year	\$200.00
(g) License for an operator of a temporary pet shop licensed under 7 U.S.C. § 2131 et seq.	
(1) 1-2 sale days during license year	\$50.00
(2) 3-4 sale days during license year	\$75.00
(3) 4-6 sale days during license year	\$100.00
(4) 7-12 sale days during license year	\$125.00
(h) License for an operator of a pet shop licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(i) License for an operator of a pet shop not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(j) License for an operator of a research facility licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(k) License for an operator of a research facility not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(l) License for a hobby breeder or boarding kennel operator	\$75.00
(m) License for an animal distributor licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(n) License for an animal distributor not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(o) Out-of-state distributor permit licensed under 7 U.S.C. § 2131 et seq.	\$150.00
(p) Out-of-state distributor permit not licensed under 7 U.S.C. § 2131 et seq.	\$300.00
(q) License for a pound and shelter: foster home	\$20.00
(r) License for a pound and shelter: rescue home	\$50.00
(s) Temporary closing permit for a hobby breeder or kennel operator	\$25.00
(t) Temporary closing permit for a pound and shelter, animal breeder, animal distributor, retail breeder, pet shop, or research facility	\$75.00

(Authorized by and implementing K.S.A. 47-1721; effective, T-9-7-22-89, July 27, 1989; amended Sept. 11, 1989; amended, T-9-7-1-91, July 1, 1991; amended, T-9-10-22-91,

Oct. 22, 1991; amended Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996; amended Nov. 15, 1996; amended, T-9-5-31-01, May 31, 2001.)

Article 22.—ANIMAL POUNDS AND SHELTERS

9-22-4. Foster homes. (a) Definitions.

(1) "Act" means the Kansas pet animal act, K.S.A. 47-1701 et seq. and amendments thereto.

(2) "Foster home" means a type of shelter or pound consisting of the premises of an individual who provides temporary care and housing for one or more animals in the custody of a licensed pound or shelter that has approved the individual as a foster home caretaker for that pound or shelter.

(3) "Shelter" means an animal shelter as defined in K.S.A. 47-1701, and amendments thereto.

(4) "Temporary care" means care of an individual animal for 180 days or less during the calendar year, except as provided by subsections (i) and (j).

(b) Application forms for a foster home license shall be provided by the commissioner at the request of a licensed pound or shelter. Each shelter wishing to use foster homes shall provide the application to each individual it approves as a foster home. Both the sponsoring shelter or pound and the foster home applicant shall sign the completed foster home license application, and the foster home applicant shall submit to the commissioner the completed application and the foster home license fee established by K.A.R. 9-18-1. No animal shall be placed by the sponsoring shelter or pound in a foster home until the commissioner has issued the foster home license.

(c) Any foster home may house animals for more than one pound or shelter if the following conditions are met:

(1) A separate foster home license application has been jointly signed by the applicant with each sponsoring pound or shelter and submitted to the commissioner.

(2) The commissioner has issued a separate foster home license on behalf of each sponsoring pound or shelter.

(d) Each sponsoring shelter or pound using a foster home shall develop a plan of veterinary care to be followed by the foster home caretaker. Each plan of veterinary care shall be recorded on the form specified in K.S.A. 47-1701(dd)(1)(A), and amendments thereto. This plan shall include the name of the licensed veterinarian the foster home caretaker must contact in case of injury or illness and the name of the party responsible for the payment of treatment and office call charges. The foster home caretaker shall notify the sponsoring pound or shelter of any animal receiving veterinary care within 24 hours of treatment. A copy of the plan of veterinary care shall be filed annually with the commissioner.

(e) A foster home shall not directly accept relinquished or stray animals. All animals housed or maintained by a foster home, other than personal pets of the foster home caretaker, shall be transferred from the sponsoring shelter or pound. Each sponsoring shelter or pound shall have a physical facility for the intake of stray and relinquished animals and the housing of stray animals. No stray animal may be placed with a foster home until the require-

(continued)

ments of K.S.A. 47-1710, and amendments thereto, have been met.

(f) No foster home may maintain or house more than 19 dogs, puppies, cats, kittens, or a combination of these animals on its premises at any time. This limitation shall include the following:

(1) Any dog, cat, puppy, or kitten that is a personal pet of the foster home caretaker; and

(2) any dog, cat, puppy, or kitten owned by any other individual or entity and maintained or housed on the premises.

(g) An intact dog or cat that is six months of age or older shall not be placed or maintained in a foster home unless spaying or neutering is contraindicated by a licensed veterinarian. The veterinarian shall provide a written opinion as to why the animal cannot be spayed or neutered and an estimated time of when, if ever, the animal may be altered. A copy of the written opinion shall be kept by both the foster home and the sponsoring shelter or pound.

(h) The sponsoring shelter or pound shall process all documentation for each adoption and all spay and neuter deposits required by K.S.A. 47-1731, and amendments thereto. Each intact dog, cat, puppy, or kitten shall be adopted directly from the sponsoring pound or shelter. Any altered dog, cat, puppy, or kitten may be adopted directly from the foster home only after all final adoption paperwork has been processed through the sponsoring shelter or pound.

(i) Each animal placed with a foster home shall be evaluated every 180 days by the sponsoring shelter or pound to determine whether it should be returned to the shelter or pound or should continue in foster care. The records of both the sponsoring shelter or pound and the foster home shall reflect the date on which the animal was evaluated, the reason for the animal to remain in a foster home, and the name of the person at the sponsoring shelter or pound who made the decision.

(j) An animal shall not remain in foster care for more than 12 months without written permission from the commissioner.

(k) In addition to the provisions of this regulation, each foster home shall comply with the statutory provisions of the act and K.A.R. 9-22-1 through K.A.R. 9-22-3. All records shall be kept on a form provided by the commissioner: (Authorized by K.S.A. 47-1712 and 47-1731; implementing K.S.A. 47-1701, 47-1704, 47-1710, 47-1712, and 47-1731; effective, T-9-5-31-01, May 31, 2001.)

9-22-5. Rescue homes. (a) Definitions.

(1) "Act" means the Kansas pet animal act.

(2) "Rescue home" means a type of pound or shelter consisting of the premises of an individual who meets both of the following criteria:

(A) Provides care and housing for a specific type of purebred dog or cat or for a specific species or breed of animal; and

(B) is an affiliate or agent of a national purebred organization or a national organization for a specific species or breed that meets all of the following conditions:

(i). The national organization's focus is the specific type of purebred, breed, or species that will receive care and housing in the rescue home.

(ii) The national organization has authority to set standards for the rescue home.

(iii) The national organization meets the criteria of section 501(c)(3) of the internal revenue code.

(b)(1) Each individual who wishes to be licensed to operate a rescue home shall submit an application on a form provided by the commissioner along with the following:

(A) the rescue home license fee established by K.A.R. 9-18-1;

(B) a copy of a certification that the national organization meets the criteria of section 501(c)(3) of the federal internal revenue code; and

(C) either a letter or other documentation from the national organization accepting that individual as a rescue home.

(2) No animal shall be placed in a rescue home until the commissioner has issued a rescue home license.

(3) If an applicant wishes to serve as a rescue home for more than one type of purebred, breed, or species, the applicant shall submit a separate application for each type of purebred, breed, or species to be served.

(c) Each animal housed or maintained at a rescue home, other than the personal pets of the rescue home licensee, shall have been relinquished by an owner, transferred from another rescue home, or transferred from a shelter or pound. No stray dog, cat, puppy, or kitten may be placed with a rescue home until the requirements of K.S.A. 47-1710, and amendments thereto, have been met.

(d) No rescue home may maintain or house more than 19 dogs, puppies, cats, kittens, or any combination of these animals on the premises at any time. This limitation shall include the following:

(1) Any dog, cat, puppy, or kitten that is a personal pet of the rescue home caretaker; and

(2) any dog, cat, puppy, or kitten owned by any other individual or entity and maintained or housed at the rescue home.

(e) Each rescue home licensee shall develop a plan of veterinary care. Each plan of veterinary care shall be recorded on the form specified in K.S.A. 47-1701(dd)(1)(A), and amendments thereto. This plan shall include the name of the licensed veterinarian that the rescue home will contact in case of injury or illness. A copy of the plan of veterinary care shall be filed annually with the commissioner.

(f) Any rescue home may offer animals in its custody for adoption and may transfer ownership in accordance with K.S.A. 47-1710 and K.S.A. 47-1731, and amendments thereto.

(g) In addition to the provisions of this regulation, each rescue home licensee shall comply with the statutory provisions of the act and K.A.R. 9-22-1 through K.A.R. 9-22-3.

(h) Each rescue home accepting animals from out of state shall comply with the importation and certificate of health requirements set out in K.A.R. 9-7-9, K.A.R. 9-7-9a, and K.A.R. 9-7-11. The original of each certificate of health shall be maintained with the rescue home's files. (Authorized by K.S.A. 47-1712 and 47-1731; implementing K.S.A. 47-1701, 47-1704, 47-1710, 47-1712, and 47-1731; effective, T-9-5-31-01, May 31, 2001.)

George Teagarden
Kansas Livestock Commissioner

Doc. No. 026687

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 2.—LOTTERY RETAILERS

111-2-127. "Winners Take All" retailer incentive.

(a) During the period beginning May 1, 2001, and ending at the end of the business day on May 31, 2001, in addition to compensation specified in K.A.R. 111-2-4, the Kansas lottery shall also offer for all retailers the "Winners Take All" retailer incentive promotion. It will be held in conjunction with the Kansas lottery's "Winners Take All" game (K.A.R. 111-7-148 through 111-7-156).

(b) Official Kansas lottery sales reports for the month of May 2001 compared to the base period of March 1, 2001, through March 31, 2001, will determine a retailer location's eligibility for entry into a random selection of winners. If a retailer location has a minimum of \$150 in "Winners Take All" ticket sales, in addition to an increase of at least 20 percent in "Winners Take All" ticket sales for the period of May 1, 2001, through May 31, 2001, as compared to the base period, the retailer location will automatically be entitled to one entry for the random selection of winning entries. Entries will be completed by the lottery based upon official Kansas lottery "Winners Take All" sales reports. Entries shall be segregated according to the Kansas lottery region in which each retailer location is located.

(c) The random selection of winners will be held at approximately 10:15 a.m. on Friday, June 8, 2001, at lottery headquarters. The first three entries selected will be from the Topeka regional entries. The second three entries selected will be from the Great Bend regional entries. The third three entries selected will be from the Wichita regional entries. The first entry drawn from each region shall entitle the retailer location named thereon to win the prize set forth in subsection (d) herein. The second two entries drawn from each region shall be marked "1A" and "2A" in the order drawn, and serve as alternates in the order drawn to receive the prize for that region in the event the winner fails to timely claim the prize or is determined to be ineligible to receive the prize. All prizes must be claimed within 10 days of the random selection. If not claimed by said time, or if any winner is determined to be ineligible to receive the prize, the prize shall be awarded to an alternate in order drawn.

(d) The first entry selected from each Kansas lottery region shall entitle the retailer location named thereon to win the prize of a weekend package for two to the Kansas Speedway in Kansas City, Kansas, which prize includes two tickets each for the Saturday and Sunday Indy Racing Northern Lights Series and NASCAR Craftsman Truck Series races on July 7, 2001, and July 8, 2001, single hotel room accommodation with double occupancy on the evenings of July 6, 2001, and July 7, 2001, transportation between the hotel and Kansas Speedway, and access to the food and hospitality chalet at the Kansas Speedway. Each retailer location may only win one prize, thereby guaranteeing one winner from each Kansas lottery region. It is the responsibility of the retailer to designate the person

to claim the prize. Prizes are non-transferable. Prizes cannot be redeemed for cash. All taxes due on said prizes will be the responsibility of the person who claims the prize, and the Kansas lottery is not responsible for the cancellation or postponement of said automobile races. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001; amended, T-111-5-15-01, April 20, 2001.)

Article 4.—INSTANT GAMES AND DRAWINGS

KANSAS SPEEDWAY WINSTON CUP
WEEKEND RACE PACKAGE DRAWINGS

111-4-1825. Name of drawing. The Kansas lottery shall conduct a series of drawings entitled "Kansas Speedway Winston Cup Weekend Race Package Drawings" and will accept entries starting the day the Kansas lottery "Kansas Speedway" instant ticket goes on sale to the general public for drawings to be conducted at 10:00 a.m. on the following Fridays: June 15, 2001; July 6, 2001; July 27, 2001; and August 17, 2001. Rules applicable to the "Kansas Speedway Winston Cup Weekend Race Package Drawings" are contained in K.A.R. 111-4-1825 through 111-4-1829 and K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1826. Prize. The 40 prize winners selected in the "Kansas Speedway Winston Cup Weekend Race Package Drawings" on the dates specified in K.A.R. 111-4-1825 shall receive two tickets for each day of the 2001 NASCAR Winston Cup Automobile race conducted at the Kansas Speedway in Kansas City, Kansas, on September 29, 2001, and September 30, 2001, one double occupancy hotel room and room taxes for the evenings of September 28, 2001, and September 29, 2001, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at the Kansas Speedway, and \$300 cash. The following restrictions shall apply to the "Kansas Speedway Winston Cup Weekend Race Package Drawings" prize packages:

(a) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(b) Prize packages are not transferable and cannot be redeemed for cash.

(c) The lottery shall choose and reserve all hotel rooms.

(d) The lottery shall provide transportation to and from the Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(e) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(f) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge.

(h) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(continued)

(i) No later than 5:00 p.m. on the twenty-first calendar day following each drawing, the winner of a prize as the result of the "Kansas Speedway Winston Cup Weekend Race Package Drawings" shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (d) of K.A.R. 111-4-1828 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.

(j) A total of 40 prize packages shall be awarded at the rate of 10 prize packages per each of the four weekly drawings. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1827. Method of entry. (a) Entry into the "Kansas Speedway Winston Cup Weekend Race Package Drawings" shall be accomplished as follows:

(1) Obtain a valid "Kansas Speedway" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Speedway" game rules. If the ticket is a winning ticket, it is not eligible for the "Kansas Speedway Winston Cup Weekend Race Package Drawings" and shall be redeemed in accordance with the instant game rules;

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Kansas Speedway Winston Cup Weekend Race Package Drawings." For purposes of these drawings, a "Kansas Speedway" ticket which wins a free admission to the 2001 Kansas state fair may either be redeemed for admission to the fair or used as an entry into the drawings, and if used for entry into these drawings, shall be considered a "non-winning" ticket.

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery selling location at the Kansas speedway racetrack during selling hours on June 1, June 2, and June 3, 2001; and July 6, July 7, and July 8, 2001.

(6) Entries may also be mailed with proper postage to "Kansas Speedway Winston Cup Weekend Race Package Drawings," c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561. Mailed entries must be received by morning mail pickup on the Tuesday before each Friday drawing. More than one entry may be mailed in one envelope.

(7) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(8) Each drawing will be conducted at the approximate times listed in K.A.R. 111-4-1825. Ten entries and five alternate entries will be drawn at each drawing.

(9) Entry forms obtained during the stated period of time may be entered in any weekly drawing, but each entry may only be entered in one drawing. Following each drawing, all remaining tickets will be retained by the lottery for entry into the drawing to be conducted at

the 2001 Kansas state fair pursuant to separate rules pertaining to that drawing.

(b) There is no limit on the number of entries a person may make, but a person may only win one time during the entire promotion.

(c) All eligible entry forms which are mailed and received by the morning mail pickup in Topeka, Kansas, on the Tuesday before each drawing shall be entered into the drawing to be conducted for the next following Friday.

(d) Eligible entrants in any of the "Kansas Speedway Winston Cup Weekend Race Package Drawings" must be 18 years of age or older.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1828. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Speedway Winston Cup Weekend Race Package Drawings":

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Speedway Winston Cup Weekend Race Package Drawings" entries at the United States Post Office in Topeka, Kansas, with final pick up for each weekly drawing after the morning mail delivery on each Tuesday prior to the drawing on the next following Friday.

(b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum.

(c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of each drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the drawings shall contain all entries eligible for that weekly drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove five valid entries, one at a time, from the receptacle or drum and mark them in order drawn: 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-4-1826, subject to validation by the lottery as set forth in these rules.

(e) After 10 entries have been drawn and verified as valid by lottery security, five more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, and 5A. The alternate ticket entries will be used only if the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by K.A.R. 111-4-1826(i). The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the

entry into the "Kansas Speedway Winston Cup Weekend Race Package Drawings" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 21 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) All "Kansas Speedway Weekend Race Package Drawings" entries remaining in the drum or receptacle after the winners have been selected and certified at each weekly drawing and all entries not received in compliance with these rules shall be retained by the lottery for entry into the drawing to be conducted at the 2001 Kansas state fair pursuant to separate rules pertaining to that drawing. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1829. Certification of drawing. (a) The "Kansas Speedway Winston Cup Weekend Race Package Drawings" shall all be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of each drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

BULLITT MUSTANG DRAWING

111-4-1830. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Bullitt Mustang Drawing," and will accept entries on and after the day Kansas lottery "Kansas Speedway" instant tickets are first offered for sale to the general public and ending on Sunday, September 16, 2001, as specified in K.A.R. 111-4-1833. The drawing will be held soon after 6:00 p.m. on Sunday, September 16, 2001, at the Kansas state fair lottery building, Hutchinson, Kansas. Rules applicable to the "Bullitt Mustang Drawing" are contained in K.A.R. 111-4-1830 through 111-4-1836 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1831. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Bullitt Mustang Drawing" means the act of drawing prizes conducted by the Kansas Lottery at the 2001 Kansas state fair in Hutchinson, Kansas, at the time described in K.A.R. 111-4-1833, in which participants are selected to win various prizes as described in K.A.R. 111-4-1832.

(c) "Non-winning ticket" means any valid Kansas "Kansas Speedway" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Speedway" instant game, and for purposes of this drawing only tickets entitled to a free admission prize at the 2001 Kansas state fair shall also be considered "non-winning tickets."

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Bullitt Mustang Drawing" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1832. Prize. (a) The winner of the grand prize at the "Bullitt Mustang Drawing," which will be conducted on September 16, 2001, shall receive a 2002 Ford "Bullitt" Mustang automobile, together with a racing weekend package for two persons. The racing weekend package for two persons shall consist of two tickets for each day of the 2001 NASCAR Winston Cup Automobile race conducted at the Kansas Speedway in Kansas City, Kansas, on September 29, 2001, and September 30, 2001, one double occupancy hotel room and room taxes for the evenings of September 28, 2001, and September 29, 2001, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at the Kansas Speedway, and \$300 cash. The following restrictions shall apply to this prize:

(1) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(2) Prize packages are not transferable and cannot be redeemed for cash.

(3) The lottery shall choose and reserve all hotel rooms.

(4) The lottery shall provide transportation to and from the Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(5) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(6) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(7) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge.

(b) There will be 10 additional winners selected at the drawing and they shall each receive a \$1,000 cash prize.

(c) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(continued)

(d) The winner of a prize shall return to the lottery a completed claim form as provided by the lottery within 21 days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (f) of K.A.R. 111-4-1835 shall be declared the winner. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1833. Method of entry. (a) Entry into the "Bullitt Mustang Drawing" to be conducted on September 16, 2001, shall be accomplished as follows:

(1) Obtain a valid "Kansas Speedway" Kansas instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Speedway" game rules. If the ticket is a winning ticket, it is not eligible for the "Bullitt Mustang Drawing" and shall be redeemed in accordance with the instant game rules, except that for purposes of this drawing any ticket winning a free admission to the 2001 Kansas state fair may also be used to enter the drawing, and if so utilized, shall be considered a "non-winning ticket."

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Bullitt Mustang Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery building at the Kansas state fair from September 7, 2001, to 6:00 p.m., September 16, 2001. In addition, non-winning entries remaining after the Kansas lottery "Kansas Speedway Winston Cup Weekend Race Package Drawings" shall automatically be entered into the "Bullitt Mustang Drawing" as further set forth in the rules and regulations of the "Kansas Speedway Winston Cup Weekend Race Package Drawings" pursuant to K.A.R. 111-4-1825 through 111-4-1829.

(6) Entries may also be mailed with proper postage to "Bullitt Mustang Drawing" c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561. Mailed entries must be received by morning mail pickup on Tuesday, September 11, 2001. More than one entry may be mailed in one envelope.

(7) The holder of the ticket is not required to personally attend the "Bullitt Mustang Drawing" or be present at the time of the drawing to be determined a winner;

(8) The drawing will be conducted soon after 6:00 p.m. on Sunday, September 16, 2001.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Kansas Speedway" tickets which are mailed with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, September 11, 2001, valid non-winning "Kansas Speedway" tickets entered pursuant to the rules and regulations of the Kansas lottery "Kansas Speedway Winston Cup Weekend Race Package Drawing," and non-

winning "Kansas Speedway" tickets entered at the Kansas state fair lottery building from September 7, 2001, to 6:00 p.m. on Sunday, September 16, 2001, shall be eligible for the drawing.

(d) Eligible entrants in the "Bullitt Mustang Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1834. Certification of drawing. (a) The "Bullitt Mustang Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1835. Selection of winners. The following process shall be used for the selection of winners in the "Bullitt Mustang Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Bullitt Mustang Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pickup at the Topeka post office in the morning mail pickup on Tuesday, September 11, 2001. Following the morning mail pickup on Tuesday, September 11, 2001, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. In addition, all non-winning tickets remaining after each of the drawings in the Kansas lottery "Kansas Speedway Winston Cup Weekend Race Package Drawing" shall be retained at lottery headquarters. All mailed entries and entries retained from the "Kansas Speedway Winston Cup Weekend Race Package Drawing" shall then be placed in a secure receptacle, transported to the state fair, and placed in the drawing receptacle or drum with all entries deposited at the state fair.

(b) The drawing shall be held at the Kansas state fair lottery building and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Sunday, September 16, 2001, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove a single entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the grand prize identified in K.A.R. 111-4-1832, subject to validation by the lottery as set forth in these rules.

(e) After a single entry has been drawn on September 16, 2001, and the entry has been verified as valid, 16 more entries will be drawn, one at a time. The first 10 valid entries of these 16 entries drawn will receive a secondary prize of \$1,000 each. The last six entries drawn will serve as alternate entries for the grand prize and secondary prizes. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A and 6A. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the twenty-first day following the drawing. The alternates will be used, if necessary, in the order drawn and first used as alternates for the grand prize and any remaining tickets to be used as alternates for the secondary prizes. If an alternate winner cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the twenty-first day following the claim form being given or sent to the alternate winner, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Bullitt Mustang Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 21 days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) Only non-winning "Kansas Speedway" instant tickets as defined by these rules are eligible for the drawing.

(i) All "Kansas Speedway" tickets remaining in the drum or receptacle on September 16, 2001, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1836. Rights of participants. Any Kansas "Kansas Speedway" instant ticket entered into the "Bullitt Mustang Drawing" is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-5-15-01, April 20, 2001.)

111-4-1837. "South Pole Summer Tripler" instant ticket lottery game number 156. (a) The Kansas lottery

shall conduct an instant winner lottery game entitled "South Pole Summer Tripler" commencing on or after April 30, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1837.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FRÉE	TICKET
\$1 ⁰⁰	ONE \$
\$2 ⁰⁰	TWO \$
\$5 ⁰⁰	FIVE \$
10 ⁰⁰	TEN \$
20 ⁰⁰	TWENTY
30 ⁰⁰	THIRTY
\$1000	ONETHOU
TRIPLE PRIZE	3XPRIZE

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TRY	=	\$30.00
SXY	=	\$60.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "South Pole Summer Tripler" is a match three of six dollar amount game or a match two dollar amounts plus a tripler symbol to win triple the dollar amount. A player will remove the scratch-off material covering the game play area to reveal six prize amounts or five prize amounts and a tripler symbol. If the player matches three like prize amounts, the player wins the prize amount shown. If the player matches two like prize amounts plus a tripler symbol, the player wins triple the prize amount shown.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - free tickets	FREE TICKET	160,000	\$0
3 - \$1.00's	\$1	25,000	25,000
2 - \$1.00's & (triple prize)	\$3	55,000	165,000
3 - \$5.00's	\$5	20,000	100,000
2 - \$2.00's & (triple prize)	\$6	15,000	90,000

(continued)

3 - \$10.00's	\$10	10,000	100,000
2 - \$5.00's & (triple prize)	\$15	5,000	75,000
3 - \$20.00's	\$20	4,700	94,000
3 - \$30.00's	\$30	500	15,000
2 - \$10.00's & (triple prize)	\$30	1,995	59,850
2 - \$20.00's & (triple prize)	\$60	250	15,000
3 - \$1,000's	\$1,000	10	10,000
2 - \$1,000's & (triple prize)	\$3,000	5	15,000
TOTAL		<u>297,460</u>	<u>\$763,850</u>

(k) The odds of winning a prize in this game are approximately one in 5.04. (Authorized by K.S.A. 2000 Supp. 74-8710; implementing K.S.A. 2000 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-15-01, April 20, 2001.)

111-4-1838. "Double Doubler" instant ticket lottery game number 155. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Doubler" commencing on or after April 30, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1838.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$5 ⁰⁰	FIVE\$
20 ⁰⁰	TWENTY
40 ⁰⁰	FORTY
\$2500	TWYFHUN
\$5000	FIVETHOU
SINGLE PRIZE	
DOUBLE PRIZE	
DOUBLE DOUBLER	

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
ETY	=	\$80.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Double Doubler" is a match three of six game with a "DOUBLE PRIZE" and a "DOUBLE DOUBLER" feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "DOUBLE PRIZE," or the words "DOUBLE DOUBLER." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player wins the

prize amount shown. If a player matches three like prize amounts and the words "DOUBLE PRIZE" are revealed, the player wins double the prize amount shown. If a player matches three like prize amounts and the words "DOUBLE DOUBLER" are revealed, the player wins four times the prize amount shown.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's (single prize)	\$1	115,000	\$115,000
3 - \$2's + (single prize)	\$2	20,000	40,000
3 - \$1's + (double prize)	\$2	40,000	80,000
3 - \$1's + (double doubler)	\$4	15,000	60,000
3 - \$5's + (single prize)	\$5	21,250	106,250
3 - \$5's + (double prize)	\$10	15,000	150,000
3 - \$5's + (double doubler)	\$20	9,700	194,000
3 - \$20's + (double prize)	\$40	720	28,800
3 - \$40's + (single prize)	\$40	500	20,000
3 - \$20's + (double doubler)	\$80	75	6,000
3 - \$2,500's + (single prize)	\$2,500	2	5,000
3 - \$5,000's + (double prize)	\$10,000	2	20,000
3 - \$2,500's + (double doubler)	\$10,000	3	30,000
TOTAL		<u>237,252</u>	<u>\$855,050</u>

(k) The odds of winning a prize in this game are approximately one in 6.32. (Authorized by K.S.A. 2000 Supp. 74-8710; implementing K.S.A. 2000 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-15-01, April 20, 2001.)

111-4-1839. "Kansas Speedway" instant ticket lottery game number 157. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Speedway" commencing on or after April 30, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1839.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	ADMISSION
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOUR\$
\$5 ⁰⁰	FIVES\$
10 ⁰⁰	TEN\$
12 ⁰⁰	TWELVE
15 ⁰⁰	FIFTEEN
18 ⁰⁰	EGTEEN
20 ⁰⁰	TWENTY
24 ⁰⁰	TWEN-FOR
25 ⁰⁰	TWEN-FIV
40 ⁰⁰	FORTY
50 ⁰⁰	FIFTY
75 ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU
\$10000	10-THOU
01	ONE
02	TWO
03	THR

04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWENTY
21	TWTYONE
22	TWYTWO
23	TWTYTHR
24	TWTYFR
25	TWTYFIV

GOOD LUCK
MAYBE NEXT TIME

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
EGN	=	\$18.00
TFO	=	\$24.00
FRY	=	\$40.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Kansas Speedway" is a ticket with two different games. Game 1 is a key number match game. A player removes the scratch-off material to reveal two "LUCKY DRIVER NUMBERS" and eight "YOUR DRIVER NUMBERS" with a prize amount below each of the "YOUR DRIVER NUMBERS." If a player matches either of the "LUCKY DRIVER NUMBERS" to any of the "YOUR DRIVER NUMBERS," the player wins the prize shown below that matched number. A player can win up to eight times in this play area. Game 2 is an instant win game. A player removes the scratch-off material to reveal one play area. If the player reveals the words, "FREE ADMISSION," the player wins free admission to the Kansas state fair. If any prize amount is revealed, the player wins that amount instantly. A player can win once in this game play area.

(h) Each ticket in this game may win up to nine times.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Game 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
		FREE ADMISSION	30,000	\$0
\$2		\$2	85,000	170,000
	\$2	\$2	85,000	170,000
\$1 + \$1		\$2	45,000	90,000
\$1	\$1	\$2	45,000	90,000
\$5		\$5	6,500	32,500
	\$5	\$5	6,500	32,500
\$2	\$3	\$5	6,500	32,500
\$1 x 5		\$5	5,000	25,000
\$10		\$10	3,250	32,500
\$2 x 5		\$10	3,150	31,500
\$5	\$5	\$10	2,875	28,750
\$18		\$18	1,125	20,250
	\$18	\$18	1,125	20,250
\$2 x 8	\$2	\$18	1,125	20,250
\$3 x 6		\$18	1,125	20,250
\$24		\$24	3,500	84,000
\$3 x 8		\$24	1,750	42,000
\$4 x 5	\$4	\$24	1,750	42,000
\$12 x 2		\$24	1,750	42,000
\$40		\$40	1,075	43,000
\$5 x 8		\$40	1,075	43,000
\$10 x 3	\$10	\$40	1,075	43,000
\$50		\$50	1,000	50,000
\$25 x 2		\$50	1,000	50,000
\$5 x 8	\$10	\$50	1,000	50,000
\$75		\$75	500	37,500
\$15 x 5		\$75	500	37,500
\$100		\$100	250	25,000
\$50 x 2		\$100	250	25,000
\$25 x 4		\$100	250	25,000
\$10 x 8	\$20	\$100	250	25,000
(\$20 x 5) + (\$50 x 3)		250	75	18,750
\$1,000		\$1,000	75	75,000
\$500 x 2		\$1,000	35	35,000
\$10,000		\$10,000	10	100,000
TOTAL			345,445	\$1,709,000

(k) The odds of winning a prize in this game are approximately one in 4.34. (Authorized by K.S.A. 2000 Supp. 74-8710; implementing K.S.A. 2000 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-15-01, April 20, 2001.)

Article 7.—ON-LINE GAMES

111-7-159. Prize. The 45 prize winners selected in the "Kansas Speedway Weekend Race Package Drawings" on the dates specified in K.A.R. 111-7-158 shall receive two tickets for each day of the 2001 Indy Racing Northern Light Series and NASCAR Craftsman Truck Series races conducted at the Kansas Speedway in Kansas City, Kansas, on July 7, 2001, and July 8, 2001, one double occupancy hotel room and room taxes for the evenings of July 6, 2001, and July 7, 2001, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at the Kansas Speedway, and \$300 cash. The following restrictions shall apply to the "Kansas Speedway Weekend Race Package Drawings" prize packages:

(a) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(b) Prize packages are not transferable and cannot be redeemed for cash.

(c) The lottery shall choose and reserve all hotel rooms.

(d) The lottery shall provide transportation to and from the Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(continued)

(e) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(f) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge.

(h) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(i) No later than 5:00 p.m. on the fourteenth calendar day following each drawing, the winner of a prize as the result of the "Kansas Speedway Weekend Race Package Drawings" shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (d) of K.A.R. 111-7-162 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.

(j) A total of 45 prize packages shall be awarded at the rate of five prize packages per each of the nine weekly drawings. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001; amended, T-111-5-15-01, April 20, 2001.)

111-7-162. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Speedway Weekend Race Package Drawings":

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Speedway Weekend Race Package Drawings" entries at the United States Post Office in Lawrence, Kansas, with final pick up for each weekly drawing after the morning mail delivery on each Tuesday prior to the drawing on the next following Friday.

(b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum.

(c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with the lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of each drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the drawings shall contain all entries eligible for that weekly drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove five valid entries, on at a time, from the receptacle or drum and mark them in order drawn: 1, 2, 3, 4, and 5. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-7-159, subject to validation by the lottery as set forth in these rules.

(e) After five entries have been drawn and verified as valid by lottery security, five more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A,

and 5A. The alternate ticket entries will be used only if the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by K.A.R. 111-7-159(i). The alternates will be used, if necessary, in order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Kansas Speedway Weekend Race Package Drawings" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) All "Kansas Speedway Weekend Race Package Drawings" entries remaining in the drum or receptacle after the winners have been selected and certified at each weekly drawing and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710; effective, T-111-4-12-01, March 16, 2001; amended, T-111-5-15-01, April 20, 2001.)

Ed Van Petten
Executive Director

Doc. No. 026620

State of Kansas

Board of Examiners in Optometry

Permanent Administrative Regulations

Article 8.—MINIMUM STANDARDS FOR OPHTHALMIC SERVICES

65-8-5. Contact lens prescriptions and their release. (a) Each licensee shall provide the contact lens prescription to any patient upon the patient's request if all of the following conditions are met:

(1) The contact lens adaptation period has been completed.

(2) A contact lens prescription has been determined.

(3) All associated fees have been paid.

(4) At the time of the request, the determined prescription is still valid and unexpired.

(b) A licensee shall not limit, by expiration date or otherwise, a contact lens prescription to a period of less than 12 months from either the date the prescription is first determined or the last date of contact lens evaluation by the licensee unless the licensee records a health-related reason for this limitation in the patient's records. (Authorized by K.S.A. 74-1504; implementing K.S.A. 65-1504b; effective June 22, 2001.)

Dr. Sharon Green
Executive Director

Doc. No. 026698

State of Kansas

Racing and Gaming Commission

Permanent Administrative
Regulations

Article 11.—SECURITY AND SAFETY

112-11-20. Greyhound racetrack facility safety standards; specifications; prohibition of chemical use on track surface. (a) Each greyhound racetrack shall have the following:

- (1) A minimum width of 20 feet with inside and outside fixed curbs at a specified slope in the outside curb;
 - (2) a first turn radius of 128 feet, with a second turn radius of 118 feet, and straightaways of 279.6 feet;
 - (3) a graduated minimum bank of 1½ inches to each 12 inches on each turn;
 - (4) the 5/16 mile starting box set back in a chute;
 - (5) a water pumping system providing adequate volume and pressure to uniformly hand water the entire racing surface, as needed. Automatic sprinkling systems may be used to complement, but shall not replace, the hand watering system;
 - (6) automatic openers with a manual backup for each starting box;
 - (7) one curtain placed at least 50 feet before the escape and one curtain placed 25 feet beyond the escape and placed so as not to distract greyhounds while they are racing;
 - (8) an inside lure with an extendible arm;
 - (9) a commission-approved track base that is nonabrasive to a greyhound's feet and that has adequate track drainage and proper resiliency;
 - (10) unless otherwise approved by the commission, a closed-fluid winterization system extending from the starting boxes to the entire width and length of the track; and
 - (11) a video monitoring system with a monitor in the judges' room and trainers' lounge that permits the racing judges and trainers to view the activities in the lockout kennel, the movement of the lead outs and greyhounds from the lockout kennel to the starting boxes and the activities at the starting boxes.
- (b) Unless otherwise approved in advance by the commission, chemicals shall not be applied to the racing surface of a greyhound racetrack.
- (c) Each lockout kennel shall have the following:
- (1) Soundproofing, including masonry construction, that prevents the greyhounds from being disturbed by outside noises;
 - (2) crates located at floor level, unless otherwise approved by the commission;
 - (3) crates of molded fiberglass or metal with the following:
 - (A) Removable wooden floors;
 - (B) minimum inside dimensions of 36 inches wide, 42 inches deep, and 36 inches high;
 - (C) closed crate doors that leave one inch of clearance at top, bottom, and latching sides that protect the greyhound's tail and feet from injury; and
 - (D) drop latches or comparable latches that prevent hazard to the greyhounds;

(4) a design providing for partitions to separate each crate should this be desired by the majority of the kennels booked at that meet;

(5) a sufficient number of crates to house the greyhounds required to schedule 13 races. A second weigh-in shall be held as soon as crates are available during performances with more than 13 races;

(6) a climate control system that can maintain a temperature between 68 and 75 degrees fahrenheit; and

(7) an area equipped with heating and air-conditioning where greyhounds and trainers may wait to weigh in.

(d) Each organization licensee shall provide a cool-out area that shall have a minimum of four water faucets with hoses and a dipping vat through which greyhounds may be walked to quickly cool them after racing. Each organization licensee shall change the water in the vat at least daily and prevent muddy residue from accumulating around it.

(e) Each organization licensee shall provide the following:

(1) A covered walkway from the parking area to the lockout kennel; and

(2) a covered walkway from the cool-out area to the parking area.

(f) Each kennel compound area shall have the following:

(1) Separate kennel buildings of masonry construction for each contract kennel;

(2) a location far enough away from the grandstand and racing areas that kenneled dogs are not disturbed by racetrack noises; and

(3) 24-hour security for the compound enclosure provided by the organization licensee during the official racing season.

(g) Each kennel building shall have the following:

(1) A partitioned kitchen area and crate area;

(2) minimum dimensions of 20 feet by 62 feet;

(3) at least two adjoining turnout pens meeting the following specifications for each kennel building:

(A) Free of obstructions;

(B) measures at least 30 feet by 40 feet each;

(C) is equipped with interconnecting gates;

(D) is equipped with drainage and a water faucet in each;

(E) is lighted by at least two halogen lights of at least 300 watts each in each turnout pen, one at each end; and

(F) is surrounded by a chain link fence to at least six feet high;

(4) a 20-foot overhang that extends the length of the building;

(5) at least 12 inches of sand in turnout pens which shall be removed and replaced by the organization licensee with new sand at least once every 12 months of racing;

(6) a gate in each turnout pen through which a vehicle may be driven to remove the sand and deposit new sand;

(7) a fenced safety pen eight feet wide, located between the parking area and turnout pens and equipped with gates, to facilitate the moving of greyhounds directly between the parking area and the turnout pens;

(8) a maximum of 72 crates;

(continued)

(9) metal crates with compartments that are at least 36 inches wide, 42 inches deep, and 36 inches high and equipped with drop latches and casters;

(10) not more than 72 greyhounds housed in each kennel building with not more than one greyhound in each crate, unless the racing judges have approved a specific request otherwise;

(11) a kitchen area equipped with a hot water heater with a minimum capacity of 20 gallons, a deep sink of durable construction with a drain board, adequate shelving and cabinet space, and a shower and commode in an enclosed area;

(12) one floor drain in each crate area and one floor drain in each kitchen area;

(13) a climate control system that is capable of maintaining a temperature between 68 and 75 degrees fahrenheit;

(14) smoke and temperature alarms in each kennel area connected to the compound security office and capable of alerting security of emergency conditions;

(15) emergency backup power adequate to provide continuous ventilation that will protect the greyhounds if a power failure occurs at any time during a racing season scheduled in the months of May through September;

(16) a fresh air ventilation system or at least four windows of approximately four square feet each that are equipped with screens and may be opened;

(17) lighting to adequately illuminate all areas inside the kennel;

(18) adequate space within the kennel building for each contract kennel to place a dog walking machine and adequate floor space within the crate area for a hydrotherapy vat; and

(19) on-line hookup for a telephone and a video monitoring system that permits the trainers to watch the races.

(h) Unless otherwise approved by the commission, each organization licensee shall provide sprint paths as follows:

(1) One sprint path measuring at least 16 feet by 350 feet, equipped with a common center fence, and heated by a closed-fluid winterization system extending the length and width of the sprint path;

(2) two open sprint paths measuring at least 20 feet by 500 feet;

(3) one all-weather surface road sufficient to operate a vehicle adjacent to each sprint path; and

(4) a sprint path surface to which chemicals shall not be applied.

(i) Each sprint path shall be located so that sprint activity does not disturb greyhounds in the kennel compound area. Each sprint path shall be available for use at all times, except during racing hours, and shall be equipped with side gates through which greyhounds may enter the path and a gate through which a kennel vehicle may be driven. (Authorized by K.S.A. 2000 Supp. 74-8804; implementing K.S.A. 2000 Supp. 74-8804, K.S.A. 2000 Supp. 74-8813; effective July 23, 1989; amended March 19, 1990; amended Aug. 9, 1996; amended June 22, 2001.)

Tracy T. Diel
Acting Executive Director

Doc. No. 026686

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 1.—GENERAL

40-1-8. (Authorized by K.S.A. 40-103, 40-928(f); implementing K.S.A. 40-216, 40-246a, 40-1113; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1986; revoked June 22, 2001.)

40-1-13. (Authorized by K.S.A. 40-103; implementing 40-246a, 40-252; effective Jan. 1, 1966; amended Jan. 1, 1973; amended May 1, 1986; revoked June 22, 2001.)

Article 3.—FIRE AND CASUALTY INSURANCE

40-3-29. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-281; effective Jan. 1, 1968; amended May 1, 1986; revoked June 22, 2001.)

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-41. Utilization review organizations; application; definitions. (a) Except as provided in K.S.A. 40-22a06(b), and amendments thereto, each organization offering utilization review services that is required to apply for a certificate pursuant to K.S.A. 40-22a01, et seq., and amendments thereto, shall comply with these regulations. Utilization review services subject to these regulations shall include the following:

(1) Prospective, concurrent, and retrospective utilization review for inpatient and outpatient care rendered by a health care provider; and

(2) utilization review activity conducted in connection with health benefit plans.

(b) Notwithstanding adherence to the standards prescribed by these regulations, the decision as to what treatment to prescribe for an individual patient shall remain that of the health care provider, and either the patient or the patient's representative. The final decision as to whether the prescribed treatment constitutes a covered benefit shall be the responsibility of the claims administrator or health benefit plan.

(c) As used in these regulations, these terms shall have the following meanings:

(1) "Advisory board of osteopathic specialists (ABOS)" means the American osteopathic association (AOA) certification agent organized in 1939 for the purpose of establishing and maintaining standards of osteopathic specialization and the pattern of training.

(2) "American board of medical specialties (ABMS)" means the entity that was organized originally in 1933 as the advisory board of medical specialties, collaborated in 1970 with the American medical association (AMA), and is the recognized certifying agent for establishing and maintaining standards of medical specialization and the pattern of training.

(3) "Appeal" means a formal request to reconsider a determination not to certify an admission, extension of stay, or other health care service.

(4) "Appeals consideration" means clinical review conducted by appropriate clinical peers who were not involved in peer clinical review, when a decision not to certify a requested admission, procedure, or service has been appealed. This term is sometimes referred to as "third-level review."

(5) "Attending health care provider" means the health care provider who is selected by, or assigned to the patient and who has primary responsibility for the treatment and care of the patient as provided by the applicable licensing, registration, or certification requirements of Kansas.

(6) "Board-certified" means a label indicating that a physician has passed an examination given by a medical specialty board and has other eligibility requirements that certify the physician as a specialist in that area.

(7) "Case management" means a collaborative process that assesses, plans, implements, coordinates, monitors, and evaluates options and services to meet an individual's health needs, using communication and available resources to promote quality, cost-effective outcomes.

(8) "Certification" means a determination by a utilization review organization that an admission, extension of stay, or other health care service has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

(9) "Claims administrator" means any entity that recommends or determines whether to pay claims to enrollees, health care providers, physicians, hospitals, or others on behalf of the health benefit plan. These payment determinations shall be made on the basis of contract provisions. Claims administrators may be insurance companies, self-insured employers, third party administrators, or other private contractors.

(10) "Clinical director" means a health professional who meets the following criteria:

(A) Is duly licensed or certified;

(B) is an employee of, or party to a contract with, a utilization review organization; and

(C) is responsible for clinical oversight of the utilization review program, including the credentialing of professional staff and quality assessment and improvement functions.

(11) "Clinical peer" means a physician or other health professional who holds an unrestricted license and is in the same or similar specialty as that which typically manages the medical condition, procedures, or treatment under review. As a peer in a similar specialty, the individual shall be in the same profession, which shall mean the same licensure category, as that of the ordering provider.

(12) "Clinical rationale" means a statement providing additional clarification of the clinical basis for a noncertification determination. The clinical rationale shall relate the noncertification to the patient's condition or treatment plan and shall supply a sufficient basis for a decision to pursue an appeal.

(13) "Clinical review criteria" means the written policies, screens, decision rules, medical protocols, or guidelines used by the utilization review organization as an element in the evaluation of medical necessity and ap-

propriateness of requested admissions, procedures, and services under the auspices of the applicable health benefit plan.

(14) "Concurrent review" means a utilization review conducted during a patient's inpatient stay or course of treatment and is sometimes called a "continued stay review."

(15) "Discharge planning" means the process that assesses a patient's needs in order to help arrange for the necessary services and resources to effect an appropriate and timely discharge.

(16) "Enrollee" means an individual who participates in, and is covered by a health plan.

(17) "Expedited appeal" means a request by telephone for an additional review of a determination not to certify imminent or ongoing services that requires a review conducted by a clinical peer who was not involved in the original determination not to certify.

(18) "Facility rendering service" means the institution or organization in which the requested admission, procedure, or service is provided. These facilities may include the following:

(A) Hospitals and outpatient surgical facilities;

(B) individual practitioner offices;

(C) rehabilitation centers;

(D) residential treatment centers;

(E) skilled nursing facilities;

(F) laboratories; and

(G) imaging centers.

(19) "Health benefit plan" means any public or private organization's written plan that insures or pays for specific health care expenses on behalf of enrollees or covered persons.

(A) "Health benefit plan" shall include the following:

(i) Any individual, group, or blanket policy of accident and sickness, medical, or surgical expense coverage; and

(ii) any provision of a policy, contract, plan, or agreement for medical service, including any contract of a health maintenance organization, non-profit medical and hospital service corporation, or municipal group-funded sickness and accident pool.

(B) "Health benefit plan" shall not include any of the following:

(i) A policy or certificate covering only credit;

(ii) a policy or certificate covering only disability income;

(iii) coverage issued as a supplement to liability insurance;

(iv) insurance arising out of a workers compensation or similar law;

(v) automobile medical payment insurance;

(vi) insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy;

(vii) medicare; or

(viii) medicaid.

(20) "Health care provider" shall have the meaning ascribed by K.S.A. 40-22a03(d) and amendments thereto.

(21) "Health professional" means an individual who meets the following criteria:

(continued)

(A) Has undergone formal training in a health care field; and

(B) holds a state license or state certificate in a health care field.

(22) "Initial clinical review" means the clinical review conducted by appropriate licensed or certified health professionals. Initial clinical review staff may approve requests for admissions, procedures, and services that meet clinical review criteria, but shall refer requests that do not meet clinical review criteria to peer clinical review for certification or noncertification. The term is sometimes referred to as "first-level review."

(23) "Inpatient care" means admissions to and services provided in all licensed medical care facilities and other licensed inpatient facilities, including skilled nursing facilities, residential treatment centers, and freestanding rehabilitation facilities.

(24) "License" means a license or permit to practice medicine or a health profession issued by any state or jurisdiction of the United States.

(25) "Medical director" means a doctor of medicine or doctor of osteopathic medicine who meets the following criteria:

(A) Is duly licensed to practice medicine;

(B) is an employee of, or a party to a contract with, a utilization review organization; and

(C) has responsibility for clinical oversight of the utilization review organization's utilization review, credentialing, quality management, and other clinical functions.

(26) "Nonclinical administrative staff" means staff who do not meet the definition of "health professional."

(27) "Ordering provider" means the specific physician or other provider who prescribed the health care service being reviewed.

(28) "Outpatient care" means health care provider diagnostic and therapeutic services provided at any medical care facility, and other outpatient locations, including laboratories, radiology facilities, provider offices, and patient homes.

(29) "Patient" means the enrollee or covered person who files a claim for benefits or for whom a claim for benefits has been filed.

(30) "Peer clinical review" means clinical review conducted by appropriate health professionals when a request for an admission, procedure, or service was not approved during the initial clinical review. This term is sometimes referred to as "second-level review."

(31) "Peer clinical reviewer" means a health care provider who holds a nonrestricted license in a state of the United States and who is in the same or similar profession as that which typically manages the health condition, procedure, or treatment under review.

(32) "Principal reason" or "principal reasons" means a clinical or nonclinical statement describing the reason or reasons for the noncertification determination. "Lack of medical necessity" shall not be deemed sufficient to meet this definition.

(33) "Prospective review" means any utilization review conducted before a patient's admission, stay, or other service or course of treatment and is sometimes called "precertification review."

(34) "Provider" means a licensed health care facility, program, agency, or health professional that delivers health care services.

(35) "Quality management program" means a structured program that, at a minimum, monitors and evaluates the quality and effectiveness of a utilization management organization's policies, progress, and practices and provides management intervention, as needed, to support compliance with these standards.

(36) "Reconsideration" means a request by telephone or written notification for additional review of a utilization review determination not to certify, which shall be performed by the peer reviewer who reviewed the original decision, based on submission of additional information or a peer-to-peer discussion.

(37) "Retrospective review" means a review of services provided after the discharge of the patient.

(38) "Scripted clinical screening" is a process using scripted criteria by which trained personnel can perform a preliminary or continued standardized review or evaluation of medical care being provided or to be provided. If the scripted criteria are met, the medical services are authorized. If the scripted criteria are not met, the case is referred to a health professional for further review.

(39) "Review of service request" means the review of information submitted to the utilization review organization for health care services that neither require medical necessity certification nor result in a noncertification decision.

(40) "Second opinion" means the requirement of some health plans to obtain an opinion about the medical necessity and appropriateness of specified proposed services by a practitioner other than the one originally making the recommendation.

(41) "Standard appeal" means a request to review a determination not to certify an admission, extension of stay, or other health care service, which shall be conducted by a peer clinical reviewer who was not involved in any previous noncertification pertaining to the same episode of care.

(42) "Structured clinical data" means clinical information that is precise and permits exact matching against explicit medical terms, diagnoses, or procedure codes, or other explicit medical terms, diagnoses, or procedure codes, or other explicit choices, without the need for interpretation.

(43) "Utilization management (UM)" shall have the same meaning as that ascribed to "utilization review (UR)," which is defined in K.S.A. 40-22a03(b) and amendments thereto.

(44) "Utilization review (UR)" shall have the meaning ascribed by K.S.A. 40-22a03(b) and amendments thereto.

(45) "Utilization review organization" shall have the meaning ascribed by K.S.A. 40-22a03(c) and amendments thereto.

(46) "Variance" means a deviation from a specific standard that can be supported by a federal or state law or regulation or by a contractual agreement and that the commissioner of insurance determines as sufficient to reflect the intent of K.S.A. 40-2201 et seq., and amendments thereto, these regulations, and the rights of the parties involved.

(47) "Written notification" means correspondence transmitted by mail, facsimile, or electronic medium. (Authorized by K.S.A. 40-103, 40-22a04, and 40-22a11; implementing K.S.A. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41b. Utilization review organizations; requirements for collecting information. When conducting routine prospective, concurrent, and retrospective utilization reviews, each utilization review organization shall comply with the following requirements:

(a) Each utilization review organization shall collect only the information necessary to certify the admission, procedure or treatment, length of stay, and frequency or duration of services. Utilization review organizations shall not perform any of the following:

(1) Routinely require health care providers to supply numerically codified diagnoses or procedures to be considered for certification. Utilization review organizations may ask for this coding since, if it is known, its inclusion in the data collected increases the effectiveness of the communication;

(2) routinely request copies of clinical records on all patients reviewed. During prospective and concurrent review, copies of clinical records shall be required only when a difficulty develops in certifying the necessity or appropriateness of the admission or extension of stay, or the frequency or duration of service. In those cases, only the necessary or pertinent sections of the record shall be required; or

(3) request a review of all records on all patients. This shall not preclude a request for copies of relevant clinical records retrospectively for clinical review for a number of purposes, including auditing the services provided, quality assurance, evaluation of compliance with the terms of the health benefit plan or utilization review provisions. With the exception of reviewing records associated with an appeal or with an investigation of data discrepancies and unless otherwise provided for by contract or law, health care providers shall be entitled to reimbursement for the reasonable direct costs of duplicating requested records.

(b) Each utilization review organization shall accept required or requested information when submitted on claim forms as authorized by K.S.A. 40-2253, and amendments thereto, and K.A.R. 40-4-40.

(c) Each utilization review organization shall limit its data requirements to the following elements unless otherwise prescribed in these regulations:

(1) Patient information, which shall include the patient's name, address, telephone number, date of birth, gender, social security number or patient identification number, the name of the carrier or plan, including the plan type, and plan identification number;

(2) enrollee information, which shall include the enrollee's name, address, telephone number, social security number or employee identification number, relation to patient, employer, health benefit plan, group number or plan identification number, and other types of coverage available, including workers compensation, auto, tricare (formerly known as champus), medicare, or other coverage;

(3) health care provider information, which shall include the provider's name, address, telephone number, degree, specialty or certification status, and tax identification or other identification number;

(4) diagnosis or treatment information, which shall include the primary diagnosis, secondary diagnosis, tertiary diagnosis, multiaxial diagnosis, proposed or provided procedures or treatments, surgical assistant requirement, anesthesia requirement, admission or service dates, the procedure date, and the proposed length of stay;

(5) clinical information sufficient to support the appropriateness and level of service proposed or provided, and the name of a contact person for detailed clinical information;

(6) facility information, which shall include the following:

(A) The type of facility, including an inpatient or outpatient facility, special unit, skilled nursing facility, rehabilitation facility, office, or clinic;

(B) the licensing or certification status of the facility, including any applicable diagnostic-related group exempt status; and

(C) the facility's name, address, telephone number, and tax identification number or other identification number;

(7) concurrent or continued stay review information, which shall include the following:

(A) The number of additional days, services, or procedures proposed;

(B) a description of the reasons for the extension, including clinical information sufficient to support the appropriateness and level of service proposed;

(C) information regarding the continued or changed diagnoses; and

(D) discharge planning;

(8) information on admissions to facilities other than medical care facilities, which shall include a history of the present illness, the patient treatment plan and goals, the prognosis, staff qualifications, and 24-hour availability of appropriate staff;

(9) additional information for specific review functions, which may include discharge planning or catastrophic case management or, when applicable, second opinion information sufficient to support benefit plan requirements; and

(10) other additional information when there is a significant lack of agreement between the utilization review organization and health care provider regarding the appropriateness of certification. Significant lack of agreement shall mean that the utilization review organization meets the following conditions:

(A) Has tentatively determined, through its professional staff, that a service cannot be certified;

(B) has referred the case to a peer clinical reviewer for review; and

(C) for prospective and concurrent review, has talked to or attempted to talk to the health care provider for further information.

(d) Each utilization review organization shall share all clinical and demographic information on individual pa-

(continued)

tients among its various divisions to avoid duplicate requests for information from enrollees or providers.

(e) For prospective review and concurrent review, each utilization review organization shall base its review determinations solely on the medical information obtained by the utilization review organization at the time of the review determination.

(f) For retrospective review, each utilization review organization shall base its review determinations solely on the medical information available to the attending health care provider or ordering provider at the time the medical care was provided.

(g) Each utilization review organization shall reverse its certification determination only if information provided to the utilization review organization is materially different from that which was reasonably available at the time of the original determination. (Authorized by K.S.A. 40-103 and K.S.A. 1999 Supp. 40-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41c. Utilization review organizations; written procedures. Each utilization review organization shall maintain the following written procedures:

(a) Written procedures to assure that reviews and second opinions are conducted in a timely manner shall be maintained as follows:

(1) Each utilization review organization shall make prospective or concurrent certification determinations within two working days of receipt of the necessary information on a proposed admission or service requiring a review determination. Collection of the necessary information may necessitate a discussion with the health care provider or, based on the requirements of the health benefit plan, may involve a completed second opinion review.

(2) The utilization review organization may review ongoing inpatient stays, but shall not routinely conduct a daily review of all these stays. The frequency of the review for extension of the initial determination may vary, based on the severity or complexity of the patient's condition or on necessary treatment and discharge planning activity.

(3) Each utilization review organization shall make retrospective determinations, in the absence of any contractual agreement, within 30 days of the receipt of the necessary information.

(b) Each utilization review organization shall maintain written procedures for providing notification of determinations regarding all forms of certification in accordance with the following:

(1) When an initial determination is made to certify, the utilization review organization shall notify the attending health care provider, or other ordering provider, facility rendering service, and enrollee or patient promptly in writing, by telephone, or by electronic transmission.

(2) The utilization review organization shall transmit each determination to certify an extended stay or additional services resulting from a concurrent review to the attending health care provider or other ordering provider

and the facility rendering services by telephone, by electronic transmission, or in writing. The determination shall be transmitted within one working day of receipt of all information necessary to complete the review process, but not later than the end of a current certified period.

(3) If a utilization review organization transmits written confirmation of certification for continued hospitalization or services, that notification shall include, when possible, the number of extended days or the next review date, the new total number of days or services approved, and the date of admission or onset of services.

(4) When a prospective or concurrent review determination is made not to certify an admission or extension of an inpatient stay, course of treatment, or other service requiring a review determination, the decision shall be made by a peer clinical reviewer only after not less than two bona fide attempts have been made to contact and consult with the attending health care provider.

(A) If the attending health care provider cannot be contacted in a timely manner, the utilization review organization shall send written notification to the attending health care provider or ordering provider and the enrollee or patient within one working day following the determination. Each notification shall be accompanied by the most appropriate telephone number necessary to facilitate an expedited appeal.

(i) The utilization review organization shall provide within one business day of receipt of the request the opportunity for the attending health care provider or other ordering provider to discuss the noncertification decision with a clinical peer reviewer, if the original peer reviewer cannot be available within one business day.

(ii) If a reconsideration or peer-to-peer conversation does not resolve a difference of opinion, the utilization review organization shall, at the time of the conversation, inform the attending health care provider or other ordering provider of the right to initiate an expedited appeal or standard appeal and the procedure to do so.

(B) The written notification shall include the principal reasons for the determination and procedures to initiate an appeal of the determination. A determination not to certify may be based on a lack of adequate information to certify after a reasonable attempt has been made to contact the health care provider.

(C) Each of the letters to the provider, patient, and facility shall include a statement that the clinical rationale used in making the noncertification decision shall be provided in writing upon request.

(D) Upon request, the utilization review organization shall provide the clinical rationale in writing to the provider, patient, or facility rendering service.

(5) When a retrospective determination is made not to certify an admission, stay, or other service, the decision shall be made only by a peer clinical reviewer. The utilization review organization shall provide written notification of the determination to attending health care provider or other ordering provider, patient, and hospital or facility rendering services. The written notification shall include the principal reasons for the determination and procedures to initiate a standard appeal of the determination. The notification shall include a statement that the clinical rationale used in making the determination will

be provided in writing upon request. A determination not to certify may be based on a lack of adequate information to certify after a reasonable attempt has been made to contact the health care provider.

(c) Each utilization review organization shall maintain written procedures to address the failure or inability of a health care provider, patient, or other representative to provide the necessary information for review. If the patient or provider will not release the necessary, clinically relevant information to the utilization review organization, the utilization review organization may administratively deny certification in accordance with its own policy or that of the health benefit plan. (Authorized by K.S.A. 40-103 and K.S.A. 1999 Supp. 40-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended May 16, 1997; amended June 22, 2001.)

40-4-41d. Utilization review organizations; appeal procedures. Each utilization review organization shall have in place procedures for appeals of a determination not to certify an admission, procedure, service, or extension of stay. The right to appeal shall be available to the patient or enrollee, the representative of the patient or enrollee, and the attending health care provider, other ordering provider, or facility rendering service on behalf of the patient. Hospitals or other health care providers may assist in an appeal. The procedures for appeals shall include, at a minimum, the following:

(a) Expedited appeal.

(1) When an initial determination not to certify a health care service is made before or during an ongoing service requiring review, and the attending health care provider or other ordering provider believes that the determination warrants immediate appeal, the attending health care provider or other ordering provider shall have an opportunity to appeal that determination over the telephone or via facsimile on an expedited basis.

(2) Each utilization review organization shall provide reasonable access to a peer clinical reviewer, not to exceed one working day, by telephone or in person to discuss the determination with the attending health care provider or other ordering providers. The peer clinical reviewer shall be available for these appeals during normal business hours.

(3) The peer clinical reviewer shall have immediate access to the material that formed the basis for the original determination when discussing an appeal.

(4) The utilization review organization shall not be required to provide a peer clinical reviewer other than the peer clinical reviewer who made the original decision if the attending health care provider or other ordering provider only needs to supply additional or new information that will justify the need for the health care service or treatment.

(5) Health care providers and utilization review organizations shall attempt to share the maximum amount of information by telephone, facsimile, or other means to resolve the expedited appeal satisfactorily.

(6) The utilization review organization shall notify the attending health care provider or the ordering provider of its decision regarding the expedited appeal by tele-

phone at the time the decision is made and shall notify either the attending health care provider or other ordering provider and the enrollee in writing within one working day.

(7) Expedited appeals that do not resolve a difference of opinion may be resubmitted through the standard appeal process.

(8) Noncertifications made on a retrospective basis may be appealed only through the standard appeal process.

(b) Standard appeal. The utilization review organization shall establish procedures for appeals to be made either in writing or by telephone.

(1) Each utilization review organization shall notify in writing the enrollee or patient, attending health care provider or other ordering provider, and claims administrator of its determination on the appeal as soon as practical, but never later than 30 days, in the absence of any contractual agreement, after receiving the required documentation for the appeal.

(2) The documentation required by the utilization review organization may include copies of part or all of the clinical record or a written statement from the attending health care provider or other ordering provider.

(3) Before upholding the original decision not to certify for clinical reasons, a peer clinical reviewer who did not make the original noncertification determination shall review the documentation.

(4) The process established by a utilization review organization may include a period within which an appeal shall be filed to be considered.

(5) Each attending health care provider or other ordering provider who unsuccessfully appeals a determination not to certify shall be provided the clinical basis for that determination in writing, upon request.

(6) In cases involving physician-directed services in which an appeal to reverse a determination not to certify for medical reasons is unsuccessful, the utilization review organization shall assure that a peer clinical reviewer, in the same or a similar medical specialty as that of the attending health care provider or other ordering provider, is reasonably available to review the case as mutually deemed appropriate.

(7) In cases involving other than physician-directed services in which an appeal to reverse a determination not to certify for clinical reasons is unsuccessful, the utilization review organization shall assure that a peer clinical reviewer in the same or similar profession as that of the attending health care provider or other ordering provider, is reasonably available to review the case as mutually deemed appropriate.

(8) Each utilization review organization shall forward, by written notification, a certification or a determination not to certify to the enrollee or patient, attending health care provider or other ordering provider, and claims administrator for the health benefit plan.

(9) The utilization review organization shall conduct appeals considerations by requiring health professionals who serve as clinical peers and who consider appeals to meet the following conditions:

(continued)

(A) Hold a current active, unrestricted license to practice medicine or a health profession;

(B) for services provided by a physician, medical doctor, or doctor of osteopathic medicine, be board-certified by either of the following:

(i) A specialty board approved by the American board of medical specialties, for doctors of medicine; or

(ii) the advisory board of osteopathic specialists from the major areas of clinical services, for doctors of osteopathic medicine;

(C) for services provided by a nonmedical doctor or doctor of osteopathic medicine, be in the same profession and in a similar specialty as that which typically manages the medical condition, procedure, or treatment mutually deemed appropriate; and

(D) be oriented to the principles and procedures of utilization review and peer review. (Authorized by K.S.A. 40-103, 40-22a04, and 40-22a11; implementing K.S.A. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41e. Utilization review organizations; staff requirements. Each utilization review organization shall have utilization review staff who are properly trained, qualified, supervised, and supported by written, clinically substantiated criteria and review procedures.

(a)(1) For data collection, intake screening, and scripted clinical screening, the use of nonclinical administrative staff shall be limited to the following:

(A) The performance of "review of service requirements";

(B) the collection and transfer of nonclinical data;

(C) the acquisition of structured clinical data; and

(D) any scripted clinical screening that does not require evaluation or interpretation of clinical information.

(2) Nonclinical administrative staff performing the functions listed in paragraph (a)(1)(A) through (D) shall meet the following conditions:

(A) Be qualified and trained to perform "review of service requests";

(B) be supported by explicit instructions and scripts;

(C) be trained in the principles and procedures of the collection and transfer of nonclinical data, the acquisition of structured clinical data, scripted clinical screening, and the maintenance of confidentiality of patient-specific information;

(D) through an established process, promptly transfer a telephone call for review of services to an initial clinical reviewer if the review cannot be completed based on a formal script; and

(E) be monitored by a licensed health professional while performing administrative review.

(b) The utilization review organization, when conducting initial clinical review, shall perform the following:

(1) Refer review of services that do not meet initial review criteria to peer clinical review;

(2) restrict the performance of the initial clinical review to individuals who meet both of the following requirements:

(A) Are health professionals; and

(B) possess a current and valid professional license or certificate in the state or states in which they work. If the

state in which they work does not require professional licensure, each of the individuals shall possess a current and valid professional license or certificate in another state or shall be certified by the national accrediting body appropriate to each individual's profession;

(3) require initial clinical reviewers to be trained in the principles and procedures of utilization review; and

(4) require initial clinical reviewers to be supported by a doctor of osteopathic medicine or a clinical director who has an unrestricted license to practice medicine.

(c)(1) The utilization review organization shall conduct peer clinical reviews for all cases in which a clinical determination to certify cannot be made by initial clinical review. Peer clinical reviews shall be conducted by health professionals who meet the following criteria:

(A) Directly support the utilization review activity;

(B) are oriented in the principles and procedures of utilization management and peer review;

(C) are qualified to render a clinical opinion about the medical condition, procedures, and treatment under review; and

(D) meet one of the following criteria:

(i) Hold a current, unrestricted license in the same licensure category as that of the attending health care provider or other ordering provider; or

(ii) for standard appeals, are in active practice.

(2) The utilization review organization shall have a medical director or clinical director with professional postresidency experience in direct patient care who meets one of the following criteria:

(A) Holds an unrestricted license to practice medicine; or

(B) has a clinical specialty appropriate to the type of single service utilization management conducted. (Authorized by K.S.A. 40-103 and K.S.A. 1999 Supp. 44-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41f. Utilization review organizations; review requirements. (a) Each utilization review organization shall use written, clinically substantiated criteria, as needed, for the purpose of determining or screening the appropriateness of the certification.

(1) This criteria shall be periodically evaluated and updated, and shall be made available to the attending health care provider or other ordering provider upon request.

(2) Professionally accepted review criteria shall be used for concurrent reviews and shall be periodically evaluated and updated.

(3) When copyright laws prohibit the copying of criteria for health care providers, the utilization review organization shall identify the type of criteria being utilized so that the health care provider may purchase the criteria directly from the source.

(4) Clinical protocols, as well as other relevant review processes used in a health benefit plan's concurrent review program, shall be established with appropriate involvement from health care provider panels made up of health care providers contracting with the utilization review organization.

(b) Each utilization review organization shall use one or more health care provider consultants, including, as

needed and available, one or more specialists who are board-certified and working toward certification in a specialty board approved by the American board of medical specialists or the American board of osteopathy from the major areas of clinical services.

(c) Each utilization review organization shall use one or more peer clinical reviewers who meet the following criteria:

- (1) Have a firm understanding of clinical practice;
- (2) are familiar with current treatment guidelines;
- (3) are able to access expert clinical opinions when necessary; and
- (4) take into consideration any local specific issues as described by the attending health care provider.

(d) Each utilization review organization shall provide a formal program for orientation and training of utilization review staff and professional consultants.

(e) Each utilization review organization shall maintain written documentation of an active quality management program that promotes objective and systematic monitoring and evaluation of utilization review processes and services.

(f) The utilization review organization shall, as part of its quality management program, include a written plan addressing the following:

- (1) Scope and objectives;
- (2) program organization;
- (3) monitoring and oversight mechanisms; and
- (4) evaluation and organizational improvement of clinical review activities.

(g) The utilization review organization shall, as part of its UR quality review program, provide written documentation that verifies the ongoing monitoring for compliance with this regulation, including the following:

(1) Objectives and approaches utilized in the monitoring and evaluation of clinical review activities, including the systematic evaluation of complaints for patterns or trends;

(2) the implementation of action plans to improve or correct identified problems; and

(3) the mechanisms to communicate the results of the action plans to utilization review staff. (Authorized by K.S.A. 40-103, 44-22a04, and 40-22a11; implementing K.S.A. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41g. Utilization review organizations; access to review staff. (a) Each utilization review organization shall provide access to its review staff by a toll-free or collect call telephone line, at a minimum, from 9:00 a.m. to 4:00 p.m. of each normal working day in the central time zone. Each utilization review organization shall also have a mechanism to receive timely callbacks from health care providers and shall establish written procedures for receiving or redirecting after-hour calls, either in person or by recording.

(b) Each utilization review organization and its staff shall conduct its telephone reviews, on-site information gathering reviews, and health care provider communications during reasonable and normal business hours for health care providers, unless otherwise mutually agreed.

(c) Utilization review organization staff members shall identify themselves by name and by the name of their organization, and for on-site reviews, shall carry photograph identification and their organization's company identification card. On-site concurrent reviews shall, whenever possible, be scheduled at least one business day in advance of the appropriate health care provider contact. If requested by a health care provider or inpatient facility, the utilization review organization shall assure that its on-site review staff register with the appropriate contact person, if available, before requesting any clinical information or assistance from health care provider staff, and the on-site review staff shall wear appropriate hospital-supplied identification while on the premises.

(d) Each utilization review organization and its staff shall agree, if so requested, that the clinical records remain available in designated areas during the on-site review and that reasonable health care provider administrative procedures be followed by on-site review staff so as to not disrupt health care provider operations or patient care. These procedures, however, shall not limit the ability of a utilization review organization to efficiently conduct the necessary review on behalf of the patient's health benefit plan.

(e) Upon request, each utilization review organization shall perform the following:

(1) Verbally inform patients, designated health care provider facility personnel, and any other ordering provider of the utilization review requirements and the general type of criteria used by the review agent; and

(2) verbally inform patients, hospitals, physicians, and other health professionals of its operational review procedures. (Authorized by K.S.A. 40-103, 40-22a04, and 40-22a11; implementing K.S.A. 40-22a04 and 40-22a11; effective, T-40-4-26-95, April 26, 1995; effective June 12, 1995; amended June 22, 2001.)

40-4-41h. Utilization review organizations; subcontracting and delegation. (a) If a utilization review organization delegates or subcontracts any of its utilization review functions, the utilization review organization shall exercise oversight of the delegated or subcontracted functions to ensure that these functions are performed in accordance with this regulation. The utilization review organization shall meet the following criteria:

(1) Have a written contract with the subcontractor that requires the subcontractor to be in compliance with this regulation;

(2) periodically review the subcontractor's policies and procedures and quality improvement plan relevant to the subcontracted functions;

(3) monitor the subcontractor's performance and compliance with the subcontractor's stated policy and procedure and with applicable regulations;

(4) periodically review the subcontractor's adherence to its quality improvement plan; and

(5) monitor the effectiveness of communication and coordination of processes between the utilization review organization and the subcontractor.

(b) Any subcontracted entity shall be certified as a utilization review organization. (Authorized by K.S.A. 40-

(continued)

103 and K.S.A. 1999 Supp. 40-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04 and 40-22a11; effective June 22, 2001.)

40-4-41i. Utilization review organizations; program qualifications. (a) The utilization review organization shall utilize explicit clinical review criteria or scripts for scripted clinical screening that meet the following criteria:

(1) Are developed with involvement from appropriate, actively practicing physicians and other providers with current knowledge relevant to the criteria or scripts under review;

(2) are based on sound clinical principles and processes;

(3) are evaluated at least annually and are updated, if necessary; and

(4) if used in a review that leads to a noncertification decision for a specific case under review, are disclosed to the physician, provider, and patient upon request.

(b) The utilization review organization shall implement and document a structured professional staff review program that demonstrates a formal program of orientation and training for all clinical reviewers.

(c) The utilization review organization shall establish written clinical qualifications and a process for periodic performance evaluation for all clinical reviewers, both staff and consultant.

(d) The utilization review organization shall conduct a periodic formal program for training, as well as ongoing monitoring and evaluation of the performance of non-clinical administrative staff involved in all levels of the review process. (Authorized by K.S.A. 40-103, K.S.A. 1999 Supp. 40-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04, 40-22a06, 40-22a07, and 40-22a11; effective June 22, 2001.)

40-4-41j. Utilization review organizations; written procedures to maintain confidentiality. (a) The utilization review organization shall have written policies and procedures for assuring that patient-specific information obtained during the utilization management process meets the following criteria:

(1) Be limited to only that information necessary for utilization management of the services under review; and

(2) be shared with only those entities who have authority to receive this information.

(b) If provider-specific data is to be released to the public, the utilization management organization shall have policies and procedures for exercising due care in compiling and releasing this data. These policies and procedures shall address the following:

(1) How data are obtained using valid methodology and verified for accuracy;

(2) how the subjects of these disclosures are informed of the disclosures;

(3) how potential users of the information are informed about the uses and limitations of the data; and

(4) how the release of the data complies with applicable confidentiality laws and regulations. (Authorized by K.S.A. 40-103, K.S.A. 1999 Supp. 40-22a04 and 40-22a11; implementing K.S.A. 1999 Supp. 40-22a04, 40-22a06, 40-22a07, 40-22a09, and 40-22a11; effective June 22, 2001.)

Article 9.—ADVERTISING

40-9-100. Accident and sickness insurance; advertising. The national association of insurance commissioners' "advertisements of accident and sickness insurance model regulation," April 1999 edition, is hereby adopted by reference, subject to the following exceptions:

(a) Section 1 is not adopted.

(b) Section 13 C is not adopted by reference and is replaced with the following language: "An advertisement which is seen or heard in this state shall not directly or indirectly create the impression that the policy being advertised is approved for issuance in the state, unless that is the fact. If the policy is not approved for issuance in this state, that fact shall be disclosed in the advertisement by a statement reading, 'This policy is not available in Kansas.'"

(c) Section 16 A(2) is completed by the insertion of "6" in the space requiring specification of a number of months.

(d) Section 18 B is not adopted. (Authorized by K.S.A. 40-2404a; implementing K.S.A. 1999 Supp. 40-2404(1); effective May 1, 1982; amended May 1, 1987; amended June 22, 2001.)

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 026682

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 the following bill is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
Secretary of State

(Editor's Note: Sections of the following bill were vetoed by the Governor and sustained by the Legislature. The Governor's line-item veto message is printed immediately following the bill. A certificate from the Kansas Senate concerning an attempted override by the Legislature of several line-item vetoes is printed following the Governor's message.)

(Published in the Kansas Register June 7, 2001.)

HOUSE BILL No. 2283

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 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, 2001, June 30, 2002, and June 30, 2003, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements, and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) This act shall be known and may be cited as the omnibus appropriation act of 2001 and shall constitute the omnibus reconciliation spending limit bill for the 2001 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) On the effective date of this act, of the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 2(a) of 2001 House Bill No. 2056 from the state general fund in the legislative coordinating council—KPERs actuarial audit account, the sum of \$100,000 is hereby lapsed.

(b) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2002 for the legislature as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the legislative coordinating council for fiscal year 2002 for an interim study by a legislative study committee of expenditures made under the authority of K.S.A. 75-2319 and amendments thereto for school district capital improvements: *Provided*, That such study shall include a review of the appropriateness of state funding being utilized for school district facilities that have as their primary purpose the holding of athletic events: *Provided further*, That the legislative study committee shall report its findings, including any recommended statutory changes, to the legislature at the beginning of the 2002 regular session.

(c) (1) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from moneys appropriated from the state general fund or in any special revenue fund for the legislative coordinating council or for the legislature for fiscal year 2002, the legislative coordinating council is hereby authorized to review salaries and wages, annual leave, benefits and compensatory leave policies for employees of the legislative research department and the office of revisor of statutes, and to make bonus payments to employees of the legislative research department and employees of the office of revisor of statutes from available moneys appropriated for the legislative coordinating council for fiscal year 2002 in the legislative coordinating council—operations account of the state general fund, the legislative research department—operations account of the state general fund or the office of revisor of statutes—operations account of the state general fund or from available moneys appropriated for the legislature for fiscal year 2002 in the operations (including official hospitality) account of the state general fund or in the legislative special revenue fund: *Provided*, That the legislative coordinating council shall determine officers and employees to receive such bonus payments and shall determine the date or dates of payment and the amounts of any such bonus payments.

(2) No bonus payment paid pursuant to this subsection during fiscal year 2002 shall be compensation, within the meaning of K.S.A. 74-4901 et seq., and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each salary bonus payment paid under this section shall be a bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings which that employee may be entitled to or for which the employee may become eligible.

~~(d) (1) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or in the legislative special revenue fund for fiscal year 2002 by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or in the legislative special revenue fund for fiscal year 2002 for and for all purposes thereof:~~

~~(A) The SRS transition oversight committee which was established by K.S.A. 46-2701, which is composed of 12 members and which is hereby specifically continued in existence and shall be redesignated and known as the SRS oversight committee for fiscal year 2002, notwithstanding any provisions of K.S.A. 46-2701 to the contrary, in accordance with this subsection: *Provided*, That the terms of office of all members of the SRS oversight committee serving on June 30, 2001, are hereby continued in~~

~~members of the SRS oversight committee until June 30, 2002: *Provided further*, That for the period from June 30, 2001, through June 30, 2002, the vice-chairperson of the SRS transition oversight committee on June 30, 2001, shall on July 1, 2001, become chairperson of the SRS oversight committee, and the chairperson of the SRS transition oversight committee on June 30, 2001, shall on July 1, 2001, become vice-chairperson of the SRS oversight committee: *And provided further*, That the chairperson and vice-chairperson of the SRS oversight committee serving in such offices on July 1, 2001, shall continue in such offices until June 30, 2002: *And provided further*, That if a vacancy occurs in the office of any member of the SRS oversight committee, a successor shall be appointed in the same manner as the original appointment: *And provided further*, That the SRS oversight committee shall meet on call of the chairperson and all such meetings shall be held in Topeka unless authorized to be held in a different place by the legislative coordinating council: *And provided further*, That members of the SRS oversight committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212 and amendments thereto when attending meetings of such committee or any subcommittee meeting authorized by the SRS oversight committee: *And provided further*, That the SRS oversight committee shall have the following duties:~~

~~(i) The SRS oversight committee shall monitor the long-term care programs that were transferred from the secretary of social and rehabilitation services to the secretary of aging; the SRS oversight committee shall ensure that the transfer of the long-term care programs does not lead to a loss of services by consumers;~~

~~(ii) the SRS oversight committee shall monitor, review and make recommendations relating to privatization efforts at the state hospitals, the closure of hospital beds, the downsizing of staff, the funding of community services and the availability of adequate community services;~~

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

~~(iv) the SRS oversight committee shall monitor, review and make recommendations relating to federal social welfare reform laws and the regulations and policies implementing such laws and the activities of the department of social and rehabilitation services relating to such federal laws, regulations and policies and the operation of the home and community based services programs; and~~

~~(v) the SRS oversight committee shall prepare an interim report on findings and recommendations which shall be provided to the legislature on or before the first day of the regular session of the legislature in 2002, and~~

~~(B) the joint committee on health care oversight, which is hereby created to oversee the necessary changes in state laws and regulations made necessary by federal law and, to the fullest extent possible, implement health care reform specific to Kansas needs and which is referred to in this subsection (d)(1)(B) as "joint committee,": *And provided further*, That the joint committee shall be composed of 14 members of the legislature appointed as follows: Four members of the house of representatives appointed by the speaker of the house of representatives; three members of the house of representatives appointed by the minority leader of the house of representatives; four members of the senate appointed by the president of the senate; and three members of the senate appointed by the minority leader of the senate; the secretary of health and environment, the secretary of social and rehabilitation services, the director of the budget and the commissioner of insurance shall be advisors to the joint committee: *And provided further*, That a quorum of the joint committee shall be eight; all actions of the joint committee may be taken by a majority of those present when there is a quorum; on and after July 1, 2001, and until the first day of the 2002 legislative session, the chairperson of the joint committee shall be one of the representative members of the joint committee selected by the speaker and the vice-chairperson shall be one of the senate members of the joint committee selected by the president; thereafter, in even-numbered years the chairperson of the joint committee shall be the member of the senate selected by the president and the vice-chairperson of the joint committee shall be the member of the house selected by the speaker from the convening of the regular session of that year until the convening of the regular session of the next~~

(continued)

ensuing year, in odd numbered years, the chairperson of the joint committee shall be the member of the house of representatives selected by the speaker and the vice-chairperson of the joint committee shall be the member of the senate selected by the president from the convening of the regular session in that year until the convening of the regular session in the next ensuing year; the vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson: *And provided further*, That the joint committee shall be designated a standing joint committee of the legislature and shall have such powers and duties as provided in this subsection (d)(1)(B); funding of operations of the joint committee shall be made from moneys appropriated to the legislature and expenditures of the joint committee shall be approved by the legislative coordinating council; administrative support for the joint committee shall be provided by the division of legislative administrative services: *And provided further*, That the joint committee on health care oversight shall meet on call of the chairperson as authorized by the legislative coordinating council: *And provided further*, That all such meetings shall be held in Topeka unless authorized to be held in a different place by the legislative coordinating council; members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such joint committee authorized by the legislative coordinating council: *And provided further*, That the joint committee may introduce legislation: *And provided further*, That all officers and employees of the state shall provide such information and assistance as may be deemed necessary by the joint committee: *And provided further*, That staff assistance shall be provided to the joint committee by the office of the revisor of statutes, the legislative research department and such other legislative offices and employees as may be directed by the legislative coordinating council: *And provided further*, That the department of health and environment is hereby designated the contact agency for the state of Kansas with reference to federal health care reform measures: *And provided further*, That the department of health and environment shall not make any decision with reference to federal health care reform measures not otherwise authorized by the legislature or which would be inconsistent with existing law: *And provided further*, That the joint committee on health care oversight shall:

(i) Examine changes in federal laws affecting Kansas and propose such changes in Kansas laws and regulations as are necessary to meet the federal requirements;

(ii) cooperate and interact with agencies of the federal government responsible for health care reform;

(iii) consider all health care financing and delivery options now in effect taking into account the actions of other states and the federal government;

(iv) work cooperatively with all relevant state and federal agencies, health care providers, payors and consumer groups in the development of an integrated health plan for all Kansans;

(v) receive, analyze and make recommendations related to the state health care data base developed by the health care data governing board;

(vi) develop plans for health care cost containment;

(vii) study and make recommendations for legislative action to integrate health care financing and coverage with other states;

(viii) recommend legislative actions necessary to assure accessibility of services to residents of underserved areas;

(ix) provide recommendations if federal or state laws require inclusion of the medical care component of workers compensation and automobile insurance into all inclusive health care coverage;

(x) oversee the implementation and operation of the children's health insurance plans created under the provisions of K.S.A. 38-2001 *et seq.*, and amendments thereto, including the assessment of the performance based contracting's measurable outcomes as set forth in subsection (b)(4) of K.S.A. 38-2001, and amendments thereto, and other children's issues as the joint committee deems necessary; and

(xi) make recommendations on tort reform for medical liability and for state antitrust reform and federal antitrust modifications; and

(2) The chairperson of the SRS oversight committee, the chairperson of the joint committee on health care oversight and the chairperson of the joint committee children's issues shall meet prior to the commencement of 2001 legislative interim studies to ensure that no subject is studied by more than one of these legislative study committees and that the past experience of duplication or overlapping of study topics among the predecessor committees of these legislative study committees is not re-

peated during the 2001 interim between regular sessions of the legislature.

(e) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2002 for the legislature as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the legislative coordinating council for fiscal year 2002 for an interim study by the legislative budget committee, regarding raising the minimum pre-admission screening and annual resident review (PASARR) levels for persons receiving services provided in nursing facilities and under applicable waiver programs of the department of social and rehabilitation services or the department on aging: *Provided*, That the legislative budget committee shall report its findings and recommendations, including any recommended statutory changes, to the legislature at the beginning of the 2002 regular session.

Sec. 3. (a) On July 1, 2001, of the amount in each account of the state general fund of each state agency in the executive branch of state government that is appropriated for the fiscal year ending June 30, 2002, by 2000 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for payment of the expenses of official travel out-of-state, as certified by the director of the budget to the director of accounts and reports for fiscal year 2002, the amount equal to 25% of such certified amount is hereby lapsed from each such account: *Provided*, That the aggregate amount lapsed from such accounts of the state general fund for fiscal year 2002 by this subsection shall not exceed \$2,800,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

~~(b) On July 1, 2001, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for fiscal year 2002 for payment of longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto, the amount equal to the amount by which (1) the amount budgeted for fiscal year 2002 in each such account of the state general fund for longevity bonus payments, exceeds (2) the amount budgeted for fiscal year 2001 in each such account for longevity bonus payments as approved by the 2000 legislature for fiscal year 2001, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2002 by this subsection shall not exceed \$300,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.~~

(c) On July 1, 2001, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57, that is budgeted for payment for KANS-A-N telecommunications services provided by the division of information systems and communications and that is in excess of the amount required for such purpose after the reductions in the rates charged such state agencies for calling cards and for regular long-distance telecommunications services, which reductions are hereby authorized and directed to be adopted on or before July 1, 2001, for such services for fiscal year 2002, including adjustments for applicable administrative surcharges and long-distance telecommunications usage estimates, as determined and certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount of all such amounts lapsed from such accounts of the state general fund for fiscal year 2002 shall be not less than \$925,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 4.

ATTORNEY GENERAL

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

Interstate water rights regarding the Republican river and its tributaries account

For the fiscal year ending June 30, 2002..... \$300,000

(b) On July 1, 2001, of the \$3,993,100 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 106(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$160,954 is hereby lapsed.

(c) On July 1, 2001, of the \$1,115,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 106(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures relating to interstate water rights regarding the Republican river and its tributaries account, the sum of \$500,000 is hereby lapsed.

(d) During the fiscal year ending June 30, 2002, notwithstanding the provisions of K.S.A. 82a-1901, and amendments thereto, all amounts recovered by the state of Kansas from a settlement, judgment or decree on or before June 30, 2002, in the litigation brought by the state of Kansas against the state of Colorado arising under the Arkansas river compact shall be deposited in the state treasury and credited to the state general fund.

Sec. 5.

SECRETARY OF STATE

(a) On July 1, 2001, of the \$1,802,863 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 107(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$7,030 is hereby lapsed.

Sec. 6.

STATE TREASURER

(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:

Redevelopment bond fund

For the fiscal year ending June 30, 2001..... No limit

For the fiscal year ending June 30, 2002..... No limit

Kansas postsecondary education savings expense fund

For the fiscal year ending June 30, 2002..... No limit

Provided, That all moneys received by the above agency from Kansas postsecondary education savings program manager shall be credited to the Kansas postsecondary education savings expense fund.

(b) On July 1, 2001, of the \$1,023,563 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 108(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$25,000 is hereby lapsed.

Sec. 7.

INSURANCE DEPARTMENT

(a) On June 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the insurance department service regulation fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the insurance department service regulation fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the insurance department service regulation fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the insurance department service regulation fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the insurance department service regulation fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the insurance department service regulation fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 8.

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, 2001..... \$300,000

(b) On July 1, 2001, of the \$79,623,104 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 113(a) of 2001 Senate Bill No. 57 from the state general fund in the judiciary operations account, the sum of \$572,000 is hereby lapsed.

(c) In addition to the other purposes for which expenditures may be made by the judicial branch from the moneys appropriated in the judicial branch education fund for fiscal year 2001 or fiscal year 2002 as authorized chapter 130 or chapter 183 of the 200 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the judicial branch from the moneys appropriated in the judicial branch education fund for fiscal year 2001 or fiscal year 2002, to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system as provided by law, including official hospitality: Provided, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: Provided further, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: And provided further, That all fees received for such services and programs, including official hospitality, shall be credited to the judicial branch education fund: And provided further, That expenditures may be made from the judicial branch education fund for providing such services and programs regardless of when such services and programs were provided by the judicial branch.

Sec. 9.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) Notwithstanding the provisions of K.S.A. 74-4927 and 74-4927f and amendments thereto, no participating employer under the Kansas public employees retirement system shall pay any amount to the system for the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto for the period from July 1, 2001, through December 31, 2001.

(b) On the effective date of this act, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 and that is budgeted for payment of the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto, as certified by the director of the budget to the director of accounts and reports, for the period from July 1, 2001, through December 31, 2001, is hereby lapsed.

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

Annual payment for KSRS actuarial liability per SB 322

For the fiscal year ending June 30, 2002..... \$32,000

(d) On July 1, 2001, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for payment of the cost of the plan of death and long-term disability benefits under K.S.A. 74-4927 and amendments thereto, as certified by the director of the budget to the director of accounts and reports, for the period from July 1, 2001, through December 31, 2001, from such special revenue fund, or account thereof, to the special 2003 death and disability plan employer contributions fund: Provided, That the aggregate amount transferred from all such special revenue funds and accounts to the special 2003 death and disability plan employer contributions fund during fiscal year 2002 pursuant to this subsection shall not exceed \$1,600,000: Provided further, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(continued)

(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:

Special 2003 death and disability plan employer contributions fund	
For the fiscal year ending June 30, 2002.....	\$0
For the fiscal year ending June 30, 2003.....	\$0

Sec. 10.

GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, of the \$1,325 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 18(a) of chapter 183 of the 2000 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$414 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 18(b) of chapter 183 of the 2000 Session Laws of Kansas on the governmental ethics commission fee fund is hereby increased from \$148,192 to \$148,606.

(c) On July 1, 2001, of the \$428,409 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 98(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$19,129 is hereby lapsed.

(d) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 98(b) of 2001 Senate Bill No. 57 on the governmental ethics commission fee fund is hereby increased from \$143,457 to \$162,586.

Sec. 11.

KANSAS HUMAN RIGHTS COMMISSION

(a) On July 1, 2001, of the \$1,471,235 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 115(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$15,595 is hereby lapsed.

Sec. 12.

STATE CORPORATION COMMISSION

(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:

Well plugging assurance fund	
For the fiscal year ending June 30, 2002.....	No limit
Natural gas underground storage fee fund	
For the fiscal year ending June 30, 2002.....	No limit

Provided, That expenditures for fiscal year 2002 from the natural gas underground storage fee fund for administration shall not exceed \$300,000.

Enhanced wireless 911 fund	
For the fiscal year ending June 30, 2002.....	No limit

(b) In addition to the other purposes for which expenditures may be made by the state corporation commission from the conservation fee fund for fiscal year 2002 as authorized by section 116(a) of 2001 Senate Bill No. 57, expenditures may be made by the above agency from the conservation fee fund for fiscal year 2002 for any purpose for which expenditures may be made from the natural gas underground storage fee fund: Provided, That expenditures for such purpose from the conservation fee fund for fiscal year 2002 shall be reimbursed from the natural gas underground storage fee fund to the conservation fee fund by revenue transfers as provided in this section prior to July 1, 2003: Provided further, That all such expenditures from the conservation fee fund for any such purpose shall be in addition to any expenditure limitation imposed on the conservation fee fund for fiscal year 2002.

(c) During the fiscal year ending June 30, 2002, the state corporation commission shall certify one or more amounts to the director of accounts and reports to reimburse the conservation fee fund for expenditures during fiscal year 2002 and fiscal year 2003 for any purpose for which expenditures may be made from the natural gas underground storage fee fund. Upon receipt of each certification or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer the amount certified from the natural gas underground storage fee fund to the conservation fee fund.

Sec. 13.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, any unencumbered balance in each of the following accounts in the state general fund is hereby lapsed: Statehouse committee room planning, remodel and relocation.

(b) On July 1, 2001, of the \$637,476 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57 from the state general fund in the Signature building relocation costs account, the sum of \$70,339 is hereby lapsed.

(c) During the fiscal year ending June 30, 2002, no moneys appropriated for the department of administration for the fiscal year ending June 30, 2002, from the state general fund or any special revenue fund by this or other appropriation act of the 2001 regular session of the legislature shall be expended by the department of administration for operations of the Kansas performance review board.

(d) On July 1, 2001, the limitation on the rate of the additional fee that the director of architectural services is authorized to charge and collect for services provided to other state agencies for which the division of architectural services provides in-house architectural and engineering design services for capital improvement projects for fiscal year 2002, as established by clause (2) of the fourth proviso to the appropriation of the moneys in the architectural services recovery fund in section 118(b) of 2001 Senate Bill No. 57, is hereby increased from 6% of the construction cost of each capital improvement project to 8% of the construction cost of each capital improvement project.

(e) On July 1, 2001, the director of accounts and reports shall transfer \$50,000 from the construction defects recovery fund of the department of administration to the architectural services recovery fund of the department of administration.

(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 fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002, for a study to review the potential costs savings related to use of private sector printing service providers in lieu of the state printer for all or portions of the printing services required by one or more state agencies selected by the secretary of administration for this study: Provided, That the secretary of administration shall present the findings of this study to the legislative coordinating council, the legislative post audit committee, the committee on appropriations of the house of representatives, and the committee on ways and means of the senate at the beginning of the 2002 regular session of the legislature.

(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 for fiscal year 2001 or for fiscal year 2002 as authorized by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 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 fiscal year 2001 or fiscal year 2002 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for capital improvement projects for Landon state office building relating to capitol complex consolidation, Brigham building at state complex—west for a staff development and training center for the department of social and rehabilitation services, Woodward building at state complex—west for housing for the Kansas services for the blind of the department of social and rehabilitation services, Forbes building #740 for laboratory facilities remodeling for the department of health and environment, and the capitol complex steam system for upgrades: Provided, That such capital improvement projects are hereby approved for the department of administration 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 department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects, in addition to any other appropriations available therefor: Provided, however, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement projects and for administrative costs, including design and planning, moving expenses, lost rents,

first-year rent differentials and other expenses associated with such capital improvements shall not exceed \$8,950,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement projects during the construction of such capital improvement projects 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 projects shall be financed by appropriations from the state buildings operating fund or from any other fund or funds as provided by the provisions of appropriation acts: *And provided further*, That the secretary of administration shall present to the joint committee on state building construction (1) reports detailing the proposed program and scope of each of such capital improvement projects, (2) reports on the progress and planning for capitol complex consolidation, including associated relocating of state agencies, (3) reports on all administrative costs, including design and planning, moving expenses, lost rents, first-year rent differentials and other expenses associated with such capital improvements, and (4) regular progress reports on each phase of each of such capital improvement projects.

(h) On July 1, 2001, the director of accounts and reports shall transfer \$250,000 from the state workers compensation self insurance fund of the department of administration to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state workers compensation self insurance fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state workers compensation self insurance fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(i) On the effective date of this act, of the \$2,494,994 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 84(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the energy conservation improvement—debt service account, the sum of \$22,710 is hereby lapsed.

~~(j) On July 1, 2001, of the aggregate amount of \$21,420,685 appropriated for the department of administration by section 118(a) of 2001 Senate Bill No. 57 from the state general fund for the fiscal year ending June 30, 2002, in all accounts of the state general fund of the department of administration, the aggregate sum of \$1,300,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of administration to the director of accounts and reports on or before June 30, 2001: *Provided, however*, That the aggregate of all such amounts so certified in such accounts of the state general fund shall not be less than \$1,300,000: *Provided further*, That the secretary of administration shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That the secretary of administration shall not certify any amount appropriated by this or any other appropriation act of the 2001 legislature for operations of the Kansas public broadcasting council or in the public broadcasting council grants account or the public TV digital conversion debt service account: *And provided further*, That, if the secretary of administration fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the secretary of administration to the director of accounts and reports is not equal to or more than \$1,300,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of administration and to the director of the legislative research department.~~

(k) On the effective date of this act, of the \$278,103 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 84(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general

fund in the performance review board account, the sum of \$68,249 is hereby lapsed.

(l) 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 fiscal year 2002 as authorized by this or other appropriation act of the 2001 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 fiscal year 2002 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 finance a capital improvement project for a capitol complex parking garage: *Provided*, That such capital improvement project is hereby approved for the department of administration 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 department of administration 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 \$15,000,000, 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 bonds shall be issued by the Kansas development finance authority for such capital improvement project except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session.

Sec. 14.

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, 2002..... \$3,277,632

(b) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the department of revenue is hereby increased from 1,162.0 to 1,196.0.

(c) In addition to the other purposes for which expenditures may be made by the department of revenue from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of revenue from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002, for additional operating expenditures for not less than 76 state officers and employees and contract personnel for the purposes of collecting taxes, interest, and penalties owed to the state under a program of enhanced revenue collection through increased compliance activities, which program is hereby authorized and directed to be implemented (1) as described on pages 6 and 7 of the governor's budget amendment dated April 18, 2001, under item 10 entitled "Increase Compliance Activities" that is intended to collect an additional \$40,000,000 in annual compliance revenues using 68 collections agents, including 12 contract employees, 29 vacant state staff positions to be reassigned and 27 new state staff positions to be created and filled, and (2) including an additional seven new state staff positions for a total of 75 state officers and employees and contract personnel to be dedicated for this program so that the estimate of additional annual compliance revenues is increased to an aggregate of \$48,750,000 during the fiscal year ending June 30, 2002: *Provided*, That the secretary of revenue shall report in writing on or before January 7, 2002, to the chairperson of the senate ways and means committee, the chairperson of the house appropriations committee, the director of the budget and the

rector of the legislative research department, to document in detail, including categories of taxes collected, the progress of the enhanced collections produced as a result of the program of enhanced revenue collection through increased compliance activities described by this subsection.

(d) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the division of vehicles operating fund to the state general fund.

(e) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the VIPS/CAMA technology hardware fund to the state general fund.

(f) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,117,263 from the electronic databases fee fund to the state general fund.

(g) On July 1, 2001, the director of accounts and reports shall transfer \$50,000 from the central stores fund to the state general fund.

(h) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$208,555 from the cigarette and tobacco products regulation fund to the state general fund.

(i) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 120(b) of 2001 Senate Bill No. 57 on the division of vehicles operating fund is hereby increased from \$31,229,721 to \$31,729,721.

(j) On July 1, 2001, the director of accounts and reports shall transfer \$1,000,000 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue.

~~(k) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 120(b) of 2001 Senate Bill No. 57 on the electronic databases fee fund is hereby decreased from \$4,655,772 to \$2,538,509.~~

Sec. 15.

KANSAS LOTTERY

(a) On July 1, 2001, the provisions of section 121(b) of 2001 Senate Bill No. 57 are hereby declared to be null and void and shall have no force and effect.

Sec. 16.

DEPARTMENT OF COMMERCE AND HOUSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 25(c) of chapter 130 of the 2000 Session Laws of Kansas on the motion picture and television sales tax reimbursement subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$75,000 to \$23,800.

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

Operations (including official hospitality)
For the fiscal year ending June 30, 2002..... \$8,459,757

Provided, That expenditures may be made from the operations (including official hospitality) account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program.

Kansas industrial training program and Kansas industrial retraining program

For the fiscal year ending June 30, 2002..... \$3,600,000

Grants to small business development centers

For the fiscal year ending June 30, 2002..... \$485,000

Grants to certified development companies

For the fiscal year ending June 30, 2002..... \$400,000

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

Trade show promotion grants

For the fiscal year ending June 30, 2002..... \$150,000

Community capacity building grant program	
For the fiscal year ending June 30, 2002.....	\$197,000
Main street development grants	
For the fiscal year ending June 30, 2002.....	\$216,800
Tourism promotion grants	
For the fiscal year ending June 30, 2002.....	\$1,052,100
Training equipment grants	
For the fiscal year ending June 30, 2002.....	\$277,500
Agriculture products development	
For the fiscal year ending June 30, 2002.....	\$540,000

Provided, That expenditures may be made from the agriculture products development account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce and housing in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program.

Motion picture and television sales tax reimbursements
For the fiscal year ending June 30, 2002..... \$75,000

Provided, That all expenditures from the motion picture and television production sales tax reimbursements account shall be made to reimburse sales and use taxes paid on sales of tangible personal property purchases by or on behalf of a motion picture or television production company to be used or consumed in association with an eligible production in accordance with administrative policies and procedures adopted by the secretary of commerce and housing, including any necessary forms: *Provided, however,* That all reimbursements from this account shall be based on valid receipts for taxes paid for taxable transactions occurring on or after July 1, 2001: *Provided further,* That, as used in this proviso, eligible production includes feature-length motion pictures intended for theatrical release or for exhibition on national television by a network or through national syndication, television projects for broadcast on a network or through national syndication, direct video and compact disc projects and television commercials.

HOME program
For the fiscal year ending June 30, 2002..... \$530,000

(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:

Kansas economic opportunity initiatives fund
For the fiscal year ending June 30, 2002..... No limit

Kansas existing industry expansion fund
For the fiscal year ending June 30, 2002..... No limit

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

(d) On August 15, 2001, and December 15, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,750,000 from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce and housing.

~~(e) 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, 2002..... \$50,000~~

~~Provided, That expenditures from the state operations account in fiscal year 2002 shall be made for a grant to the mid-America world trade center in the amount of \$50,000.~~

(f) On August 15, 2001, and December 15, 2001, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state economic development initiatives fund to the Kansas existing industry expansion fund of the department of commerce and housing.

Sec. 17.

KANSAS, INC.

(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 (including official hospitality)
For the fiscal year ending June 30, 2002..... \$343,267

(b) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the EDIF fund of Kansas, Inc., to the state economic development initiatives fund. On July 1, 2001, all liabilities of the EDIF fund of Kansas, Inc., including any outstanding encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the EDIF fund of Kansas, Inc., is hereby abolished.

Sec. 18.

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 (including official hospitality)
For the fiscal year ending June 30, 2002..... \$2,240,745
Assistance and grants
For the fiscal year ending June 30, 2002..... \$10,702,398

Provided, That expenditures may be made by the above agency from the assistance and grants account of the state economic development initiatives fund for fiscal year 2002 for (1) research matching grants, (2) business innovative research grants, (3) state small business innovation research (SSBIR), (4) centers of excellence, (5) experimental program to stimulate competitive research (EPSCoR), (6) special projects, (7) commercialization grants, and (8) Mid-America manufacturing technology center (MAMTC).

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2002, to the operations (including official hospitality) account, the amount equal to the unencumbered balance as of June 30, 2001, in the operations (including official hospitality) subaccount of the Kansas economic development endowment account of the state economic development initiatives fund: Provided, That such amount appropriated to the operations (including official hospitality) account of the state economic development initiatives fund shall not exceed \$3,744 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(c) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the economic development research and development fund to the state economic development initiatives fund. On July 1, 2001, all liabilities of the economic development research and development fund of Kansas technology enterprise corporation, including any encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the economic development research and development fund of Kansas technology enterprise corporation, is hereby abolished.

Sec. 19.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 84(a) of 2001 Senate Bill No. 57 on the healing arts fee fund is hereby increased from \$1,954,895 to \$1,978,604.

(b) In addition to the other purposes for which expenditures may be made by the state board of healing arts from the moneys appropriated from the healing arts fee fund for fiscal year 2002 and for fiscal year 2003 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made and the state board of healing arts is hereby authorized and directed, notwithstanding the provisions of K.S.A. 65-2895 and amendments thereto, to the contrary, to renew all institutional licenses which expire during fiscal year 2002 and fiscal year 2003 and are valid as of May 1, 2001, for an additional two years if the holders thereof remain eligible for a valid institutional license and submit the biennial renewal fees and evidence of satisfactory completion of a program of continuing education established by rules and regulations adopted by the board.

Sec. 20.

STATE BANK COMMISSIONER

(a) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 81(a) of 2001 Senate Bill No. 57 on the bank commissioner fee fund is hereby increased from \$5,284,716 to \$5,309,201.

(b) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 81(a) of 2001 Senate Bill No. 57 on the bank commissioner fee fund is hereby increased from \$5,499,938 to \$5,524,886.

~~Sec. 21.~~

~~BEHAVIORAL SCIENCES REGULATORY BOARD~~

~~(a) On July 1, 2001, the director of accounts and reports shall transfer \$100,000 from the behavioral sciences regulatory board fee fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the behavioral sciences regulatory board fee fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the behavioral sciences regulatory board fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.~~

Sec. 22.

BOARD OF NURSING

(a) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the board of nursing fee fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the board of nursing fee fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the board of nursing fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 23.

STATE BOARD OF PHARMACY

(a) On July 1, 2001, the director of accounts and reports shall transfer \$250,000 from the state board of pharmacy fee fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the state board of pharmacy fee fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the state board of pharmacy fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 24.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(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:

Investor education fund
For the fiscal year ending June 30, 2002..... No limit
For the fiscal year ending June 30, 2003..... No limit

(b) On July 1, 2001, the director of accounts and reports shall transfer \$100,000 from the securities enforcement restitution fund of the office of the securities commissioner to the investor education fund created by 2001 House Bill No. 2563.

(c) On July 1, 2001, the director of accounts and reports shall transfer \$50,000 from the securities enforcement restitution fund of the office of the securities commissioner to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from

(continued)

the securities enforcement restitution fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the securities enforcement restitution fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 25.

DEPARTMENT OF HUMAN RESOURCES

(a) On July 1, 2001, the director of accounts and reports shall transfer \$500,000 from the worker's compensation fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the workers compensation fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the workers compensation fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 26.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 27(b) of 2001 Senate Bill No. 57 on the soldiers' home fee fund is hereby increased from \$3,544,000 to No limit.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2001, by section 30(b) of chapter 130 of the 2000 Session Laws of Kansas on the soldiers' home outpatient clinic fund is hereby increased from \$472,899 to No limit.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2001, by section 27(c) of 2001 Senate Bill No. 57 for the Kansas commission on veterans affairs is hereby increased from 457.8 to 463.8.

Sec. 27.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the department of health and environment is hereby increased from 854.0 to 1,001.0.

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Healthy start	
For the fiscal year ending June 30, 2002.....	\$250,000
For the fiscal year ending June 30, 2003.....	\$250,000
Infants and toddlers program	
For the fiscal year ending June 30, 2002.....	\$500,000
For the fiscal year ending June 30, 2003.....	\$550,000
Smoking prevention	
For the fiscal year ending June 30, 2002.....	\$500,000
For the fiscal year ending June 30, 2003.....	\$755,000

(c) On the effective date of this act, of the \$400,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 28(a) of 2001 Senate Bill No. 57 from the state general fund in the AIDS medications account, the sum of \$50,000 is hereby lapsed.

(d) On July 1, 2001, of the \$20,669,768 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 128(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$320,849 is hereby lapsed.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the health and environment training fee fund for fiscal year 2002, expenditures may be made by the department of health and environment from the health and environment training fee fund for fiscal year 2002 for agency operations.

(f) During the fiscal years ending June 30, 2001, and June 30, 2002, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment to the sponsored project overhead fund of the department of

health and environment pursuant to section 128(j) of 2001 Senate Bill No. 57 may include amounts equal to up to 20% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(g) On July 1, 2001, the director of accounts and reports shall transfer \$195,000 from the waste tire management fund of the department of health and environment to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the waste tire management fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the waste tire management fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(h) On July 1, 2001, the director of accounts and reports shall transfer \$200,000 from the trauma fund of the department of health and environment to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the trauma fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the trauma fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(i) On July 1, 2001, the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 128(a) of 2001 Senate Bill No. 57 from the state general fund in the pregnancy maintenance initiative account, is hereby lapsed.

(j) 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:

Renal disease fund	
For the fiscal year ending June 30, 2002.....	No limit
Salt solution mining plugging fund	
For the fiscal year ending June 30, 2002.....	No limit

~~(k) On July 1, 2001, of the aggregate amount of \$4,136,841 appropriated for the department of health and environment for the fiscal year ending June 30, 2002, in all accounts of the state water plan fund of the department of health and environment, the aggregate sum of \$200,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the department of health and environment for the fiscal year ending June 30, 2002, by section 128(c) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of health and environment to the director of accounts and reports on or before June 30, 2001: *Provided, however*, That the aggregate of all such amounts so certified in such accounts of the state water plan fund shall not be less than \$200,000: *Provided further*, That the secretary of health and environment shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That, if the secretary of health and environment fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the secretary of health and environment to the director of accounts and reports is not equal to or more than \$200,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the department of health and environment for the fiscal year ending June 30, 2002, by section 128(c) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of health and environment and to the director of the legislative research department.~~

(l) In addition to the other purposes for which expenditures may be made by the department of health and environment from moneys appropriated from the food inspection fee fund for fiscal year 2002, expenditures may be made by the department of health and environment for food inspection program activities involving grocery stores and food processing plants.

(m) On or before June 30, 2003, as moneys are available, the director of accounts and reports shall transfer \$291,249 from the salt solution mining plugging fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the salt solution mining plugging fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the salt solution mining plugging fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(n) In addition to the other purposes for which expenditures may be made by the department of health and environment from the moneys appropriated from the state general fund for fiscal year 2002 in the operating expenditures (including official hospitality) account as authorized by section 128(a) of 2001 Senate bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of health and environment from the operating expenditures (including official hospitality) account for fiscal year 2002 for a grant for the SIDS network in the amount of \$25,000.

Sec. 28.

DEPARTMENT ON AGING

(a) (1) On July 1, 2001, of the \$4,482,645 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 129(a) of 2001 Senate Bill No. 57 from the state general fund in the administration account, the sum of \$15,000 is hereby lapsed.

(2) Notwithstanding the provisions of the eighth proviso to the administration account of the state general fund in section 129(a) of 2001 Senate Bill No. 57, no moneys shall be expended or provided by the above agency from the administration account of the state general fund for the senior legal hotline for the fiscal year ending June 30, 2002.

(b) On July 1, 2001, of the \$10,461,539 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 129(a) of 2001 Senate Bill No. 57 from the state general fund in the program grants account, the sum of \$81,718 is hereby lapsed.

(c) On July 1, 2001, of the \$134,903,477 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 129(a) of 2001 Senate Bill No. 57 from the state general fund in the long term care account, the sum of \$9,083,010 is hereby lapsed.

(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:

Aging—IGT fund

For the fiscal year ending June 30, 2001.....	\$0
For the fiscal year ending June 30, 2002.....	\$7,000,000

Provided, That all expenditures from the aging—IGT fund for fiscal year 2002 shall be for the HCBS/FE waiver program: *Provided, however*, That expenditures from the aging—IGT fund for fiscal year 2002 for the HCBS/FE waiver program shall not exceed \$7,000,000.

(e) In addition to the other purposes for which expenditures may be made by the department on aging from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2001 and fiscal year 2002 as authorized by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department on aging for fiscal year 2001 and fiscal year 2002 to begin the process of promoting short-term service under the state medicaid plan for the purpose of reducing reliance on permanent or lifetime dependence on medicaid services wherever possible.

Sec. 29.

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:

Cash assistance

For the fiscal year ending June 30, 2001.....	\$200,000
For the fiscal year ending June 30, 2002.....	\$200,000

Other medical assistance

For the fiscal year ending June 30, 2001.....	\$5,254,316
For the fiscal year ending June 30, 2002.....	\$2,041,513

Youth services aid and assistance

For the fiscal year ending June 30, 2002.....	\$5,450,796
Kansas neurological institute—operating expenditures	
For the fiscal year ending June 30, 2001.....	\$1,600
For the fiscal year ending June 30, 2002.....	\$660
Parsons state hospital and training center—operating expenditures	
For the fiscal year ending June 30, 2001.....	\$1,505
For the fiscal year ending June 30, 2002.....	\$2,257
Larned state hospital—operating expenditures	
For the fiscal year ending June 30, 2001.....	\$2,853
For the fiscal year ending June 30, 2002.....	\$136,871
Osawatomie state hospital—operating expenditures	
For the fiscal year ending June 30, 2002.....	\$44,297

~~(b) On July 1, 2001, of the \$9,364,164 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 130(a) of 2001 Senate Bill No. 57 from the state general fund in the children's health insurance account, the sum of \$250,000 is hereby lapsed.~~

(c) On July 1, 2001, of the \$36,834,437 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 130(a) of 2001 Senate Bill No. 57 from the state general fund in the community based services account, the sum of \$15,000,000 is hereby lapsed.

(d) On July 1, 2001, of the \$126,208,957 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 130(a) of 2001 Senate Bill No. 57 from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$28,000,000 is hereby lapsed.

(e) On the effective date of this act, of the \$16,536,630 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 30(a) of 2001 Senate Bill No. 57 from the state general fund in the youth services aid and assistance account, the sum of \$682,579 is hereby lapsed.

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Children's mental health waiver

For the fiscal year ending June 30, 2002.....	\$1,800,000
Family centered system of care	
For the fiscal year ending June 30, 2002.....	\$5,000,000
Therapeutic preschool	
For the fiscal year ending June 30, 2002.....	\$1,000,000
Child care	
For the fiscal year ending June 30, 2002.....	\$1,400,000
Community services for child welfare	
For the fiscal year ending June 30, 2002.....	\$2,600,000
HealthWave	
For the fiscal year ending June 30, 2002.....	\$1,000,000
Children's cabinet early childhood discretionary grant program	
For the fiscal year ending June 30, 2002.....	\$3,000,000
Children's cabinet accountability fund	
For the fiscal year ending June 30, 2002.....	\$550,000

Provided, That, in addition to the other purposes for which expenditures may be made from the children's cabinet accountability fund account for fiscal year 2002, expenditures shall be made from the children's cabinet accountability fund account, to require (1) all programs receiving moneys from the children's initiatives fund to identify outcomes associated with Connect Kansas and to demonstrate through measurable data the effectiveness of such programs towards achieving outcomes, (2) all such programs to participate in accountability and evaluation processes with the children's cabinet based upon outcomes and measurable data, (3) all such programs that are compatible with the SmartStart Kansas framework or that affect children from birth to age five to coordinate efforts with the children's cabinet: *Provided further*, That all grants utilizing moneys from the children's initiatives fund which are made available to communities should reflect a comprehensive planning process and must demonstrate the grant's relationship to appropriate Connect Kansas and SmartStart Kansas outcomes: *And provided further*, That similar grant processes shall be coordinated through the children's cabinet for programs funded with moneys from the children's initiatives fund.

Medicaid

For the fiscal year ending June 30, 2002.....	\$3,000,000
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(g) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the department of social and rehabilitation services is hereby increased from 3,878.5 to 3,986.1.

(continued)

(h) 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:

SRS—IGT fund

For the fiscal year ending June 30, 2001.....	\$0
For the fiscal year ending June 30, 2002.....	\$44,000,000

Provided, That all expenditures from the SRS—IGT fund for fiscal year 2002 shall be for the HCBS/PD waiver program or for the HCBS/DD waiver program: *Provided, however*, That expenditures from the SRS—IGT fund for fiscal year 2002 for the HCBS/PD waiver program shall not exceed \$15,000,000: *Provided further*, That expenditures from the SRS—IGT fund for fiscal year 2002 for the HCBS/DD waiver program shall not exceed \$28,000,000: *And provided further*, That expenditures from the SRS—IGT fund for fiscal year 2002 for the HCBS/HH waiver program shall not exceed \$1,000,000.

(i) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the Kansas neurological institute is hereby increased from 655.5 to 658.5.

(j) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the Larned state hospital is hereby increased from 744.8 to 747.8.

(k) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the Parsons state hospital and training center is hereby increased from 513.0 to 515.4.

(l) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2001 and fiscal year 2002 as authorized by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services for fiscal year 2001 and fiscal year 2002 to undertake the process of meeting with assistance recipients, service providers and relatives and other interested parties regarding physically disabled waiver services provided by the department of social and rehabilitation services to develop a permanency planning process with the purpose of enabling persons to become independent from such services and to no longer need to receive such services from the department of social and rehabilitation services under the community based services program.

(m) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2001 and fiscal year 2002 as authorized by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services for fiscal year 2001 and fiscal year 2002 to begin the process of promoting short-term service under the state medicaid plan for the purpose of reducing reliance on permanent or lifetime dependence on medicaid services wherever possible.

(n) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue funds for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services for fiscal year 2002 to provide for the secretary of social and rehabilitation services to continue meeting with the directors of nursing facilities for mental health (NF/MH facilities) and the directors of community mental health centers and to develop a plan for reducing the reliance of the state on NF/MH facilities and to determine the number of individuals currently in care who are candidates for community based services: *And provided further*, That the secretary of social and rehabilitation services shall not transfer any client from a facility bed prior to the plan being reviewed by the legislature during the 2002 regular session, unless such action is required to comply with the decision of the United States supreme court in *Olmstead v. L. C.*, 527 U.S. 581 (1999), prior to the plan being reviewed by the legislature during the regular session in 2002: *And provided further*, That the secretary of social and rehabilitation services shall report to the SRS

oversight committee on the total number of NF/MH facility beds in Kansas NF/MH facilities as of May 1, 2001, and as of the first day of each month thereafter during the interim period prior to the 2002 regular session of the legislature: *And provided further*, That, on July 1, 2001, the provisions of the third and fourth provisos to the appropriation of the moneys in the mental health and retardation services aid and assistance account of the state general fund in section 130(a) of 2001 Senate Bill No. 57 are hereby declared to be null and void and shall have no force and effect.

Sec. 30.

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:

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

For the fiscal year ending June 30, 2002.....	\$219,152
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(b) On July 1, 2001, of the \$105,154,561 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 132(a) of 2001 Senate Bill No. 57 from the state general fund in the KPERS—employer contributions account, the sum of \$7,043,104 is hereby lapsed.

(c) There is appropriated from the children's initiatives fund for the fiscal year or years specified, the following:

Grant to the Kansas optometric association for vision study

For the fiscal year ending June 30, 2002.....	\$300,000
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~~For the fiscal year ending June 30, 2003..... \$100,000~~

Parent education program

For the fiscal year ending June 30, 2002.....	\$2,500,000
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~~For the fiscal year ending June 30, 2003..... \$2,500,000~~

Provided, That all expenditures from the parent education program account shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

General state aid four-year-old at-risk

For the fiscal year ending June 30, 2002.....	\$4,500,000
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Provided, That, prior to providing a child with intervention during fiscal year 2002, a school district shall encourage parents of pupils at risk to obtain an eye examination by an optometrist or an ophthalmologist to determine if such child suffers from conditions which impair the ability to read: *Provided, however*, That the expense for such examination, if not reimbursed through medicaid, healthwave, private insurance or other governmental or private program, shall be the responsibility of the child's parent.

~~For the fiscal year ending June 30, 2003..... \$8,500,000~~

Provided, That, prior to providing a child with intervention during fiscal year 2003, a school district shall encourage parents of pupils at risk to obtain an eye examination by an optometrist or an ophthalmologist to determine if such child suffers from conditions which impair the ability to read: *Provided, however*, That the expense for such examination, if not reimbursed through medicaid, healthwave, private insurance or other governmental or private program, shall be the responsibility of the child's parent.

School violence prevention

For the fiscal year ending June 30, 2002.....	\$500,000
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~~For the fiscal year ending June 30, 2003..... \$500,000~~

(d) On July 1, 2001, the \$345,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 132(a) of 2001 Senate Bill No. 57 from the state general fund in the technology infrastructure account, is hereby lapsed.

(e) On July 1, 2001, the \$110,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 132(a) of 2001 Senate Bill No. 57 from the state general fund in the grant to the Kansas optometric association for vision study account, is hereby lapsed.

~~(f) On July 1, 2001, the \$155,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 132(a) of 2001 Senate Bill No. 57 from the state general fund in the grant to Emporia state university account, is hereby lapsed.~~

~~(g) In addition to the other purposes for which expenditures may be made by the department of education from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2002 for the department of education as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures may be made by the department of education for fiscal year 2002 for the prop-~~

ation of a report or reports to the legislative educational planning committee on progress being made to develop a school readiness indicator for kindergarten entry. Provided, That in addition, in consultation with the department of education, the legislative educational planning committee in fiscal year 2002 shall develop a goal for the percentage of students who enter kindergarten meeting the school readiness indicator, and develop another goal for the percentage of students who do not need remediation based on the 4th and 5th grade assessment results.

(h) No expenditures shall be made by the department of education from the state general fund general state aid account to any school district that, by October 1, has not published in a newspaper of general circulation in the county, at the time that its budget is published, a listing of all revenue sources for the school year 2001-2002 school district budget, the amount of cash balances in each fund, and estimated interest earnings.

Sec. 31.

STATE LIBRARY

(a) On July 1, 2001, of the \$3,917,390 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 133(a) of 2001 Senate Bill No. 57 from the state general fund in the grants to libraries and library systems account, the sum of \$181,000 is hereby lapsed.

Sec. 32.

KANSAS ARTS COMMISSION

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

Arts programming grants and challenge grants
For the fiscal year ending June 30, 2001..... \$16,615

Sec. 33.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On July 1, 2001, the director of accounts and reports shall transfer all moneys in the supported employment initiative—federal fund of the Kansas state school for the blind to the state general fund. On July 1, 2001, all liabilities of the supported employment initiative—federal fund of the Kansas state school for the blind, including any outstanding encumbrances, are hereby transferred to and imposed on the state general fund and the supported employment initiative—federal fund of the Kansas state school for the blind is hereby abolished.

Sec. 34.

STATE HISTORICAL SOCIETY

(a) On July 1, 2001, any unencumbered balance in the operating expenditures account of the state general fund in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

Sec. 35.

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, 2002..... \$373,244

Sec. 36.

KANSAS 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, 2002..... \$2,482,756

Sec. 37.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(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, 2002..... \$2,454
Cooperative extension service (including official hospitality)
For the fiscal year ending June 30, 2002..... \$71,878
Agricultural experiment stations (including official hospitality)
For the fiscal year ending June 30, 2002..... \$103,448

Sec. 38.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER
(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, 2002..... \$67,577

Sec. 39.

EMPORIA 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, 2002..... \$256,170

Sec. 40.

PITTSBURG 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, 2002..... \$385,658

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

Army/classroom/recreation center
For the fiscal year ending June 30, 2002..... \$410,000

Sec. 41.

UNIVERSITY OF KANSAS

(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, 2002..... \$1,409,649

Sec. 42.

UNIVERSITY OF KANSAS MEDICAL CENTER

(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, 2002..... \$461,931

(b) During the fiscal year ending June 30, 2002, the university of Kansas medical center is authorized to make expenditures to raze the carpentry shop (building #8) and the motor pool (building #53).

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Telekid health care link
For the fiscal year ending June 30, 2002..... \$250,000
For the fiscal year ending June 30, 2003..... \$250,000

Pediatric biomedical research
For the fiscal year ending June 30, 2002..... \$1,000,000
For the fiscal year ending June 30, 2003..... \$1,000,000

Sec. 43.

WICHITA 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, 2002..... \$577,380

Sec. 44.

STATE BOARD OF REGENTS

(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, 2002..... \$345,000

(b) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the state board of regents is hereby increased from 30.0 to 43.0.

(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:

Carl D. Perkins vocational and technical education—federal fund
For the fiscal year ending June 30, 2002..... No limit
Carl D. Perkins vocational and technical education—federal fund—state operations
For the fiscal year ending June 30, 2002..... No limit
Carl D. Perkins technical preparation—federal fund
For the fiscal year ending June 30, 2002..... No limit
FICA recovery fund
For the fiscal year ending June 30, 2002..... \$0

(continued)

Provided, That the state treasurer shall deposit any moneys received by any state educational institution from the federal government for repayment of payroll or other taxes improperly paid to the federal government to the credit of the FICA recovery fund: *Provided further*, That all moneys in the FICA recovery fund shall be used by the state board of regents to reimburse the department of education, department of administration and state board of regents for direct costs and time incurred in obtaining repayment of payroll or other taxes improperly paid: *And provided further*, That all such reimbursements shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That after such reimbursements, the state board of regents may transfer amounts from the FICA recovery fund, which in the aggregate do not exceed \$2,757,188, to the appropriate fund or funds of any state educational institution for the purpose of providing additional funding for operating expenditures in proportional amounts to those amounts included in the governor's budget amendment dated April 18, 2001, on page 13, in item 24: *And provided further*, That after such transfers for additional funding for operating expenditures, the state board of regents may transfer amounts from the FICA recovery fund, which in the aggregate do not exceed \$1,936,110, to the appropriate fund or funds of any state educational institution for the purpose of providing funding for technology equipment in proportional amounts to those amounts included in the governor's budget amendment dated April 18, 2001, on page 13, in item 25.

(d) 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, 2002.....	\$2,700,000
<i>Provided</i> , 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 in an amount which is equal to 50% of the grant.	
Postsecondary aid for vocational education	
For the fiscal year ending June 30, 2002.....	\$6,882,981
Technology innovation and internship program	
For the fiscal year ending June 30, 2002.....	\$166,855
Comprehensive grant program	
For the fiscal year ending June 30, 2002.....	\$250,000
Sec. 45.	

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:

Supplemental uniformed correctional officer salary account	
For the fiscal year ending June 30, 2002.....	\$332,000

Provided, That expenditures shall be made from the supplemental uniformed correctional officer salary account for a salary increase of not to exceed 2.5% for all payroll periods commencing on and after March 3, 2002, chargeable to fiscal year 2002, for all uniformed correctional officer job classes of the department of corrections: *Provided further*, That such increased amount of compensation for each such employee shall be at the same times and in the same manner that compensation is payable to each such employee for each such payroll period: *And provided further* That such increase shall be in addition to any base salary enhancements authorized by or pursuant to 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature: *Provided, however*, That the aggregate amount of expenditures from this account for such salary increase for such job classes for fiscal year 2002 shall not exceed \$332,000.

(b) On July 1, 2001, of the \$10,539,874 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 148(a) of 2001 Senate Bill No. 57 from the state general fund in the Topeka correctional facility—facilities operations account, the sum of \$167,000 is hereby lapsed.

(c) On July 1, 2001, of the \$9,391,443 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 148(a) of 2001 Senate Bill No. 57 from the state general fund in the Ellsworth correctional facility—facilities operations account, the sum of \$217,242 is hereby lapsed: *Provided*, That the above agency may submit and the legislature shall review a request for a supplemental appropriation to accel-

erate the opening of the new 100-cell unit for Ellsworth correctional facility if capacity issues necessitate such action.

(d) On July 1, 2001, of the \$15,622,025 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 148(a) of 2001 Senate Bill No. 57 from the state general fund in the community corrections account, the sum of \$450,000 is hereby lapsed.

(e) On July 1, 2001, of the \$345,380 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 148(a) of 2001 Senate Bill No. 57 from the state general fund in the day reporting center state match account, the sum of \$69,378 is hereby lapsed.

(f) On July 1, 2001, any unencumbered balance in the construction of Ellsworth correctional facility housing unit training center and warehouse account as of June 30, 2001, is hereby reappropriated for fiscal year 2002.

(g) On the effective date of this act, of the \$6,226,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 81(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the debt service payment for the revenue refunding bond issue account, the sum of \$27,000 is hereby lapsed.

(h) On the effective date of this act, of the \$948,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 81(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account, the sum of \$210,000 is hereby lapsed.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the correctional industries fund for fiscal year 2002, as authorized by section 148(b) of 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the above agency from the correctional industries fund for fiscal year 2002 for offender treatment and programs: *Provided*, That expenditures from the correctional industries fund for offender programs for fiscal year 2002 shall not exceed \$566,000.

(j) On July 1, 2001, of the \$29,657,153 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 148(a) of 2001 Senate Bill No. 57 from the state general fund in the treatment and programs account, the sum of \$375,000 is hereby lapsed.

(k) On July 1, 2001, the authority and direction to initiate and complete the capital improvement project for the construction of an industries building and warehouse at Topeka correctional facility are hereby rescinded and the provisions of section 59(g) of 2001 Senate Bill No. 57 are hereby declared to be null and void and shall have no force and effect.

(l) 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:

Department of corrections alcohol and drug abuse treatment fund	
For the fiscal year ending June 30, 2002.....	No limit
Sec. 46.	

JUVENILE JUSTICE AUTHORITY

(a) On the effective date of this act, of the \$2,103,330 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 52(a) of chapter 130 of the 2000 Session Laws of Kansas from the state general fund in the management information systems account, the sum of \$75,000 is hereby lapsed: *Provided*, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2001, is hereby reappropriated for fiscal year 2002: *Provided, however*, That expenditures from such reappropriated balance shall not exceed \$969,667 except upon approval of the state finance council.

(b) On July 1, 2001, of the \$5,544,379 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 149(a) of 2001 Senate Bill No. 57 from the state general fund in the Beloit juvenile correctional facility operations account, the sum of \$488,821 is hereby lapsed.

(c) On July 1, 2001, of the \$4,555,511 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 149(a) of 2001 Senate Bill No. 57 from the state general fund in the Larned juvenile correctional facility operations account, the sum of \$20,691 is hereby lapsed.

(d) On July 1, 2001, of the \$11,955,934 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 149(a) of 2001 Senate Bill No. 57 from the state general fund in the Topeka juvenile

correctional facility operations account, the sum of \$90,725 is hereby lapsed.

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

Atchison juvenile correctional facility operations
For the fiscal year ending June 30, 2002..... \$14,267

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Prevention program grant
For the fiscal year ending June 30, 2002..... \$6,000,000

Provided, That all expenditures by the above agency from the prevention program grant account shall be for prevention program grants for fiscal year 2002: Provided further, That money awarded as grants from this account shall be distributed according to the percentage distribution of a judicial district's high school graduation failure rate, averaged over a period of three years, and be subject to the requirement that no judicial district shall receive less than \$50,000: And provided further, That money awarded as grants from this account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Intervention and graduated sanctions community grants
For the fiscal year ending June 30, 2002..... \$2,000,000

Youth residential facility reimbursement
For the fiscal year ending June 30, 2002..... \$400,000

Provided, That no expenditures shall be made from the youth residential facility reimbursement account to reimburse any youth residential facility except after first advising and consulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants
For the fiscal year ending June 30, 2002..... \$125,000

Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: Provided, however, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: Provided further, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention.

(g) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the juvenile justice authority is hereby increased from 614.0 to 616.0.
Sec. 47.

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, 2001..... \$261,000
For the fiscal year ending June 30, 2002..... \$195,000

(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:

Radioactive materials fund
For the fiscal year ending June 30, 2001..... \$10,000

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

Educational assistance
For the fiscal year ending June 30, 2002..... \$250,000

Sec. 48.

STATE FIRE MARSHAL

(a) On July 1, 2001, the amount of \$750,000 authorized by section 151(d) of 2001 Senate Bill No. 57 to be transferred on July 1, 2001, and on January 1, 2002, or as soon after each such date as moneys are available, by the director of accounts and reports from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal is hereby decreased from \$750,000 to \$375,000.

(b) In addition to the other purposes for which expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2002 and notwithstanding the provisions of the provisions to the appropriation of the moneys in the hazardous materials emergency fund in section 151(a) of 2001 Senate Bill No. 57, expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2002 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: Provided, That expenditures from the hazardous materials emergency fund during fiscal year 2002 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session: Provided further, That the aggregate of expenditures from the hazardous materials emergency fund during fiscal year 2002 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval by the state finance council shall not exceed \$250,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval also may be given while the legislature is in session: And provided further, That the state fire marshal shall prepare and submit a written report to the legislature at the beginning of the 2002 regular session setting forth information about agency fund balances and the allocation and expenditure of moneys from the hazardous materials emergency fund during fiscal year 2002.

~~(c) On July 1, 2001, and on January 1, 2002, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$250,000 from the fire marshal fee fund to the state general fund: Provided, That the transfer of each such amount shall be in addition to any other transfer from the fire marshal fee fund to the state general fund as prescribed by law: Provided further, That each such amount transferred from the fire marshal fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.~~

Sec. 49.

KANSAS HIGHWAY PATROL

(a) On March 1, 2002, the director of accounts and reports shall transfer \$1,800,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the highway patrol motor vehicle fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the highway patrol motor vehicle fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) On July 1, 2001, of the \$26,390,135, appropriated for the above agency for the fiscal year ending June 30, 2002, by section 153(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$359,134 is hereby lapsed.

(c) In addition to the other purposes for which expenditures may be made by the Kansas highway patrol from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by the Kansas highway patrol from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 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 finance a capital improvement project to acquire the Topeka fleet operations center: Provided, That such capital improvement project is hereby approved for the Kansas highway patrol for the purposes of subsection (b) of K.S.A. 74-8905 and

(continued)

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 Kansas highway patrol 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 \$7,000,000, 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.

(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:

Special services fund

For the fiscal year ending June 30, 2002..... \$259,134

(e) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$259,134 from the state highway fund of the department of transportation to the special services fund of the Kansas highway patrol.

Sec. 50.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 74(b) of 2001 Senate Bill No. 57 on the remodel Great Bend facility fund is hereby increased from \$239,329 to \$293,329.

(b) In addition to the other purposes for which expenditures may be made by the Kansas bureau of investigation from moneys appropriated from the state forfeiture fund for fiscal year 2002, expenditures may be made for remodeling of the 2nd floor of the Great Bend laboratory.

(c) On July 1, 2001, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$54,000 from the state general fund to the remodel Great Bend facility fund.

(d) On July 1, 2001, the limitation on the amount to be transferred during fiscal year 2002 from the Kansas bureau of investigation state forfeiture fund to the state general fund for the purpose of reimbursing the state general fund for moneys advanced to the remodel Great Bend facility fund is hereby increased from \$239,329 to \$293,329.

Sec. 51.

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:

Trauma system development fund

For the fiscal year ending June 30, 2002..... No limit

Provided, That the emergency medical services board shall prepare and submit a written report to the legislature at the beginning of the 2002 regular session setting forth information about agency fund balances and the allocation and expenditure of moneys from the trauma system development fund during fiscal year 2002.

(b) On July 1, 2001, of the \$752,732 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 155(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$15,735 is hereby lapsed.

(c) On July 1, 2001, of the \$79,008 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 155(a) of 2001 Senate Bill No. 57 from the state general fund in the regional council grants account, the sum of \$1,508 is hereby lapsed.

Sec. 52.

KANSAS SENTENCING COMMISSION

(a) On July 1, 2001, of the \$515,922 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 156(a) of 2001 Senate

Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$44,283 is hereby lapsed.

(b) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the Kansas sentencing commission is hereby decreased from 11.0 to 10.0.

(c) Notwithstanding the provisions of the second, third, fourth and fifth provisions to the appropriation of the moneys in the operating expenditures account of the state general fund in section 156(a) of 2001 Senate Bill No. 57, no moneys shall be expended by the above agency from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, to hold hearings, receive information and otherwise analyze the issues and interests related to risk and needs assessment tools and processes of the specified entities or agencies during the 2001 interim, to review the best practices for risk and needs assessment instruments and hear testimony and reports from each of the specified entities or agencies during the 2001 interim, or to report on a plan for the adoption of a dynamic and uniform risk and needs assessment tool, including an assessment of the costs and potential funding sources to validate and implement the risk and needs assessment tool identified in the plan.

Sec. 53.

OMBUDSMAN OF CORRECTIONS

(a) On July 1, 2001, of the \$166,700 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 157(a) of 2001 Senate Bill No. 57 from the state general fund in the adult corrections oversight account, the sum of \$2,498 is hereby lapsed.

Sec. 54.

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:

Operating expenditures

For the fiscal year ending June 30, 2002..... \$85,848

(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:

Water resources cost fund

For the fiscal year ending June 30, 2002..... No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of 2001 Senate Bill No. 237, which are hereby authorized to be applied for and received, shall be deposited in the state treasury to the credit of the water resources cost fund.

(c) On July 1, 2001, of the \$10,083,111 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 158(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$40,000 is hereby lapsed.

(d) The secretary of agriculture is hereby authorized to receive moneys from any governmental or nongovernmental source to implement the provisions of 2001 Senate Bill No. 237: *Provided*, That such moneys shall be deposited in the state treasury and credited to the water resources cost fund.

~~(e) On July 1, 2001, of the aggregate amount of \$1,032,140 appropriated for the Kansas department of agriculture by section 158(c) of 2001 Senate Bill No. 57 from the state water plan fund for the fiscal year ending June 30, 2002, in all accounts of the state water plan fund of the Kansas department of agriculture, the aggregate sum of \$50,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the Kansas department of agriculture for the fiscal year ending June 30, 2002, by section 158(c) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of agriculture to the director of accounts and reports on or before June 30, 2001: *Provided, however*, That the aggregate of all such amounts so certified in such accounts of the state water plan fund shall not be less than \$50,000: *Provided further*, That the secretary of agriculture shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That if the secretary of agriculture fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the~~

~~secretary of agriculture to the director of accounts and reports is not equal to or more than \$50,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the Kansas department of agriculture for the fiscal year ending June 30, 2002, by section 158(c) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of agriculture and to the director of the legislative research department.~~

Sec. 55.

STATE FAIR BOARD

(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, 2002..... \$134,000

(b) On the effective date of this act, the \$134,000 appropriated for the above agency for the fiscal year ending June 30, 2001, by section 160(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, 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 fair debt service special revenue fund
For the fiscal year ending June 30, 2001..... No limit
For the fiscal year ending June 30, 2002..... No limit

Provided, That all moneys received by the state fair board from federal, local governmental, private and other sources outside of the state treasury for the purposes of debt service for bonds issued to finance capital improvements for the Kansas state fairgrounds shall be deposited in the state treasury to the credit of the state fair debt service special revenue fund.

Sec. 56.

STATE CONSERVATION COMMISSION

~~(a) On July 1, 2001, of the aggregate amount of \$10,257,567 appropriated for the state conservation commission by section 161(c) of 2001 Senate Bill No. 57 from the state water plan fund for the fiscal year ending June 30, 2002, in all accounts of the state water plan fund of the state conservation commission, the aggregate sum of \$400,000 is hereby lapsed: Provided, That the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the state conservation commission for the fiscal year ending June 30, 2002, by section 161(c) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the executive director of the state conservation commission to the director of accounts and reports on or before June 30, 2001: Provided, however, The aggregate of all such amounts so certified in such accounts of the state water plan fund shall not be less than \$400,000: Provided further, That the executive director of the state conservation commission shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: And provided further, That if the executive director of the state conservation commission fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the executive director of the state conservation commission to the director of accounts and reports is not equal to or more than \$400,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the state conservation commission for the fiscal year ending June 30, 2002, by section 161(c) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the executive director of the state conservation commission and to the director of the legislative research department.~~

(b) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, in the land treatment cost share account the amount equal to the unencumbered balance as of June 30, 2001, in the land treatment cost-share programs account of the water plan special revenue fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2002, in the nonpoint source pollution assistance account the amount equal to the unencumbered balance as of June 30, 2001, in the non-point source pollution account of the water plan special revenue fund.

(d) On July 1, 2001, the position limitation established for the fiscal year ending June 30, 2002, by section 165(a) of 2001 Senate Bill No. 57 for the state conservation commission is hereby increased from 13.5 to 14.5.

Sec. 57.

KANSAS WATER OFFICE

(a) The director of accounts and reports shall not make the transfer from the state general fund to the state water plan fund which was directed to be made on July 1, 2001, by section 162(g) of 2001 Senate Bill No. 57.

~~(b) On July 1, 2001, of the aggregate amount of \$2,770,944 appropriated for the Kansas water office by section 162(c) of 2001 Senate Bill No. 57 from the state water plan fund for the fiscal year ending June 30, 2002, in all accounts of the state water plan fund of the Kansas water office, the aggregate sum of \$150,000 is hereby lapsed: Provided, That the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the Kansas water office for the fiscal year ending June 30, 2002, by section 162(c) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the executive director of the Kansas water office to the director of accounts and reports on or before June 30, 2001: Provided, however, The aggregate of all such amounts so certified in such accounts of the state water plan fund shall not be less than \$150,000: Provided further, That the executive director of the Kansas water office shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: And provided further, That if the executive director of the Kansas water office fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the executive director of the Kansas water office to the director of accounts and reports is not equal to or more than \$150,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state water plan fund appropriated for the Kansas water office for the fiscal year ending June 30, 2002, by section 162(c) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the executive director of the Kansas water office and to the director of the legislative research department.~~

(c) The provisions of subsection (b) of section 162 of 2001 Senate Bill No. 57, appropriate for the Kansas water office from the special revenue funds specified by subsection (b) of section 162 of 2001 Senate Bill No. 57 for the fiscal year ending June 30, 2002, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures from such special revenue funds shall not exceed the limitations prescribed by subsection (b) of section 162 of 2001 Senate Bill No. 57, except upon approval of the state finance council or as otherwise provided by the provisions of appropriation acts.

(d) On July 1, 2001, of the \$1,477,589 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 162(a) of 2001 Senate Bill No. 57 from the state general fund in the water resources operating expenditures account, the sum of \$55,229 is hereby lapsed.

(e) The director of accounts and reports shall not make the transfer of \$55,229 from the water marketing fund to the state general fund which was directed to be made on July 1, 2001, by section 162(h) of 2001 Senate Bill No. 57.

Sec. 58.

DEPARTMENT OF WILDLIFE AND PARKS

~~(a) On July 1, 2001, of the \$4,305,360 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 163(a) of 2001 Senate Bill No. 57 from the state general fund in the operating expenditures account, the sum of \$400,000 is hereby lapsed.~~

(b) On July 1, 2001, of the \$70,000 appropriated for the above agency for the fiscal year ending June 30, 2002, by section 76(a) of 2001 Senate Bill No. 57 from the state general fund in the Crawford state fishing lake sewer repair account, the sum of \$35,000 is hereby lapsed.

Sec. 59. (a) (1) On or after the effective date of this act, the director of accounts and reports shall not make any transfer directed by subsection (f)(1) of K.S.A. 2000 Supp. 75-4365 and amendments thereto from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2000 Supp. 75-4266 and amendments thereto which was directed by that statute to be made during fiscal year 2001.

(continued)

(2) On or after the July 1, 2001, the director of accounts and reports shall not make any transfer directed by subsection (f)(2) of K.S.A. 2000 Supp. 75-4365 and amendments thereto from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2000 Supp. 75-4266 and amendments thereto which was directed by that statute to be made during fiscal year 2002 until an aggregate amount of \$51,000,000 has been transferred to the SRS—IGT fund and the aging—IGT fund as prescribed by this section: *Provided*, That, after an aggregate amount of \$51,000,000 has been transferred to the SRS—IGT fund and the aging—IGT fund as directed by this section, the director of accounts and reports shall transfer amounts from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2000 Supp. 75-4266 and amendments thereto as directed by subsection (f)(2) of K.S.A. 2000 Supp. 75-4365 and amendments thereto during the remainder of fiscal year 2002.

(b) Commencing on the effective date of this act, or as soon as moneys are available therefor, during the fiscal years ending June 30, 2001, and June 30, 2002, the director of accounts and reports shall transfer all amounts of money that would have been directed by subsections (f)(1) and (f)(2) of K.S.A. 2000 Supp. 75-4365 and amendments thereto from the intergovernmental transfer fund of the department on aging to the senior services trust fund established by K.S.A. 2000 Supp. 75-4266 and amendments thereto which were directed to be made by that statute in accordance with and subject to the following: (1) All such amounts of money shall be transferred to either the SRS—IGT fund of the department of social and rehabilitation services or to the aging—IGT fund of the department on aging, subject to the limitation of an aggregate amount of \$51,000,000; (2) an aggregate amount of \$44,000,000 shall be transferred from the intergovernmental transfer fund of the department on aging to the SRS—IGT fund of the department of social and rehabilitation services; (3) an aggregate amount of \$7,000,000 shall be transferred from the intergovernmental transfer fund of the department on aging to the aging—IGT fund of the department on aging; (4) of the amount transferred from the intergovernmental transfer fund of the department on aging, on each date that such a transfer is made pursuant to this section, 86.27% shall be transferred to the SRS—IGT fund of the department of social and rehabilitation services and 13.73% shall be transferred to the aging—IGT fund of the department on aging.

Sec. 60. In addition to the other purposes for which expenditures may be made by each state agency named in this act from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2002 as authorized by this or other appropriation act of the 2001 regular session of the legislature, expenditures shall be made by each state agency named in this act from the moneys appropriated from the state general fund or from any special revenue funds for fiscal year 2002, to prepare a report identifying in detail all funding that will be requested by such agency from the state general fund of any special revenue funds for any and all substance abuse treatment, prevention or education programs, including the administration of such programs, for the fiscal year ending June 30, 2003: *Provided*, That each such agency shall submit such report to the office of prevention of the department of social and rehabilitation services on or before September 15, 2001: *Provided further*, That each such agency shall submit a copy of such report to the division of the budget and to the legislative research department at the same time it is submitted to the office of prevention of the department of social and rehabilitation services.

~~Sec. 61. (a) On or before June 30, 2001, the director of the budget shall review (1) the actual rate of shrinkage for each state agency specified in subsection (c) for the fiscal year ending June 30, 2001, and (2) the rate of shrinkage in the approved budget for such state agency for the fiscal year ending June 30, 2002, and the director shall determine the amount by which the moneys that are budgeted and appropriated in each account of the state general fund for fiscal year 2001 for such state agency for salaries and wages for state officers and employees, including associated employer contributions, are to be adjusted in such budget and are to be lapsed from such appropriations pursuant to this section to reflect the appropriate rate of shrinkage for such state agency for fiscal year 2001, based on such shrinkage data and other appropriate factors: *Provided*, That, upon determining the appropriate adjustment in the rate of shrinkage for a state agency for fiscal year 2001 pursuant to this section, if the adjustment is to increase the rate of shrinkage for the state agency for fiscal year 2001, then the director of the budget is hereby authorized and directed to reduce the amount budgeted for salaries and wages for state~~

~~officers and employees, including associated employer contributions, in each account of the state general fund for fiscal year 2001 of such state agency and to certify on June 30, 2001, to the director of accounts and reports the amount in each such account of the state general fund for fiscal year 2001 of such state agency by which the director of the budget is reducing the budget of such state agency for salaries and wages for state officers and employees, including associated employer contributions: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That the aggregate of all amounts certified to the director of accounts and reports by the director of the budget pursuant to this subsection shall not exceed \$800,000.~~

~~(b) On June 30, 2001, the amount certified by the director of the budget to the director of accounts and reports under subsection (a) in each account of the state general fund of each state agency that is appropriated for fiscal year 2001, as specified in such certification, is hereby lapsed from the designated appropriation or appropriations from the state general fund for fiscal year 2001 and the director of accounts and reports shall make the appropriate adjustments to the accounts of each such state agency: *Provided*, That the aggregate of all such amounts lapsed shall not exceed \$800,000.~~

~~(c) The provision of this section shall apply to each of the following state agencies: (1) Adjutant general; (2) department on aging; (3) Kansas department of agriculture; (4) Kansas animal health department; (5) attorney general; (6) Kansas state school for the deaf; (7) Kansas state school for the blind; (8) emergency medical services board; (9) governmental ethics commission; (10) Kansas guardianship program; (11) Kansas highway patrol; (12) state historical society; (13) department of human resources; (14) Kansas human rights commission; (15) attorney general—Kansas bureau of investigation; (16) state library; (17) ombudsman of corrections; (18) Kansas parole board; (19) secretary of state; (20) Kansas sentencing commission; (21) department of social and rehabilitation services; (22) state board of tax appeals; (23) state treasurer; and (24) Kansas commission on veterans affairs.~~

~~Sec. 62. (a) On or before October 1, 2001, the director of the budget shall review (1) the actual rate of shrinkage for each state agency specified in subsection (c) for the fiscal year ending June 30, 2001, (2) the rate of shrinkage in the approved budget for such state agency for the fiscal year ending June 30, 2002, and (3) the actual rate of shrinkage to date for such state agency during fiscal year 2002, as of October 1, 2001, and the director shall determine the amount by which the moneys that are budgeted and appropriated in each account of the state general fund for fiscal year 2002 for such state agency for salaries and wages for state officers and employees, including associated employer contributions, are to be adjusted in such budget and are to be lapsed from such appropriations pursuant to this section to reflect the appropriate rate of shrinkage for such state agency for fiscal year 2002, based on such shrinkage data and other appropriate factors: *Provided*, That, upon determining the appropriate adjustment in the rate of shrinkage for a state agency for fiscal year 2002 pursuant to this section, if the adjustment is to increase the rate of shrinkage for the state agency for fiscal year 2002, then the director of the budget is hereby authorized and directed to reduce the amount budgeted for salaries and wages for state officers and employees, including associated employer contributions, in each account of the state general fund for fiscal year 2002 of such state agency and to certify on October 1, 2001, to the director of accounts and reports the amount in each such account of the state general fund for fiscal year 2002 of such state agency by which the director of the budget is reducing the budget of such state agency for salaries and wages for state officers and employees, including associated employer contributions: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department: *And provided further*, That the aggregate of all amounts certified to the director of accounts and reports by the director of the budget pursuant to this subsection shall not exceed \$4,800,000.~~

~~(b) On October 1, 2001, the amount certified by the director of the budget to the director of accounts and reports under subsection (a) in each account of the state general fund of each state agency that is appro~~

printed for fiscal year 2002, as specified in such certification, is hereby lapsed from the designated appropriation or appropriations from the state general fund for fiscal year 2002 and the director of accounts and reports shall make the appropriate adjustments to the accounts of each such state agency. *Provided*, That the aggregate of all such amounts lapsed shall not exceed \$4,800,000.

(c) The provision of this section shall apply to each of the following state agencies: (1) Adjutant general; (2) department on aging; (3) Kansas department of agriculture; (4) Kansas animal health department; (5) attorney general; (6) Kansas state school for the deaf; (7) Kansas state school for the blind; (8) emergency medical services board; (9) governmental ethics commission; (10) Kansas guardianship program; (11) Kansas highway patrol; (12) state historical society; (13) department of human resources; (14) Kansas human rights commission; (15) attorney general—Kansas bureau of investigation; (16) state library; (17) ombudsman of corrections; (18) Kansas parole board; (19) secretary of state; (20) Kansas sentencing commission; (21) department of social and rehabilitation services; (22) state board of tax appeals; (23) state treasurer; and (24) Kansas ~~commission on veterans affairs.~~

~~Sec. 63. On the effective date of this act, section 171 of 2001 Senate Bill No. 57 is hereby amended to read as follows: Sec. 171. (a) In addition to the other purposes for which expenditures may be made by the governor's department from the governor's department account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the governor's department from the governor's department account of the state general fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,671.00 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,726.07 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which commence on or after June 10, 2001 and which are chargeable to fiscal year 2002.~~

~~(b) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,038.33 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,053.91 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002: *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 the lieutenant governor for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.~~

~~(c) In addition to the other purposes for which expenditures may be made by the secretary of state from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002 expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each~~

~~biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002 which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.~~

~~(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,279.52 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,328.71 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.~~

~~(e) In addition to the other purposes for which expenditures may be made by the state treasurer from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the state treasurer from the operating expenditures account of the state general fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the state treasurer for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.~~

~~(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2002, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2002:~~

~~(1) For an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,851.83 per biweekly pay period for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and~~

~~(2) for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$2,894.60 per biweekly pay period for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made~~

(continued)

in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2002, expenditures shall be made by each state agency from the appropriations made for fiscal year 2002:

(A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of a board for any calendar day occurring on or after June 10, 2000, and before December 9, 2001, and before March 3, 2002, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002 and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of a board for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(2) As used in this subsection (g), (A) "state agency" means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2002, by this act or any other appropriation act of the 2001 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) "board" means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing June 10, 2001, and ending June 30, 2002, expenditures shall be made by the Kansas turnpike authority for such period:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 10, 2000, and before December 9, 2001, and before March 3, 2002, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at

the same times that per diem compensation is payable to such member of the Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, and prior to July 1, 2002, is payable by the Kansas turnpike authority.

(i) 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, 2002, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2002:

(1) (A) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002; and

(2) (A) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002; and

(B) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2002: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(j) 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, 2002, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2002 for an additional amount of biweekly compensation for the following legislative officers 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 legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide (A) an aggregate amount of \$472.51 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and (B) an aggregate amount of \$479.60 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and

house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$241.17 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and (B) an aggregate amount of \$244.79 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide (A) an aggregate amount of \$379.99 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and (B) an aggregate amount of \$385.69 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$426.29 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and (B) an aggregate amount of \$432.68 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide (A) an aggregate amount of \$426.29 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 10, 2001, and ending before December 9, 2001 March 3, 2002, and (B) an aggregate amount of \$432.68 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after December 9, 2001 March 3, 2002, which is chargeable to fiscal year 2002. *Provided*, That all expenditures under this subsection (j) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b and amendments thereto for the biweekly pay periods which commence on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(k) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordinating council—operations account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the legislative coordinating council from the legislative coordinating council—operations account of the state general fund for fiscal year 2002 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (1) an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (2) an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2001. *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the biweekly pay periods for

which such per diem compensation is payable for calendar days occurring on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(l) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2001 2002, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2001 2002:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the contract audit committee for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002. *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 10, 2001, and which are chargeable to fiscal year 2002.

(m) 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, 2002, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2002:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amend-

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ments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2002; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, (A) an aggregate amount of compensation of \$77.59 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after June 10, 2001, and before December 9, 2001 March 3, 2002, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and (B) an aggregate amount of compensation of \$78.75 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and is chargeable to fiscal year 2002. *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(n) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2002, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2001 2002 for:

(1) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$77.59 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after June 10, 2001, and before December 9, 2001, and before March 3, 2002, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto; and

(2) an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$78.75 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after December 9, 2001 March 3, 2002, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and is chargeable to fiscal year 2001. *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 10, 2001, is payable and which are chargeable to fiscal year 2002.

(o) *In accordance with appropriations for the fiscal year ending June 30, 2002, made by this or other appropriation act of the 2001 regular session of the legislature:*

(1) *The governor is hereby authorized and directed to modify the pay plan for fiscal year 2001 in accordance with this subsection (o)(1) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2001 shall be modified to provide (A) for an increase of 1.5% in the pay rates of such pay plan, to be effective for biweekly pay periods commencing on or after June 10, 2001, and (B) for an additional increase of 1.5% in the pay rates of such pay plan, to be effective for biweekly pay periods commencing on or after March 3, 2002. The pay plan adopted by the governor under this subsection (o)(1) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2002. Such pay plan shall be subject to*

modification and approval as provided under K.S.A. 75-2028 and amendments thereto and to any enactment of the legislature applicable thereto.

(2)(A) *The governor is hereby authorized and directed to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto to provide for (i) base salary increases, to be effective on the first day of the payroll period commencing on June 10, 2001, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 1.5% of the base salaries of such officers and employees, and (ii) additional base salary increases, to be effective on the first day of the payroll period commencing on March 3, 2002, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 1.5% of the base salaries of such officers and employees.*

(B) *Each elected state official of the executive branch of state government, including the state board of education, and the Kansas technology enterprise corporation, Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official or board's discretion, are hereby authorized and directed to modify or to authorize the modification of the salaries of the state officers and employees of such official or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto, to provide for (i) base salary increases, to be effective on the first day of the payroll period commencing on June 10, 2001, and to be distributed on a merit basis from a merit salary increase pool, except that the average of such increases shall not exceed 1.5% of the base salaries of such officers and employees, and (ii) additional base salary increases, to be effective on the first day of the payroll period commencing on March 3, 2002, and to be distributed on a merit basis from a merit salary increase pool, except that the average of such increases shall not exceed 1.5% of the base salaries of such officers and employees. The provisions of this subsection (o)(2)(B) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or to any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.*

Sec. 64. On July 1, 2001, K.S.A. 2000 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved 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:

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. Upon receipt of such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that (1) no transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) no amount shall be transferred under this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, 2002.

Sec. 65. On July 1, 2001, K.S.A. 2000 Supp. 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 4.5% of the total retail sales and compensating taxes credited to

the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) The transfers on January 15 and July 15 of each year shall be in equal amounts which in the aggregate equal 3.630% of such taxes credited to the state general fund during the preceding calendar year; and (2) the amount of the transfer on each such date during state fiscal year 2002 shall be ~~\$28,951,485.50~~ \$27,340,335.50. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, *except that all such transfers during the fiscal year ending June 30, 2002, shall be considered revenue transfers from the state general fund.*

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 66. On July 1, 2001, K.S.A. 2000 Supp. 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 3.5% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that: (a) The transfers on July 15 and December 10 of each year shall be in equal amounts which in the aggregate equal 2.823% of such taxes credited to the state general fund during the preceding calendar year; and (b) the amount of the transfer on each such date during state fiscal year 2002 shall be ~~\$18,465,944~~ \$17,438,174.50. All such transfers are subject to reduction under K.S.A. 75-6704 and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, *except that all such transfers during the fiscal year ending June 30, 2002, shall be considered revenue transfers from the state general fund.*

Sec. 67. On July 1, 2001, K.S.A. 2000 Supp. 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) the amount of the transfer on each such date during state fiscal year 2002 shall not exceed ~~\$5,599,913~~ \$5,223,310.50. All transfers under this section shall be considered to be demand transfers from the state general fund, *except that all such transfers during the fiscal year ending June 30, 2002, shall be considered revenue transfers from the state general fund.*

~~Sec. 68. On July 1, 2001, K.S.A. 2000 Supp. 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, is hereby amended to read as follows: 79-34,147. (a) (1) On July 1, 1999, and quarterly thereafter the secretary of revenue shall certify to the director of accounts and reports the amount equal to 7.628% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.~~

(2) On July 1, 2001, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 9.5% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state

~~treasury and credited to the state general fund during the preceding three calendar months.~~

(3) On July 1, 2002, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 11% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(4) On July 1, 2003, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 11.25% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(5) On July 1, 2004, and quarterly thereafter, the secretary of revenue shall certify to the director of accounts and reports the amount equal to 12% of the total revenues received by the secretary from the taxes imposed under the Kansas retailers' sales tax act and deposited in the state treasury and credited to the state general fund during the preceding three calendar months.

(b) Upon receipt of each certification under subsection (a), the director of accounts and reports shall transfer from the state general fund to the state highway fund an amount equal to the amount so certified, on each July 1, October 1, January 1 and April 1, except that the amount of the transfer on each such date during state fiscal year 2002 shall not exceed ~~\$39,277,162~~ \$19,552,162. All transfers made pursuant to this section are subject to reduction under K.S.A. 75-6704, and amendments thereto.

~~(c) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.~~

~~Sec. 69. On July 1, 2001, K.S.A. 2000 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. In each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, 1/2 of such amount to be transferred on July 15 and 1/2 to be transferred on January 15, except that (1) such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; and (2) the amount of the transfer on each such date during state fiscal year 2001-2002 shall be ~~\$2,250,000~~ \$2,575,000. All transfers under this section shall be considered to be demand transfers from the state general fund.~~

Sec. 70. The provisions of sections 2 through 12 of 2001 Senate Bill No. 57, in addition to other provisions of that act, make appropriations, impose restrictions and limitations and direct or authorize transfers, disbursements, procedures and acts incidental to the foregoing for the fiscal year ending June 30, 2001, as provided in that act.

Sec. 71. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2001, made in chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or in this or in any other appropriation act of the 2001 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2002, made in chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or in this or in any other appropriation act of the 2001 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 72. *Appeals to exceed expenditure limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 73. *Savings.* (a) Any unencumbered balance as of June 30, 2001, 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 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2002, in any special revenue fund, or account thereof, of any state agency named in section 99 of 2001 Senate Bill No. 57 which is not otherwise specifically appro-

(continued)

appropriated or limited for fiscal year 2003 by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, 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 or the state water plan fund or any account of any of such funds.

Sec. 74. During the fiscal year ending June 30, 2002, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2001 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2002, 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 subsection, "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, 2002, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2001 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2002, 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.

(b) During the fiscal year ending June 30, 2003, each federal grant or other federal receipt which is received by a state agency named in section 99 of 2001 Senate Bill No. 57 and which is not otherwise appropriated to that state agency for fiscal year 2003 by this or other appropriation act of the 2001 regular session of the legislature or by an appropriation act of the 2002 regular session of the legislature, is hereby appropriated for fiscal year 2003 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 2003, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2003.

(c) (1) In addition to the other purposes for which expenditures may be made by any state agency which is named in this or other appropriation act of the 2001 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 2001 by chapter 130 or chapter 183 of the 2000 Session Laws of Kansas or by this or other appropriation act of the 2001 regular session of the legislature to apply for and receive federal grants during fiscal year 2001, 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.

(2) In addition to the other purposes for which expenditures may be made by any state agency which is named in this or other appropriation act of the 2001 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 2002 by this or other appropriation act of the 2001 regular session of the legislature to apply for and receive federal grants during fiscal year 2002, 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 gover-

nor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 76. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2001 regular session of the legislature, and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 77. Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2001 regular session of the legislature and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 78. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2001 regular session of the legislature and having an unencumbered balance as of June 30, 2001, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2002, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 79. Any transfers of money during the fiscal year ending June 30, 2002, 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, 2002.

~~Sec. 80. On the effective date of this act, section 171 of 2001 Senate Bill No. 57 is hereby repealed.~~

Sec. 81. On July 1, 2001, K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-34251, as amended by section 169 of 2001 Senate Bill No. 57, 79-34147, as amended by section 170 of 2001 Senate Bill No. 57, and 82-052a are hereby repealed.

Sec. 82. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

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

Pursuant to Article 2, Section 14, of the Constitution of the State of Kansas, I hereby return House Bill No. 2283 with my signature approving the bill, except for the items enumerated below.

HB 2283, while overall being effective in meeting the financial needs of Kansas in FY 2002, did fall short in some important fiscal and public policy areas. Therefore, there are numerous sections and line items vetoed.

The rationale for my vetoes fell into two categories. First is my highest priority, funding for FY 2002. It is critical that state agencies and state employees have the resources necessary to ensure quality and vital services are provided to the people of Kansas. Second was my concern with non-budget items being part of an appropriations bill, issues that failed to have a thorough hearing and appropriations that had no accountability requirements.

These priorities and concerns are reflected in the following vetoes and veto explanations.

Children's Initiatives Fund

Appropriations for FY 2003

Those portions of Section 27(b) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003\$250,000"
 "For the fiscal year ending June 30, 2003\$850,000"
 "For the fiscal year ending June 30, 2003\$755,000"

Those portions of Section 30(c) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003\$400,000"
 "For the fiscal year ending June 30, 2003 \$2,500,000"
 "For the fiscal year ending June 30, 2003\$8,500,000"

Provided, That, prior to providing a child with intervention during fiscal year 2003, a school district shall encourage parents of pupils at risk to obtain an eye examination by an optometrist or an ophthalmologist to determine if such child suffers from conditions which impair the ability to read: *Provided; however*, That the expense for such examination, if not reimbursed through medicaid, healthwave, private insurance or other governmental or private program, shall be the responsibility of the child's parent."

"For the fiscal year ending June 30, 2003\$500,000"

Those portions of Section 42(c) that read as follows have been line-item vetoed:

"For the fiscal year ending June 30, 2003\$250,000"
 "For the fiscal year ending June 30, 2003 \$1,000,000"

These line-items include appropriations for FY 2003 from the Children's Initiatives Fund for the Department of Health and Environment, the Department of Education, and the University of Kansas Medical Center. These are all worthwhile programs, and all of these expenditures may be appropriate uses for the Children's Initiatives Fund in FY 2003. However, the Children's Cabinet should be given a chance to evaluate these and other programs and to make recommendations for the Children's Initiatives Fund in FY 2003. By making appropriations for the Children's Initiatives Fund in FY 2003, the Children's Cabinet is effectively cut out of the evaluation and advisory process. In addition, it is the responsibility of the Governor to present an annual budget. By appropriating these funds for FY 2003, this responsibility is pre-empted. Therefore, I find it necessary to veto all appropriations made for the Children's Initiatives Fund for FY 2003.

Selected Agencies

Water Plan Funds

Sections 27(k), 54(e), 56(a), 57(b), and 69 have been line-item vetoed in their entirety. That portion of Section 81 that reads as follows has been line-item vetoed:

"82a-953a"

The Omnibus Bill lowers the demand transfer from the State General Fund to the Water Plan by \$850,000. Corresponding cuts are made to water plan expenditures in the Department of Health and Environment, the Department of Agriculture, the State Conservation Commission, and the Kansas Water Office. Water quality is extremely important to Kansans. I do not believe we should reduce water plan expenditures at a time when water quality initiatives are of growing importance.

Department of Health & Environment

AIDS Funding

Section 27(c) has been line-item vetoed in its entirety. I provided in my original recommendation a supplemental appropriation of \$400,000 for AIDS Drug Assis-

tance that allows individuals to receive these life-sustaining medications. This amount provided funding only for the shortfall in the FY 2001 budget and did not address the additional funding which will likely be needed in FY 2002 and beyond. The Legislature lapsed \$50,000 of this amount. Because these funds carry forward from one fiscal year to the next and because additional funding will be needed in FY 2002, it would be a shortsighted decision to allow this reduction to stand. Therefore, I veto this reduction in the AIDS medications account.

Pregnancy Maintenance

Section 27(d) has been line-item vetoed in its entirety.

In 2001 HB 2067, the Legislature requires the Department of Health and Environment to spend \$300,000 from its State General Fund Operating Expenditures account for the Pregnancy Maintenance Program. I support this program and the provision included in HB 2067. However, the Legislature does not target specific funding in this State General Fund account for this program. Because the net effect of the Legislature's actions in HB 2283 is to lapse \$320,849 in funding from the account, I find it necessary to veto this section to provide adequate funding for this program in FY 2002. This action will appropriately fund this program and the Legislature's intent and will not do so at the expense of other worthy programs in the Department.

Department of Transportation

Motor Fuel Accelerator

Section 68 has been line-item vetoed in its entirety. That portion of Section 81 that reads as follows has been line-item vetoed:

"79-34,147, as amended by section 170 of 2001 Senate Bill No. 57"

When the Legislature reduced the sales tax demand transfer from the State General Fund to the State Highway Fund from \$121,108,648 to \$78,208,648, there was an assumption that \$36.4 million of the \$42.9 million in lost revenues to the State Highway Fund would be made up through other sources. Of the \$36.4 million, \$20.0 million was to be offset by increased bonding authority. The legislation to support this offset was passed by the Legislature. The remaining \$16.4 million was to be offset by an acceleration of one-cent of motor fuels tax from a beginning collection date of July 1, 2003, to July 1, 2001. The legislation that would have allowed this acceleration failed in the House and the money will not be available to offset the reduction in the demand transfer. I therefore find it necessary to veto the reduction in the sales tax demand transfer from the State General Fund to the State Highway Fund and return the demand transfer to the approved level in SB 57. It is my intention that the \$20.0 million reduction and \$6.5 million reduction that was not to be made up through other sources will be reduced in my budget recommendations next legislative session. The \$16.4 million reduction will not be in my budget recommendations as part of the Department of Transportation's budget because of the failure to enact the motor fuel acceleration bill.

(continued)

Wildlife & Parks

Shift from SGF to Fee Funds

Section 58(a) has been line-item vetoed in its entirety.

I veto the section that reduces State General Fund financing by \$400,000. Legislative intent was to replace it partially with \$300,000 in additional expenditure authority in the Park Fee Fund. The remaining \$100,000 is financed by the Nonrestricted Fee Fund, which is not constrained by an expenditure limitation. I veto this section because the public interest of all Kansans would not be served if our state park system is placed in financial jeopardy. Financial analysis done on the Park Fee Fund indicates that the Legislature's intent to increase expenditures from the Park Fee Fund would jeopardize the financial integrity of the fund. The analysis is based on generally accepted accounting principles used to determine adequate cashflow levels.

Statewide Reductions

Shrinkage

Sections 61 and 62 have been line-item vetoed in their entirety.

The Legislature included provisions to reduce funds associated with shrinkage in a selected number of agencies designated in the bill. The provisions would have the effect of taking more shrinkage money out of the budgets of these agencies for FY 2001 and FY 2002 than was originally budgeted for this purpose. It is common practice each year for state agencies to accommodate the reductions made in their budget for shrinkage by deliberately holding vacant positions open. Making further shrinkage reductions at this point only penalizes those agencies that are attempting to manage the shrinkage reductions in their budgets in a responsible way. I veto these provisions because the inequity that they create is unacceptable.

Longevity Bonuses

Section 3(b) has been line-item vetoed in its entirety.

This section of the bill reduces FY 2002 expenditures from each State General Fund account from which longevity bonus payments to eligible state employees are made. The reductions in effect remove the dollar increases budgeted for FY 2002 and return funding to the 2001 level. However, K.S.A. 75-5541 provides for the payment of these bonuses according to a specified dollar amount and the number of years of state service. Therefore, state agencies are still obligated under this law to make the payments but without sufficient funds to finance them. I veto this section because of the arbitrary nature of the reductions and the unfair burden it places on state agencies.

Delay of Second 1.5 Percent Pay Increase

Sections 63 and 80 have been line-item vetoed in their entirety.

Prior to first adjournment, upon my recommendation, the Legislature approved a base salary adjustment for state employees of 1.5 percent effective June 10, 2001, and another increase of 1.5 percent on December 9, 2001. During the veto session, as a cost-cutting measure, the Legislature delayed the second increase to March 3, 2002. I veto this section in order to restore the second increase to be effective December 9, as originally approved. I believe

it is vital, even with budgetary challenges, to keep faith with our effort to acknowledge the value of state employees in providing governmental services. This delay would only undermine that effort.

Legislative Coordinating Council

Oversight Committees

Section 2(d) has been line-item vetoed in its entirety.

The SRS Transition Oversight Committee was established by the Legislature in 1996 to provide legislative oversight for the Topeka State Hospital and Winfield State Hospital closures. Since the closures were completed, the 1999 Legislature expanded the purposes for this committee and extended the sunset provision. The 2001 Legislature failed to pass SB 31 extending the SRS Transition Oversight Committee. In 1999, the Legislature created a Health Care Reform Legislative Oversight Committee to address the effect of recent changes in federal law on the State of Kansas. The Legislature failed to pass HB 2058 extending the sunset provision for the Health Care Reform Legislative Oversight Committee.

The ongoing creation and extension of joint committees by the Legislature is slowly encroaching on the executive functions of government in violation of the Separation of Powers Doctrine. Additionally, the Kansas Supreme Court held that the Constitution of the State of Kansas, Art. 2, Sec. 14 prohibits the inclusion of substantive legislation in an act of appropriation (*State ex rel. v. Carlin*, 230 Kan. 252, 631 P.2d 668 (1981)).

Department of Administration

Operating Reduction

Section 13(j) has been line-item vetoed in its entirety.

I veto the reduction of \$1.3 million from the State General Fund that the Legislature made to the Department of Administration's operating budget for FY 2002. The reduction was not targeted to any particular program in the Department, and the dollar amount appears to have been arrived at arbitrarily. The magnitude of the reduction is too great for the agency to absorb. The loss would cause an adverse effect on the central services the Department provides to other agencies. It should be noted that the size of the reduction was significantly out of proportion to the operating reductions made in other state agency budgets. To ensure that services essential to the efficient operation of state government are maintained, I find it necessary to restore these funds to the Department's budget.

Department of Social & Rehabilitation Services

HealthWave

Section 29(b) has been line-item vetoed in its entirety.

This section would reduce the State General Fund appropriation for HealthWave services. It was unintentionally left in the final draft of the bill. Therefore, I veto this section to correct the mistake and fully fund HealthWave services for low income children in Kansas.

Department of Education

Emporia State University Grant

Section 30(f) has been line-item vetoed in its entirety.

The Legislature had a good idea in providing monies to the Jones Institute. One important element to improv-

ing our educational system is ensuring teachers are well trained. I therefore veto the funding lapse contained in this bill for the Jones Institute at Emporia State University in support of the important endeavors in this area.

State Library

Aid for Local Libraries

Section 31 has been line-item vetoed in its entirety.

Aid to local libraries is vital to our communities and the education of our children. The Legislature prudently added funds to the budget for local library aid. By vetoing this section, I support the Legislature's addition of the funds.

Fire Marshal

Fire Marshal Fee Fund Transfer

Section 48(c) has been line-item vetoed in its entirety.

This section transfers money from the Fire Marshal Fee Fund to the State General Fund. This agency already transfers \$200,000 of its fee fund collections to the State General Fund to cover the costs of central administrative services. An additional transfer from this fund would inappropriately use fees collected for a specific purpose for the general operations of state government.

Fee Agencies

Fund Transfers

Sections 21, 22, and 23 have been line-item vetoed in their entirety.

These sections transfer money from the fee funds of the Behavioral Sciences Regulatory Board, the Board of Nursing, and the Board of Pharmacy to the State General Fund. These agencies already transfer 20.0 percent of their fee fund collections to the State General Fund to cover the costs of central administrative services. Additional transfers from these particular funds would inappropriately use fees collected for a specific purpose for the general operations of state government.

Department of Revenue

Electronic Data Fund Transfer

Section 14(k) has been line-item vetoed in its entirety.

I veto the transfer of \$1,117,263 from the Electronic Databases Fee Fund (EDF) to the State General Fund because these funds can be better utilized by financing the replacement of aging equipment in the Department of Revenue that is crucial to the processing of taxpayers' checks. One specific example is the Department's Channel Management Infrastructure System. If the EDF is depleted and transferred to the State General Fund, it would take an excessive amount of time to replenish the fund to the point that it can be used for this type of project.

Commerce & Housing

Wichita World Trade Center

Section 16(e) has been line-item vetoed in its entirety.

The Mid-America World Trade Center has been funded for several years by the Economic Development Initiatives Fund. However, the State General Fund is not an appropriate alternative funding source. In addition, the World Trade Center was given an increase in a year in which other economic development efforts were reduced and unlike other economic development appropriations

this item had no process for accountability. Therefore, I find it necessary to veto the grant to the Mid-America World Trade Center funded by the State General Fund in this bill.

Children's Initiatives Fund

JJA KEDS Program & Level V Reimbursement

Those portions of Section 46(f) that read as follows have been line-item vetoed:

"Youth residential facility reimbursement

For the fiscal year ending June 30, 2002 \$400,000

Provided, That no expenditures shall be made from the youth residential facility reimbursement account to reimburse any youth residential facility except after first advising and consulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants

For the fiscal year ending June 30, 2002 \$125,000

Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: *Provided, however*, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: *Provided further*, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention."

The Kansas Early Development Support Grants represent a new project, which has not been well defined. I believe the appropriations for Youth Facility Reimbursement services have been adequate. Specifically allocating funding for services of one agency's providers would be unfair to other residential facility providers who face similar challenges with the populations they serve. If additional resources from the Children's Initiatives Fund are needed for this purpose, those resources should be a part of the Children's Cabinet recommendations. A \$1.0 million increase in funding that was requested by the agency and which I recommended has already been approved by the Legislature for the Juvenile Justice Authority in FY 2002. I therefore find it necessary to veto the additional expenditures from the Children's Initiatives Fund for the Juvenile Justice Authority in this bill.

Department of Education

School Readiness

Section 30(g) has been line-item vetoed in its entirety.

This section of the bill, concerning a progress report on school readiness, is simply unnecessary and is better left to policy discussions under other circumstances. The Department of Education is already working to develop school readiness indicators and will certainly provide reports to the Legislature on its work, as it has done for numerous years. Nor does the Legislative Educational Planning Committee need direction for its interim work placed in an appropriations bill.

Attorney General

Colorado Water Suit

Section 4(d) has been line-item vetoed in its entirety.

(continued)

During the 1996 Legislative Session, legislation was passed that specified the disposition of amounts recovered by the state from a settlement in the Colorado litigation (K.S.A. 82a-1801). Currently, monies received by the state in the Colorado case would be deposited in the Interstate Water Litigation Fund. When the amount of monies in the fund exceeds expenditures for water litigation as certified by the Attorney General, additional monies received would be distributed as follows: 33.3 percent to the State Water Plan Fund for water conservation projects and 66.6 percent to the Water Conservation Projects Fund. While it may be prudent to consider repaying the State General Fund for past litigation costs, the existing legislation best meets the state's water needs. I therefore veto the language that alters the disposition of water settlement proceeds.

DARE Reduction

Section 4(b) has been line-item vetoed in its entirety. During the 1999 Legislative Session, responsibility for coordination of the Drug Abuse Resistance Education (DARE) Program was assigned to the Office of the Attorney General. Statutorily, that responsibility remains. By lapsing the funding for the program, the Attorney General would not be able to comply with statutory responsibility. The future of the state's commitment to drug abuse education would be limited. I therefore find it necessary to veto the language which lapses funding for the DARE Program.

Messages on Line-Items That Have Been Signed

Department of Social & Rehabilitation Services & Department on Aging

The appropriations in this bill do not fully fund the expected medical and nursing home caseloads in the Department of Social and Rehabilitation Services and the Department on Aging. The appropriations presume a one-week delay in bill payment at the end of FY 2002. I disagree with this policy. I have not vetoed the portions of this bill that deal with caseloads, but I intend to support full caseload funding when the FY 2002 supplemental bill is introduced in the 2002 Legislative Session.

All Executive Branch Agencies

This section reduces FY 2002 State General Fund dollars budgeted for out-of-state travel by 25.0 percent. After considerable deliberation, I have chosen not to veto this item. However, it represents another arbitrary and ill-conceived reduction to balance the budget, with little consideration given to the potential adverse effect on administrative operations, including workforce development, and the efficient provision of government services. This section also creates inequities in that the Legislature exempted its own budget from these reductions. That has the effect of imposing the entire burden of the reductions on the Executive Branch. If the Legislature believes this is a good public policy, it should set the example and be included.

Dated May 25, 2001.

Bill Graves
Governor

State of Kansas

Kansas Senate

CERTIFICATE

In accordance with K.S.A. 45-308, it is certified that, **House Bill 2283,**

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2001, June 30, 2002, and June 30, 2003; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 2000 Supp. 2-223, 79-2959, as amended by section 167 of 2001 Senate Bill No. 57, 79-2964, as amended by section 168 of 2001 Senate Bill No. 57, 79-3425i, as amended by section 169 of 2001 Senate Bill No. 57, 79-34,147, as amended by section 170 of 2001 Senate Bill No. 57, 82a-953a and section 171 of 2001 Senate Bill No. 57 and repealing the existing sections,

was approved by the Governor except for the items enumerated below:

3(b) On July 1, 2001, of the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2002, by 2001 Senate Bill No. 57 or by this or other appropriation act of the 2001 regular session of the legislature and that is budgeted for fiscal year 2002 for payment of longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto, the amount equal to the amount by which (1) the amount budgeted for fiscal year 2002 in each such account of the state general fund for longevity bonus payments, exceeds (2) the amount budgeted for fiscal year 2001 in each such account for longevity bonus payments as approved by the 2000 legislature for fiscal year 2001, as certified by the director of the budget to the director of accounts and reports, is hereby lapsed: *Provided*, That the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2002 by this subsection shall not exceed \$300,000: *Provided further*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection, the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

13(j) On July 1, 2001, of the aggregate amount of \$21,420,685 appropriated for the department of administration by section 118(a) of 2001 Senate Bill No. 57 from the state general fund for the fiscal year ending June 30, 2002, in all accounts of the state general fund of the department of administration, the aggregate sum of \$1,300,000 is hereby lapsed: *Provided*, That the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57, shall be determined and shall be certified by the secretary of administration to the director of accounts and reports on or before June 30, 2001: *Provided; however*, That the aggregate of all such amounts so certified in such accounts of the state general fund shall not be less than \$1,300,000: *Provided further*, That the secretary of administration shall submit a copy of such certification to the director of the legislative research department and to the director of the budget: *And provided further*, That the secretary of administration shall not certify any amount appropriated by this or any other appropriation act of the 2001 legislature for operations of the Kansas public broadcasting council or in the public broadcasting council grants account or the public TV digital conversion debt service account: *And provided further*, That, if the secretary of administration fails to make such certification to the director of accounts and reports on or before June 30, 2001, or if the aggregate of the amounts certified by the secretary of administration to the director of accounts and reports is not equal to or more than \$1,300,000, then the director of the budget shall determine the specific amount that is lapsed pursuant to this subsection in each account of the state general fund appropriated for the department of administration for the fiscal year ending June 30, 2002, by section 118(a) of 2001 Senate Bill No. 57 and shall certify the amount so determined to the director of accounts and reports, to the secretary of administration and to the director of the legislative research department.

46(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:
Youth residential facility reimbursement
For the fiscal year ending June 30, 2002 \$400,000
Provided, That no expenditures shall be made from the youth residential

facility reimbursement account to reimburse any youth residential facility except after first advising and consulting with the joint committee on juvenile justice and corrections oversight concerning the reimbursement distribution formula to be utilized for such reimbursements.

Kansas early development support grants

For the fiscal year ending June 30, 2002 \$125,000
Provided, That all expenditures by the above agency from the Kansas early development support grants account shall be for a pilot project targeting troubled teenage parents and other parents at risk of committing abuse and neglect: *Provided, however*, That the grant agreements for such pilot project shall require a \$1 for \$1 match from each service provider: *Provided further*, That grants from the Kansas early development support grants account shall be awarded on a competitive basis and shall be awarded upon the advice of the Kansas advisory group on juvenile justice and delinquency prevention,

of **HB 2283**, were not approved by the Governor on May 25, 2001; were returned by the Governor with his objections and approved on May 31, 2001, by two-thirds of the members elected to the House of Representatives, notwithstanding the objections of the Governor; were reconsidered by the Senate but failed to be approved on May 31, 2001, by two-thirds of the members elected to the Senate as required by the Constitution and laws of the State of Kansas.

Section 14(k) which reads as follows:

On July 1, 2001, the expenditure limitation established for the fiscal year ending June 30, 2002, by section 120(b) of 2001 Senate Bill No. 57 on the electronic databases fee fund is hereby decreased from \$4,655,772 to \$3,538,509,

of **HB 2283** was not approved by the Governor on May 25, 2001; was returned by the Governor with his objections and approved on May 31, 2001, by two-thirds of the members elected to the House of Representatives, notwithstanding the objections of the Governor; was not reconsidered by the Senate and the line item was sustained.

Motions were made to reconsider the line item vetoes of Sections 16(e), 48(c) and 61, but having failed to be approved by the required two-thirds of the members elected to the House of Representatives, these line item vetoes of **HB 2283** were sustained.

This certificate is made this 31st day of May, 2001, by the Secretary and President of the Senate.

Pat Saville
 Secretary of the Senate of
 the State of Kansas

Dave Kerr
 President of the Senate of
 the State of Kansas

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 2000 Volumes of the *Kansas Administrative Regulations*.

4-3-51	New	V. 20, p. 861	5-7-4	Amended	V. 19, p. 1499
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4-7-214	Amended	V. 19, p. 117	5-7-5	New	V. 19, p. 1500
4-7-215	Revoked	V. 19, p. 118	5-8-3	New	V. 19, p. 1500
4-7-216	New	V. 19, p. 118	5-8-4	New	V. 19, p. 1501
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4-8-27	Amended	V. 19, p. 1679	5-8-7	New	V. 19, p. 1502
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			5-14-7	New	V. 19, p. 1507-1509
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			5-21-9	New	V. 19, p. 1510
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			5-23-4b	New	V. 19, p. 1513
			5-23-14	New	V. 19, p. 1514
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			5-25-4	Amended	V. 20, p. 294
			5-40-1	Amended	V. 19, p. 1514
			5-40-4	Amended	V. 19, p. 1515
			5-40-11	New	V. 19, p. 1515
			5-40-14	New	V. 19, p. 1515
			5-40-15	New	V. 19, p. 1515
			5-40-16	New	V. 19, p. 1515
			5-41-1	Amended	V. 19, p. 1516
			5-41-6	Amended	V. 19, p. 1516
			5-42-3	Revoked	V. 19, p. 1516
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			5-45-1	Amended	V. 19, p. 1517
			5-45-4	Amended	V. 19, p. 1518
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			5-45-14	Amended	V. 19, p. 1518
			5-45-18	New	V. 19, p. 1518
			5-46-1	New	V. 19, p. 1519
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1-5-9	Amended (T)	V. 20, p. 176
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended (T)	V. 20, p. 176
1-5-19c	Amended	V. 20, p. 730
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28-4-504	Amended	V. 19, p. 423
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28-4-531	Revoked	V. 19, p. 423
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28-10-38	Revoked	V. 20, p. 322
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28-16-82	Revoked	V. 20, p. 322
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28-19-79	Revoked	V. 20, p. 492
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28-19-719	New	V. 20, p. 492
28-19-729	New	V. 19, p. 565
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28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1 through 28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51 through 28-72-54	New	V. 19, p. 989, 990

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-4-64	Amended	V. 20, p. 490
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-108	Amended	V. 20, p. 491
30-5-309	Amended	V. 19, p. 988
30-10-21	Amended	V. 19, p. 1550

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8 through 36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-30	Revoked	V. 20, p. 723
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 20, p. 723

40-1-46	New	V. 20, p. 573
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 19, p. 1853
40-12-1	Revoked	V. 20, p. 723

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-45-1 through 49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5 through 49-45-9	Amended	V. 19, p. 504
49-45-20 through 49-45-28	Amended	V. 19, p. 504, 505
49-45-29 through 49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2 through 49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1 through 49-50-4	Amended	V. 19, p. 509, 510
49-50-6 through 49-50-15	Amended	V. 19, p. 510-513
49-50-17 through 49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516
49-51-6 through 49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5 through 49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1 through 49-54-3	Revoked	V. 19, p. 521

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1 through 50-3-5	Amended	V. 20, p. 143-145

50-4-2 Amended V. 20, p. 146

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-11-119	Amended	V. 20, p. 451
60-13-101	Amended	V. 20, p. 451
60-16-104	Amended	V. 20, p. 451
60-17-101		
60-17-111	New	V. 19, p. 346-350

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024
63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025
63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501

68-7-14 Amended V. 19, p. 502
 68-7-18 Amended V. 19, p. 503
 68-14-8 Amended V. 19, p. 1830

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

AGENCY 75: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082
75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-312	Amended	V. 20, p. 773
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-1		
through		
88-23-6	New	V. 19, p. 41-43

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a		
91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31		
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39		
91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a		
91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71		
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85		
91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a		
91-1-106m	Revoked	V. 19, p. 1437, 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438
91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a		
91-1-119g	Revoked	V. 19, p. 1438, 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439

(continued)

91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200	through	
91-1-211	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30	through	
91-12-33	Revoked	V. 19, p. 680
91-12-35	through	
91-12-42	Revoked	V. 19, p. 680, 681
91-12-44	through	
91-12-69	Revoked	V. 19, p. 681
91-12-71	through	
91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10	through	
91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-1	through	
91-40-5	New	V. 19, p. 685-691
91-40-2	Amended	V. 20, p. 541
91-40-7	through	
91-40-12	New	V. 19, p. 692-695
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16	through	
91-40-19	New	V. 19, p. 695-697
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24	through	
91-40-31	New	V. 19, p. 698-700
91-40-27	Amended	V. 20, p. 544
91-40-33	through	
91-40-39	New	V. 19, p. 700-702
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-41	through	
91-40-48	New	V. 19, p. 702-704
91-40-50	through	
91-40-53	New	V. 19, p. 705, 706
91-40-52	Amended	V. 20, p. 545

91-40-53	Amended	V. 20, p. 546
91-41-1	through	
91-41-4	New (T)	V. 20, p. 137
91-41-1	through	
91-41-4	New	V. 20, p. 546, 547

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-1-1	through	
93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1	through	
93-6-4	Amended	V. 20, p. 452, 453

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-27-1	New	V. 20, p. 773
100-28a-1	through	
100-28a-16	New (T)	V. 20, p. 247-251
100-28a-1	through	
100-28a-16	New	V. 20, p. 774-778
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1	through	
100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked (T)	V. 20, p. 251
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked (T)	V. 20, p. 251
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked (T)	V. 20, p. 251
100-60-6	Revoked	V. 20, p. 779
100-60-8	through	
100-60-15	Revoked (T)	V. 20, p. 251
100-60-8	through	
100-6-15	Revoked	V. 20, p. 779
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-1-19	New	V. 20, p. 572
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194

102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202
102-2-15	New	V. 20, p. 572
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-3-16	New	V. 20, p. 572
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-4-16	New	V. 20, p. 572
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218
102-5-15	New	V. 20, p. 572

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

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. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-119	through	
111-2-124	New	V. 20, p. 416-419
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	New	V. 20, p. 574
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 574
111-4-1795	through	
111-4-1813	New	V. 20, p. 40-47
111-4-1814	through	
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575

111-5-23 Amended V. 20, p. 428
 111-5-24 Amended V. 20, p. 428
 111-5-27 Amended V. 20, p. 429
 111-7-123 Amended V. 20, p. 48
 111-7-134 Amended V. 20, p. 429
 111-7-152 Amended V. 20, p. 49
 111-7-158 through
 111-7-162 New, V. 20, p. 577

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-18-21	Amended	V. 19, p. 1308

112-18-22 Amended V. 19, p. 119

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	New	V. 20, p. 768
115-4-5	Revoked	V. 20, p. 769
115-4-6	Amended	V. 19, p. 1140
115-4-7	through	
115-4-10	Revoked	V. 20, p. 769

115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-16	New	V. 19, p. 1475

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41

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