

2/27/85  
Approved Jayne Aylward  
Date

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

The meeting was called to order by Representative Jayne Aylward at  
Chairperson

3:30 ~~xxx~~/p.m. on February 18, 1985 in room 522-S of the Capitol.

All members were present except:

Representative Erne (excused)

Committee staff present:

Scott Rothe, Research Department  
James A. Wilson, III, Senior Assistant Revisor  
Jean Mellinger, Secretary to the Committee

Conferees appearing before the committee:

Dennis Spaniol, Representative, 94th District, Wichita  
Kim Dewey, representing the Board of Sedgwick County Commissioners, Wichita  
Fred Allen, Kansas Association of Counties, Topeka  
Tom Groneman, Kansas Register of Deeds Association, Kansas City  
Gerry Ray, Legislative Liaison, Board of County Commissioners, Olathe  
Robert J. Keckeisen, Kansas State Historical Society, Topeka

Chairman Jayne Aylward opened the meeting for hearing on HB 2228.

Representative Dennis Spaniol spoke briefly asking for favorable consideration of the bill (Attachment 1).

Kim Dewey said it was time a clear provision for computerized record keeping is added to the laws of Kansas (Attachment 2) and quoted from an Attorney General's opinion (Attachment 3). He introduced their data processing director Ken Keen who knows more of the specifics of the record keeping.

Fred Allen quoted from the County Platform and a list of what counties considered to be priority items and said number four relates to records and record books. It is of statewide interest although Sedgwick and Johnson Counties are more involved. He said the bill took care of most everything. He introduced Tom Groneman for added thoughts.

Representative Love asked if this was permissive legislation and referred to line 41 of the bill. Mr. Allen said it was. Chairman Aylward said it was suggested that there be a little cleanup of the bill to make this clearer.

Tom Groneman said that this bill does not address the Receiving Book which is now being typewritten and should be handwritten by law (Attachment 4). They would like to see something in this bill to allow typewritten records. Also in the Grantee-Grantor Index when put on microfiche, a written release of a mortgage cannot be put in the remarks column when the instrument has been satisfied, and they would like something in that area put in the bill.

Chairman Aylward asked if these two were the only areas they wanted addressed. Mr. Groneman said the others were for archaic language and would not necessarily be for this committee. The chairman asked if this would make it any more difficult for the public to access. He replied it would not because they would have the printouts and also have microfiche equipment available.

Representative Sallee inquired concerning someone coming in to see something and wanting a printout. A printout could be xeroxed.

Representative Dean asked if this was also stored on computer tape and what they did with the tapes. Mr. Groneman said it was and they had a copy stored at Inland Records Storage and the computer department has two copies.

Representative Friedeman asked how often the abstractor brings these up to date. Mr. Groneman replied it was done on a yearly basis.

Jim Wilson asked if they were proposing that both the microfiche and the tape be deemed their official record or just one. Mr. Groneman said they all were.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

room 522-S, Statehouse, at 3:30 ~~am~~ p.m. on February 18, 1985

Representative Friedeman asked if they were keying this into a computer to start with or if they were starting with some other record. Mr. Groneman said they now fill out a form and send it to data processing to be keypunched. The next morning they get it back and check against the original record.

Gerry Ray said their Commissioners became concerned last year with the statutory limitation placed on computerized records, and they felt they wanted to become involved in the proposal brought forth by Sedgwick County and made it a part of their 1985 legislative program. They view computers as an efficient means to capture and store information because the margin of error is reduced by entering only once, the information can be retrieved easier and faster, computer storage is less expensive--in both space and personnel time, and security is increased against the loss by fire or other catastrophes.

Representative Dean asked if the description of the property was to go into the computer. Mr. Groneman said they were years away from the actual record being computerized. Theirs is on microfilm now. Ken Keen said Sedgwick County doesn't do anything on the computer in the Register of Deeds office. Representative Dean said that whoever wrote something left a trail of who wrote it by virtue of their handwriting and punching it into a computer leaves no identification and was told that they could determine the date, time, individual, and terminal that has entered an item. Representative Dean asked if the general format was the same for every county in written records. Mr. Allen said it basically was.

Robert Keckeison mentioned the fragility of computer tapes and disks and urged requiring backup computer-output microfilm or paper printouts and adherence to quality standards for computer systems in expressing his concern with this bill (Attachment 5).

Representative Chronister asked if we currently require that originals of the various documents of concern be in secure climate-controlled remote locations. Mr. Keckeison said the Government Preservation Act requires local and state officials to provide proper storage for records but there is no means of assuring that. Representative Chronister asked if we were asking for a higher quality of storage. He said they were because they believe computer disks and tapes are much more fragile and that most magnetic tapes and disks have a life expectancy of about ten years. Representative Chronister asked Carmel Hinkle if that was a fair statement on the length of time that a disk could be expected to be effective. He agreed it was.

Hearings on HB 2228 were concluded.

Chairman Aylward asked the committee to turn to HB 2006, the Centers of Excellence bill. Representative Friedeman offered a balloon for examination (Attachment 6) which increased the Centers of Excellence to include Pittsburg State University and requires 150% match of the total as required when beginning the other three Centers.

Representative Friedeman made a motion that this balloon be included as an amendment to HB 2006. Representative Roper seconded the motion. Chairman Aylward asked Representative Friedeman if he had run this by the people at Pittsburg State. He said he had and that they had been promised several large sums of money and considerable equipment for work in wood technology and there is a possibility that if they do not have a Center of Excellence they may lose part of this to a school in Missouri. Representative Chronister asked what they would call it. Representative Friedeman said it was the Center of Excellence for Applied Research Technology. Representative Dean stated his opposition to the wide name of Applied Research and asked the intent of the committee as to whether the matching funds be cash or equipment grants and said he thought this intent should be defined to be used at a later date. Representative Chronister said she thought the bill was specific in the language, "deposited in the state treasury." She also said she thought it wasn't right now to change the rules in naming the Centers. A vote was taken and the motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

room 522-S, Statehouse, at 3:30 ~~xxx~~ am/p.m. on February 18, 1985

Jim Wilson said the language in each of the sections dealing with "except upon being matched by an equal amount of expenditures from the centers of excellence matching fund, on a dollar-for-dollar basis," has been rewritten just slightly in the appropriations bills that carry similar line items and he asked the committee if it was acceptable to conceptually amend the bill additionally so that that difference in the language isn't an issue between the two bills. Representative Friedeman so moved. Representative Chronister seconded the motion. Representative Dean explained that he was concerned about whether the matching funds could be the result of a company coming into a university and donating a certain amount to work on a specific study or an outright donation. He thought an intent of the committee should be established. Representative Friedeman asked if the committee shouldn't at least show the intent that the project must be covered in the field of what they are doing. Representative Chronister said she realized it is difficult for the universities to raise flat research money so do they want to allow the universities to get that money the easiest way or to continue to go out and find new sources. Chairman Aylward asked to what extent this is allowed now. Representative Dean said he thought it was pure grants now without any strings attached. A vote was taken and the motion carried.

Representative Dean moved that the cash each of the universities can receive could be from corporations or individuals that would ask the universities to do study in that field of endeavor that describes their Center of Excellence. Representative Roper seconded the motion. Representative Dean said if this is allowed, universities might be able to draw in much more than the \$140,000 that the state will match. Representative Chronister said that the way it is written now, the universities have to get \$70,000 to receive the \$210,000, and she thinks they should be hustling for that amount. Jim Wilson said that SB 166 simply has \$169,600 with matching of \$84,800 which is a little different and is what the Governor recommended. Representative Friedeman opposes the motion on the basis that not enough study has been done on it. Representative Dean withdrew his motion. Representative Roper withdrew his second.

The chairman distributed sheets giving additional insurance coverage for DISC equipment information given to her by Art Griggs, Attorney for the Department of Administration (Attachment 7). This included acts of terrorism, etc. This is for HB 2126.

Representative Chronister moved that the minutes of the meeting of February 12 and 13, 1985, be approved. Representative Campbell seconded the motion. The motion carried.

The meeting adjourned at 4:55 p.m.

The next meeting of the committee will be held at 3:30 p.m. on Tuesday, February 19, 1985.

TESTIMONY OF REP. DENNIS SPANIOL, CHAIRMAN OF THE  
SEDGWICK COUNTY DELEGATION, ON HB 2228

A RECENT ATTORNEY GENERAL'S OPINION CONCLUDED THAT  
COMPUTERIZED RECORD KEEPING WAS NOT SPECIFICALLY AUTHORIZED  
BY STATUTE, AND WOULD THEREFORE NOT SATISFY THESE REQUIREMENTS.

H.B. 2228 WOULD PROVIDE THAT THE TERMS COMPUTER TAPE OR  
DISC WOULD BE INCLUDED WHEREVER THE STATUTES REFER TO RECORDS  
OR RECORD BOOKS. THE ACT WOULD REQUIRE THAT THESE COMPUTER-  
IZED RECORDS BE MAINTAINED AND MADE EASILY ACCESSIBLE TO  
THE PUBLIC.

I ASK FOR YOUR FAVORABLE CONSIDERATION ON THIS BILL.

*(Attachment 1)*  
*2/18/85*



## SEDGWICK COUNTY, KANSAS

### BOARD OF COUNTY COMMISSIONERS

DONALD E. GRAGG  
CHAIRMAN  
FIRST DISTRICT

BUD HENTZEN  
CHAIRMAN PRO-TEM  
THIRD DISTRICT

TOM SCOTT  
COMMISSIONER  
SECOND DISTRICT

COUNTY COURTHOUSE • SUITE 320 • WICHITA, KANSAS 67203-3759 • TELEPHONE (316) 268-7411

House Communications, Computers & Technology  
Committee  
February 18, 1985  
House Bill 2228

Testimony of Kim C. Dewey  
Sedgwick County, Kansas

In 1970, the Kansas Legislature modernized county record keeping by enacting K.S.A. 58-2224, which provided for the microfilming of any county records. Prior to this, counties were required to physically store the massive volumes of handwritten record books they are required to keep. K.S.A. 58-2224 allows the substitution of microfilmed records for the physical handwritten records.

Since 1970, counties throughout Kansas, large and small, have moved towards computerization of most county functions and services. Record keeping has been completely revolutionized through computerization and automation. It is time that a clear explicit provision for computerized record keeping is added to the laws of Kansas.

A recent Attorney General's opinion (84-42) concluded that without specific statutory reference to computerized record keeping, handwritten records or record books have to be maintained. This opinion directly concerns records kept by the county register of deeds per K.S.A. 19-1204. There are many other examples of such statutory requirements.

K.S.A. 58-2239 requires the county clerk to keep transfer records in a "book of record". K.S.A. 19-310 requires the clerk to "record in a proper

*(Attachment 2)*  
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book" road records. The list could go on and on.

House Bill 2228 will amend the microfilming statute (K.S.A. 58-2224) to include a similar provision for the storage of records on computer tape or disk. It would in no way require any county or county officer to computerize their records. Favorable action of this Committee on House Bill 2228 will serve simply to allow those counties which so desire to completely modernize any aspect of their record keeping activities without duplication of effort.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

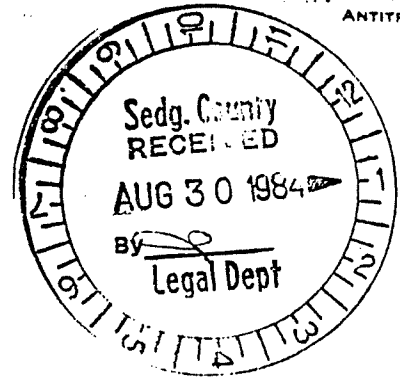
ROBERT T. STEPHAN  
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
ANTITRUST: 296-5299

May 30, 1984

ATTORNEY GENERAL OPINION 84- 42

Lyndus A. Henry  
County Counselor  
Johnson County Courthouse  
Olathe, Kansas 66061



Re: Counties and County Officers -- Register of Deeds --  
Custody and Recordation of Documents; Computerization  
of Records

Synopsis: K.S.A. 19-1204 requires a Register of Deeds to maintain certain handwritten record books. Although K.S.A. 58-2224 provides that certain other forms of record keeping will satisfy this requirement, it does not authorize the exclusive use of computerized recording. Thus, while a Register of Deeds may use a computer to aid in the recording functions of the office, he or she must also maintain the books required by K.S.A. 19-1204 until the legislature specifically allows computerized record keeping to be substituted for the handwritten records.  
Cited herein: K.S.A. 19-1204, 58-2224.

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Dear Mr. Henry:

As Johnson County Counselor and on behalf of the Johnson County Register of Deeds, you have requested an opinion from this office on matters related to computerization of certain records in the Register of Deeds office.

Your specific question asks whether the Register of Deeds may eliminate the handwritten grantor-grantee indexes if a computer

(Attachment 3)  
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is installed to maintain those records. It is your opinion and the opinion of your staff that, in view of K.S.A. 19-1204, the Register may utilize a computer to aid in the record keeping functions of the office but must also maintain the handwritten books.

K.S.A. 19-1204 provides:

"The register of deeds shall have custody of and safely keep and preserve all the books, records, deeds, maps, papers and microphotographs deposited or kept in his office, he shall also record, or cause to be recorded, in a plain and distinctive handwriting, in suitable books to be provided and kept in his office, all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in his office and left with him for that purpose, and shall perform all other duties required of him by law." (Emphasis added.)

As you point out, this statute clearly imposes a duty upon the Register of Deeds to record, "in plain and distinct handwriting, in suitable books" all instruments authorized by law to be recorded in the office. We agree with your conclusion that the language of the statute precludes dispensing with the handwritten books in favor of a computerized system.

The language of K.S.A. 19-1204 does not contemplate the use of a computer to maintain records in the office of the Register of Deeds. The statute does not, however, prohibit the use of a computer to maintain the records. The purpose of the "plain and distinct handwriting" requirement is to insure that the documents and instruments which, by law, must be recorded by the Register of Deeds are accessible to those entitled to them. The statute does not provide for other forms of access to records, such as a computer printout, and clearly requires the Register of Deeds to maintain the handwritten books. Thus even though, as you inform us in your letter of April 2, 1984, access to the computerized records will be available, K.S.A. 19-1204 precludes dispensing with the handwritten books.

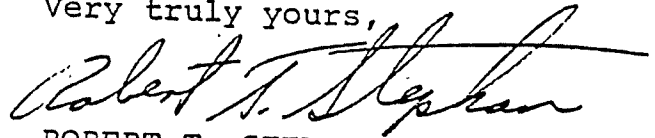
We note that in K.S.A. 58-2224 the legislature has provided that, as to documents which must be recorded in city, county or state offices, the making of photographic or microphotographic copies is deemed to constitute recording of those documents. That statute also provides that when microphotographs are placed in an accessible file which is available to those entitled to its use, such microfilms shall be deemed record books. This statute recognizes that preferred methods of record keeping may change



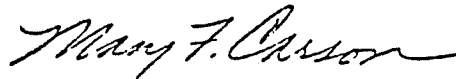
and that as long as access to the records is preserved, the methods used to keep the records may vary, at least so far as to include photocopies and microphotographs. In our opinion, however, this statute is not presently worded to recognize computerized record keeping as a substitute for the handwritten records required by K.S.A. 19-1204.

It is our opinion that K.S.A. 19-1204 requires a Register of Deeds to maintain certain handwritten record books. Although K.S.A. 58-2224 provides that certain other forms of record books may be utilized that statute does not authorize the exclusive use of computerized recording. Thus, while a Register of Deeds may use a computer to aid in the recording functions of the office, he or she must also maintain the books required by K.S.A. 19-1204 until the legislature specifically allows computerized record keeping to be substituted for the handwritten records.

Very truly yours,



ROBERT T. STEPHAN  
ATTORNEY GENERAL OF KANSAS



Mary F. Carson  
Assistant Attorney General

RTS:BJS:MFC:crw

**58-2224.** Recordation of instruments, papers or documents; making of photographic or microphotographed copies deemed recording and record books, when. Wherever the statutes require court records, deeds, patents, plats, charters of corporations, certificates of decrease of capital stock or other instruments, papers, or documents, to be recorded by any city, county or state officer, the making of photographic copies of such instruments, papers or documents, or the making of microphotographed copies shall be deemed recording. Photographic copies may be bound, paged and indexed wherever it is so provided for instruments, papers, or documents, recorded by hand, and such photographic copies when bound together shall be deemed record books. Microphotographed copies shall be placed in conveniently accessible files with provisions made for their preservation, examination and ready use by those persons lawfully entitled to view them and when such conditions are met they shall be deemed record books. This act shall be supplemental to existing statutes.

History: L. 1915, ch. 286, § 1; R.S. 1923, 67-224; L. 1970, ch. 218, § 1; July 1.

**19-310.** Road record as prima facie evidence. It shall be the duty of the county clerk to record in a proper book, to be called the "road record," a record of all proceedings in regard to laying out and establishing roads in the county, which said record shall include the report of the commissioners and surveyor locating such roads, and maps thereof; and such records, or duly certified copies thereof, are hereby declared prima facie evidence of the statements therein contained, in the courts of this state.

**History:** G.S. 1868, ch. 25, § 49; Oct. 31; R.S. 1923, 19-310.

**Source or prior law:**

L. 1865, ch. 24, §§ 1, 2.

**CASE ANNOTATIONS**

1. County clerk proper depository for condemnation award; clerk of county commissioners; duties. *Barker v. County of Wyandotte*, 188 K. 750, 754, 755, 366 P.2d 291.

**58-2239.** County clerk to keep transfer record; separate records for tax-exempt lands. The county clerk of each county in this state shall keep in his or her office a book of record, which shall be denominated the transfer record, in which shall be entered all transfers of lands or lots in the clerk's county. Upon presentation of a deed of conveyance of real estate, the county clerk shall enter on the transfer record the description of the real estate as described in said conveyance, and attach his or her certificate to the conveyance, that the proper transfers have been entered upon the records of the clerk's office. A separate transfer record shall be maintained for all lands or lots which are exempt from taxation under the constitution or statutes of Kansas.

**History:** L. 1877, ch. 145, § 1; R.S. 1923, 67-239; L. 1963, ch. 325, § 1; June 30.

**Cross References to Related Sections:**

Probate code provisions as to entry of final decree, see 59-2249.

**Research and Practice Aids:**

Hearing and final decree, *Kansas Probate Law and Practice* § 1348.

**Law Review and Bar/Journal References:**

"Kansas' Marketable Record Title Act," *Christel E. Marquardt*, 13 *W.L.J.* 33, 40 (1974).

**CASE ANNOTATIONS**

1. Lot described as platted includes land appurtenant; vacated street; tax foreclosure. *Marion County Comm'rs v. Clark*, 157 K. 132, 135, 138 P.2d 449.

sible under this section shall be records of the results of views and examinations of or autopsies upon the bodies of deceased persons by such coroner or by anyone under such coroner's direct supervision or control, and shall not include statements made by witnesses or other persons.

**History:** L. 1963, ch. 166, § 10; L. 1965, ch. 164, § 14; L. 1976, ch. 124, § 5; July 1.

Research and Practice Aids:

Coroners—22.

C.J.S. Coroners § 27.

#### CASE ANNOTATIONS

1. First page of coroner's report contained hearsay statements; erroneous omission; direction to excise. *State v. Johnson*, 220 K. 720, 725, 556 P.2d 168.

**19-1035.** Same; witness fees to coroner or deputy in criminal proceedings. Whenever any district coroner or deputy district coroner shall be called upon to testify, by reason of his position as district coroner or deputy district coroner, in any criminal proceeding pending before any of the several courts of this state, such court shall allow the district coroner or deputy district coroner witness fees which are commensurate with such person's professional status. Any such witness fees so allowed shall be taxed as costs in the proceeding.

**History:** L. 1969, ch. 143, § 6; April 25.

#### Article 11.—PROBATE JUDGE

##### 19-1101.

**History:** G.S. 1868, ch. 25, § 84; L. 1897, ch. 96, § 1; R.S. 1923, 19-1101; Repealed, L. 1939, ch. 180, § 280; July 1.

Source or prior law:

L. 1861, ch. 25 § 2.

#### CASE ANNOTATIONS

1. Section cited in determining authority of judge pro tem to solemnize marriages. *State, ex rel., v. Anderson*, 114 K. 297, 217 P. 327.

2. Probate judge not authorized to accept estate money, so bondsmen relieved from such items. *State, ex rel., v. Moore*, 137 K. 396, 397, 20 P.2d 518.

3. Probate judge's bond held not to cover his delinquencies as county judge. *State, ex rel., v. American Surety Co.*, 142 K. 246, 247, 46 P.2d 611.

##### 19-1102.

**History:** R.S. 1923, 19-1102; L. 1933, ch. 165, § 1; Repealed, L. 1939, ch. 180, § 280; July 1.

Source or prior law:

L. 1861, ch. 25, §§ 3, 6; G.S. 1868, ch. 25, § 85.

#### CASE ANNOTATIONS

Annotation to original section:

1. Power to allow additional compensation discretionary with county commissioners. *Linton v. Linn Co.*, 7 K. 79, 81; *L. L. & C. Rld. Co. v. Comm'rs of Douglas Co.*, 18 K. 169, 181.

##### 19-1103.

**History:** G.S. 1868, ch. 25, § 86; R.S. 1923, 19-1103; Repealed, L. 1939, ch. 180, § 280; July 1.

#### CASE ANNOTATIONS

1. Resignation not complete until acceptance and successor appointed and qualified. *The State, ex rel., v. Clayton*, 27 K. 442.

**19-1104.** Public administrator, Wyandotte county. Laws 1903, chapter 199, [§§ 1 to 9]. Included by reference. [The title to this act is, "An act providing for a public administrator in Wyandotte county, specifying the cases in which he shall have authority to act as administrator of the estates of deceased persons, and defining his powers, duties and liabilities as such." Act omitted as not of general application].

**History:** R.S. 1923, 19-1104.

#### CASE ANNOTATIONS

1. Construction of act applied to section 17, article 2, constitution. *The State v. Cox*, 79 K. 530, 99 P. 1128.

2. Action for death of nonresident may be brought by administrator. *Cox, Admr., v. Kansas City*, 86 K. 298, 299, 120 P. 553.

3. Act does not affect 59-2203 relating to venue for administration of estates. *In re Estate of Summerfield*, 158 K. 380, 383, 384, 385, 386, 387, 147 P.2d 759.

#### Article 12.—REGISTER OF DEEDS

Cross References to Related Sections:

Instruments to be recorded, see ch. 58.

Listing real estate conveyances for tax study purposes, see 79-1435 et seq.

Recordation of corporate instruments, see 17-6003.

Law Review and Bar Journal References:

"Survey of Kansas Law: Oil and Gas," Edward Larson, 27 K.L.R. 277, 280 (1979).

"Survey of Kansas Law: Real and Personal Property," Deanell R. Tacha, 27 K.L.R. 283, 284 (1979).

**19-1201.** Register of deeds; election, term, bond. Beginning with the general election in 1976, a register of deeds shall be elected in each county for a term of four (4) years. Such register of deeds shall, before entering upon the duties of the office, execute to the state of Kansas and file with the county clerk, a good and sufficient corporate surety bond issued by a company authorized to do business in this state in an amount

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approved by the county clerk of not less than ten thousand dollars (\$10,000). Such bond shall be conditioned on the faithful performance of the duties of the office and that such register of deeds will deliver to the successor in such office all property belonging to such office.

**History:** G.S. 1868, ch. 25, § 87; R.S. 1923, 19-1201; L. 1965, ch. 160, § 5; L. 1976, ch. 123, § 5; April 30.

**Research and Practice Aids:**

Registers of Deeds—2.  
C.J.S. Registers of Deeds §§ 4-8; Registration of Land Titles § 47.  
Bond, Vernon's Kansas Forms § 1831.

**19-1202. Deputy; liability for acts.** The register of deeds may appoint a deputy, who shall hold his office during the pleasure of the register. Such appointment shall be in writing, filed and recorded in the office of said register; and the register so appointing him, and his sureties, shall be responsible for the faithful performance of his duties by such deputy.

**History:** G.S. 1868, ch. 25, § 88; Oct. 31; R.S. 1923, 19-1202.

**Cross References to Related Sections:**

Oath of deputy, see 19-2604.

**Research and Practice Aids:**

Registers of Deeds—2½.  
C.J.S. Registers of Deeds § 16.

**CASE ANNOTATIONS**

1. Section cited in determining liability of register of deeds for funds paid to deputy. *Lang v. Coffey County Comm'rs*, 118 K. 723, 236 P. 853.

**19-1203. Vacancy in office of register of deeds, how filled.** In case of a vacancy in the office of register of deeds, the same shall be filled by the appointment of a qualified elector of the county for the remainder of the unexpired term and until a successor shall be elected and qualifies, or in the absence or inability of the register of deeds to perform the duties of his office, the deputy shall perform the duties of said register during the continuance of such absence or inability. Appointments hereunder shall be made in the manner provided by law for filling vacancies in the office of member of the house of representatives.

**History:** G.S. 1868, ch. 25, § 89; R.S. 1923, 19-1203; L. 1963, ch. 160, § 4; L. 1973, ch. 102, § 4; July 1.

**Research and Practice Aids:**

Registers of Deeds—2.

C.J.S. Registers of Deeds § 4-8; Registration of Land Titles § 47.

**19-1204. Custody and recordation of documents.** The register of deeds shall have custody of and safely keep and preserve all the books, records, deeds, maps, papers and microphotographs deposited or kept in his office; he shall also record, or cause to be recorded, in a plain and distinct handwriting, in suitable books to be provided and kept in his office, all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in his office and left with him for that purpose, and shall perform all other duties required of him by law.

**History:** G.S. 1868, ch. 25, § 90; R.S. 1923, 19-1204; L. 1971, ch. 86, § 1; July 1.

**Research and Practice Aids:**

Registers of Deeds—5.  
C.J.S. Registers of Deeds § 10.  
Purpose of abstracts of title, Kansas Practice Methods § 91.

**CASE ANNOTATIONS**

1. Person not entitled to copy entire records for private use. *Cormack v. Woolcott*, *Register*, 37 K. 391, 393, 15 P. 245.

2. Any person may examine records who has present existing interest. *Boylan v. Warren*, *Clerk*, 39 K. 301, 18 P. 174.

3. Sections cited in determining record as notice when wrong premises named. *Hollinger v. Imperial Warehouse Co.*, 122 K. 709, 712, 253 P. 215.

4. Section applied; proper recording; constructive notice to subsequent purchasers. *Luthi v. Evans*, 1 K.A.2d 114, 121, 562 P.2d 127.

5. Applied in determining property assigned by "Mother Hubbard" clause valid as between parties; ineffective as to subsequent purchasers without notice. *Luthi v. Evans*, 223 K. 622, 628, 576 P.2d 1064.

**19-1205. General indexes; entries; notation of discharge or release of instruments.** Every register shall keep a general index, direct and inverted, in his office. The general index, direct, shall be divided into seven columns, with heads to the respective columns as follows, to wit:

Time of Reception.	Names of Grantors.	Names of Grantees.	Nature of Instrument.	Volume and Page Where Recorded.	Remarks.	Description of Tract.
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He shall make correct entries in such general index, of every instrument recorded, under the appropriate headings, entering the names of the grantors in an alphabetical form. The general index, inverted, shall be

divided into seven columns, as follows, to wit:

Time of Reception.	Names of Grantors.	Nature of Instrument.	Volume and Page Where Recorded.	Remarks.	Description of Tract.
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He shall make, in such general index, correct entries of every instrument required by law to be entered in the general index, direct, entering the names of the grantors in alphabetical order; and whenever any mortgage, bond or other instrument has been released or discharged from record, whether by written release upon the margin of the record or by recording a deed or release, the register shall immediately note, in both general indexes, under the column headed "Remarks," and opposite to the appropriate entry, that such instrument has been satisfied.

History: G.S. 1868, ch. 25, § 91; Oct. 31; R.S. 1923, 19-1205.

Research and Practice Aids:

General indexes, Vernon's Kansas Forms § 1832.

Law Review and Bar Journal References:

"Kansas' Marketable Record Title Act," Christel E. Marquardt, 13 W.L.J. 33, 40 (1974).

CASE ANNOTATIONS

1. Oil lease; production notice filing effective against public only as to lands described therein. Cities Service Oil Company v. Adair, 273 F.2d 673, 674, 677.

2. Section applied; proper recording; constructive notice to subsequent purchasers. Luthi v. Evans, 1 K.A.2d 114, 121, 562 P.2d 127.

3. Applied in determining property assigned by "Mother Hubbard" clause valid as between parties; ineffective as to subsequent purchasers without notice. Luthi v. Evans, 223 K. 622, 628, 576 P.2d 1064.

**19-1206.** Receiving books; entries. He shall also keep a receiving-book, each page of which shall be divided into five columns, as follows, to wit:

Time of Reception.	Name of Grantor.	Name of Grantee.	To Whom Delivered.	Fees Received.
--------------------	------------------	------------------	--------------------	----------------

Whenever any instrument has been received by him for record, he shall immediately endorse upon such instrument his certificate, noting the day, hour and minute of its reception, and the fees received for recording the same; and the date of record of such instrument shall be from the date of filing. Whenever any instrument has been filed as aforesaid, the register shall immediately make an entry of the same in his receiving-

book, under the appropriate heading, with the amount paid as fee for recording the same; and after such instrument has been recorded he shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column.

History: C.S. 1868, ch. 25, § 92; Oct. 31; R.S. 1923, 19-1206.

Research and Practice Aids:

Receiving book, Vernon's Kansas Forms § 1833.

CASE ANNOTATIONS

1. Properly recorded instrument imparts notice from time of filing. Poplin v. Mundell, 27 K. 138, 156

2. Section applied; proper recording; constructive notice to subsequent purchasers. Luthi v. Evans, 1 K.A.2d 114, 121, 562 P.2d 127.

**19-1207.** Book of plats; index; prepayment or tender of fees; receipt for taxes required. (a) The register of deeds shall also keep a large, well-bound book, in which shall be platted all maps of towns, villages, or additions to the same within the county, together with the description, acknowledgment or other writing thereon. The register shall keep an index to such book of plats, which index shall contain the name or names of the proprietor or proprietors of such town or village, or addition and the name of the town, village or addition. No register of deeds shall be bound to perform any of the duties required to be performed by this act, for which a fee is allowed, unless such fee has been paid or tendered.

(b) The register of deeds shall not record any plat unless such plat is accompanied by a receipt from the county treasurer for all real estate taxes due and owing on land to be platted.

History: G.S. 1868, ch. 25, § 93; R.S. 1923, 19-1207; L. 1981, ch. 116, § 1; July 1.

Research and Practice Aids:

Purpose of abstracts of title, Kansas Practice Methods § 91.

CASE ANNOTATIONS

1. Section applied; proper recording; constructive notice to subsequent purchasers. Luthi v. Evans, 1 K.A.2d 114, 121, 562 P.2d 127.

2. Applied in determining property assigned by "Mother Hubbard" clause valid as between parties; ineffective as to subsequent purchasers without notice. Luthi v. Evans, 223 K. 622, 628, 576 P.2d 1064.

**19-1208.** Index to each volume of records. He shall also keep an index of each volume of records kept in his office, showing on one page the names of the grantors in alphabetical order, and on the other page the

**names of the grantees in alphabetical order.**

**History:** G.S. 1868, ch. 25, § 94; Oct. 31; R.S. 1923, 19-1208.

**CASE ANNOTATIONS**

1. Section applied; proper recording; constructive notice to subsequent purchasers. *Luthi v. Evans*, 1 K.A.2d 114, 121, 562 P.2d 127.

**19-1209.** Numerical index, when. Whenever the county commissioners of any county shall deem it necessary, they may order the register of deeds to furnish for the use of said county, in addition to the books above specified, a numerical index containing the name of the instrument, the name of the grantor, the name of the grantee, a brief description of the property and the volume and page in which each instrument indexed is recorded.

**History:** G.S. 1868, ch. 25, § 95; L. 1913, ch. 160, § 1; Feb. 21; R.S. 1923, 19-1209.

**Source or prior law:**

L. 1866, ch. 31, § 1; L. 1867, ch. 43, § 1.

**Law Review and Bar Journal References:**

"Kansas' Marketable Record Title Act," Christel E. Marquardt, 13 W.L.J. 33, 40 (1974).

**CASE ANNOTATIONS**

1. Sale of books by register to county prohibited. *Sedgwick County v. The State*, 66 K. 634, 638, 72 P. 284.

2. Oil lease; production notice filing effective against public only as to lands described therein. *Cities Service Oil Company v. Adair*, 273 F.2d 673, 674, 677.

3. Section applied; proper recording; constructive notice to subsequent purchasers. *Luthi v. Evans*, 1 K.A.2d 114, 118, 121, 562 P.2d 127.

4. Applied in determining property assigned by "Mother Hubbard" clause valid as between parties; ineffective as to subsequent purchasers without notice. *Luthi v. Evans*, 223 K. 622, 628, 576 P.2d 1064.

**19-1210.** Entries to be made in numerical index. It shall be the duty of the register to make correct entries in such numerical index, of all instruments recorded concerning real estate, under the appropriate headings, and in the subdivision devoted to the particular quarter section described in the instrument making the conveyance.

**History:** G.S. 1868, ch. 25, § 96; Oct. 31; R.S. 1923, 19-1210.

**Source or prior law:**

L. 1866, ch. 31, § 2.

**Law Review and Bar Journal References:**

"Kansas' Marketable Record Title Act," Christel E. Marquardt, 13 W.L.J. 33, 40 (1974).

Mentioned in "Survey of Kansas Law: Real and Personal Property," Deanell R. Tacha, 27 K.L.R. 283, 284 (1979).

**CASE ANNOTATIONS**

1. Oil lease; production notice filing effective against public only as to lands described therein. *Cities Service Oil Company v. Adair*, 273 F.2d 673, 674, 677.

2. Section applied; proper recording; constructive notice to subsequent purchasers. *Luthi v. Evans*, 1 K.A.2d 114, 118, 562 P.2d 127.

3. Applied in determining property assigned by "Mother Hubbard" clause valid as between parties; ineffective as to subsequent purchasers without notice. *Luthi v. Evans*, 223 K. 622, 628, 576 P.2d 1064.

**19-1211.** Previous transfers first entered in numerical index. Whenever such index is procured, it shall be the duty of the register to enter, in their appropriate divisions, before any other entries are made, all the transfers embraced within the instruments recorded in his office, commencing with the first.

**History:** G.S. 1868, ch. 25, § 97; Oct. 31; R.S. 1923, 19-1211.

**Source or prior law:**

L. 1866, ch. 31, § 3; L. 1867, ch. 43, § 2.

**19-1212.**

**History:** G.S. 1868, ch. 25, § 98; R.S. 1923, 19-1212; Repealed, L. 1970, ch. 106, § 1; July 1.

**Source or prior law:**

L. 1866, ch. 31, § 4; L. 1867, ch. 43, § 3.

**CASE ANNOTATIONS**

1. County book may annotat copies and revising indices. *Commissioners of Leavenworth v. Keller*, 6 K. 510, 519.

**19-1213.** Comparison of instrument with record. Every register of deeds, or his deputy, shall, after recording each instrument in the office of the register of deeds, proof read the same by comparing the instrument filed for record with the record that has been made by the register of deeds from such original instrument.

**History:** L. 1913, ch. 161, § 1; April 30; R.S. 1923, 19-1213.

**Cross References to Related Sections:**

See, also, 58-2221.

**19-1214.** Same; notation. The register of deeds shall note with his filing mark upon the back of the instrument, these words: "Original compared with record."

**History:** L. 1913, ch. 161, § 2; April 30; R.S. 1923, 19-1214.

**19-1215.** Same; penalty. For any violation of any of the provisions of this act the person so violating the law shall be guilty of

a misdemeanor, and upon conviction shall be fined in a sum not to exceed one hundred dollars.

History: L. 1913, ch. 161, § 3; April 30; R.S. 1923, 19-1215.

**19-1216.** Records destroyed or made illegible by fire or casualty. This act shall apply to every county in the state, wherein all or any portion of the records in the office of the register of deeds have been or shall hereafter be destroyed or made illegible by fire or other casualty.

History: L. 1951, ch. 236, § 1; April 2.

Research and Practice Aids:

Records—17(1).

C.J.S. Process § 23; Records § 42.

**19-1217.** Same; reindexing and re-recording without charge. Whenever any instrument in writing affecting real estate in any such county which has been theretofore recorded in the office of the register of deeds, shall be delivered to the register of deeds, the register of deeds shall examine the record and indexing of such instrument and shall reindex the same if any portion of such index be missing or illegible, and if the record of said instrument be destroyed or illegible, the register of deeds shall record said instrument together with the certificate of previous recording and shall reindex the same and the date of filing for record appearing in said original certificate of recording shall be deemed and taken as the date of record thereof. If a duly certified or authenticated copy of any such instrument is delivered to the register of deeds, the register of deeds shall reindex and record the same including the certification or authentication thereof, in the same cases and in the same manner and with like effect as hereinbefore provided in the case of original instruments. No fee shall be charged for the recording or indexing of instruments or copies pursuant to the provisions of this section.

History: L. 1951, ch. 236, § 2; April 2.

Research and Practice Aids:

Counties—53.

C.J.S. Counties § 91.

**19-1218.** Same; certification of information as to illegible, damaged or destroyed records; fee. Upon payment of a fee of two dollars (\$2), the register of deeds of any such

county shall examine the numerical index to any tract of land in the county and furnish to the person paying said fee a certificate showing whether or not any portion of numerical index pertaining to such tract is destroyed or illegible and showing whether or not any material part of the record of any instrument shown in the numerical index for such tract is destroyed or illegible. Such certificate shall also state the date upon which the records were damaged or destroyed and by what event. For the purpose of making such certificates each government quarter section or part thereof in case of unplatted lands and each block or part thereof in the case of platted land, shall be deemed a separate tract.

History: L. 1951, ch. 236, § 3; April 2.

**19-1219.** Same; publication service on certain persons in certain actions; judgment. In actions brought to quiet title to or foreclose upon real estate in any such county, if it be alleged that a portion of the record or numerical index pertaining to said land has been destroyed or rendered illegible by reason of fire or other casualty and there be attached to the petition a certificate issued by the register of deeds pursuant to the preceding section, showing that a portion of such record or index has been so destroyed or rendered illegible, then, and in that event, all persons whose interest in said real property does not appear of record in the records and indexes which remain legible and undestroyed may be made parties defendant under the general designation of "all others claiming any right, title, or interest in, or lien upon the real property described in the petition" and such persons may be served with summons by publication, which summons by publication shall contain the legal description of the real estate in the same manner and upon the making of the same affidavit as is required for service by publication upon unknown heirs. Any judgment rendered in any such action against parties so designated and served shall be binding upon all persons whose right, title or interest in or lien upon said lands is not disclosed by the records which remain undestroyed and legible: *Provided always*, That such judgments may be re-



pened upon the same conditions and within the time provided in the case of other judgments rendered on publication service.

History: L. 1951, ch. 236, § 4; April 2.

### Article 13.—CLERK OF DISTRICT COURT

#### 19-1301.

History: G.S. 1868, ch. 25, § 147; L. 1897, ch. 96, § 3; R.S. 1923, 19-1301; L. 1965, ch. 160, § 6; Repealed, L. 1976, ch. 145, § 246; Jan. 10, 1977.

Source or prior law:

L. 1861, ch. 24, § 1.

#### CASE ANNOTATIONS

1. District court clerk may also hold office of city clerk. *Abry v. Gray*, 58 K. 148, 149, 48 P. 577.
2. Not trustee of funds placed on general deposit in bank. *Phillips v. Bank*, 98 K. 383, 386, 158 P. 23.
3. Public moneys construed to include funds held for benefit of private person. *Mermis v. Jackson*, 93 F.2d 579.

**19-1302. Duties in general.** The clerks of the district courts shall do and perform all duties that may be required of them by law or the rules and practice of the courts, and shall safely keep and preserve all papers, process, pleadings and awards that may be filed, or by law placed in their respective offices.

History: G.S. 1868, ch. 25, § 148; Oct. 31; R.S. 1923, 19-1302.

Source or prior law:

L. 1861, ch. 24, § 2.

#### Cross References to Related Sections:

Certified copies of decrees to division of water resources, see 82a-720.

Judicial council information, see 20-2205.

#### Research and Practice Aids:

Clerks of Courts—65.

C.J.S. Clerks of Courts § 33 et seq.

#### CASE ANNOTATIONS

1. Clerk must retain original files in his office. *W. & W. Rld. Co. v. Kuhn*, 38 K. 104, 106, 16 P. 75. Overruled: *W. & W. Rld. Co. v. Kuhn*, 38 K. 675, 17 P. 322.
2. Any person may examine records who has present existing interest. *Boylan v. Warren, Clerk*, 39 K. 301, 303, 18 P. 174.

#### 19-1303.

History: G.S. 1868, ch. 25, § 149; R.S. 1923, 19-1303; L. 1967, ch. 136, § 1; Repealed, L. 1978, ch. 112, § 5; July 1.

Source or prior law:

L. 1861, ch. 24, § 3.

#### CASE ANNOTATIONS

1. Deputy may exercise ministerial powers. *Ferguson v. Smith & Dunham*, 10 K. 396, 404.

**19-1304. Oath of deputies.** Every such deputy clerk shall, before entering upon the duties of his office, take the oath of office hereinbefore provided.

History: G.S. 1868, ch. 25, § 150; Oct. 31; R.S. 1923, 19-1304.

Source or prior law:

L. 1861, ch. 24, § 4.

#### CASE ANNOTATIONS

1. Acceptance of this office forfeits office of county attorney. *Moore v. Wesley*, 125 K. 22, 24, 262 P. 1035.

**19-1305. Oaths, affirmations and acknowledgments.** The clerks of the district courts shall have authority to administer oaths and affirmations in all cases in which an oath or affirmation may be required, and may take acknowledgments of deeds, mortgages, and other instruments of writing, in this state.

History: G.S. 1868, ch. 25, § 151; Oct. 31; R.S. 1923, 19-1305.

Source or prior law:

L. 1861, ch. 24, § 5.

#### Research and Practice Aids:

Order of attachment, service of documents, Kansas Practice Methods § 1421.

#### CASE ANNOTATIONS

1. Deputy may administer oath. *Ferguson v. Smith & Dunham*, 10 K. 396.
2. Indictment for perjury; allegations as to administration of oath held sufficient. *State v. Osborne*, 172 K. 596, 598, 241 P.2d 506.

#### 19-1306.

History: G.S. 1868, ch. 25, § 152; R.S. 1923, 19-1306; L. 1963, ch. 160, § 5; Repealed, L. 1978, ch. 112, § 5; July 1.

Source or prior law:

L. 1861, ch. 24, § 6.

**19-1306a. Montgomery county; duties of clerk; transfer of action.** That the clerk of the district court of Montgomery county, Kansas, by himself or deputy, shall maintain an office at the city of Independence and at the city of Coffeyville, in Montgomery county, Kansas, and that all actions commenced in said court shall be entitled in said court "sitting at Independence" or "sitting at Coffeyville," as the case may be, and all actions shall be filed, process issued from and be returned to and trial had in the court

COMMENTS ON HOUSE BILL NO. 2228

Presented to the House Communications,  
Computers and Technology Committee  
by Terry Harmon, Assistant State Archivist

February 18, 1985

Because of our responsibilities as the official state archives, the Kansas State Historical Society is very concerned about the statutory changes proposed in House Bill No. 2228.

This bill would authorize state and local government agencies to use computers as the sole means of preserving any documents which are required by law to be recorded. We are afraid this proposal in its present form would make it very difficult, if not impossible, to preserve permanently and make adequately available to the public many of the most important archival resources of Kansas. It should be pointed out, incidentally, that in using the term "archival resources," we mean not only records with historical value, but also any information possessed by state or local government agencies which merits permanent preservation for legal, administrative, fiscal, or research purposes.

Computers obviously are very useful tools for temporarily storing and analyzing data, but the tapes and disks they utilize are short-lived, and the hardware rapidly becomes obsolete. It may be feasible to reproduce disks and tapes as they deteriorate or become obsolete, but that is an expensive proposition which an agency someday might not be able to afford, and it might easily be overlooked by custodians of records in future years. We therefore do not believe that electronic data processing is a suitable means of attempting to preserve information permanently.

The fragility of computer tapes and disks is another major concern. Human error or improper storage conditions can lead to the loss of large quantities of computerized information. Needless to say, that could be tragic if the lost data consisted of permanent records, such as those listed in K.S.A. 58-2224, which would be amended by this bill. Any state or local agencies using computers for permanent storage of information therefore should be required to prepare backup computer-output microfilm, or paper printouts containing the permanent data. These backup microforms or paper copies should meet archival standards, and they should be stored in secure, climate-controlled, remote locations. At the very least, backup tapes or disks stored in secure, climate-controlled, remote places should be required if computers are used in an effort to preserve information permanently.

A third concern we have as archivists is the failure in this bill, or anywhere else that we know of in Kansas statutes, to require adherence to quality standards for computer systems. Our concern about this grows out of our experience with microfilm. In numerous instances throughout the state microfilm copies of records have been made and the original documents have been destroyed without any testing of the density, resolution, and residual thio-sulfate, and sometimes without even a thorough visual inspection of the film. The result easily could be reliance on film which is inadequately legible or which will deteriorate as the years pass and ultimately result in the loss of

(Attachment 5)  
2/18/85

information which should be preserved permanently. Pursuant to K.S.A. 45-412(a) the State Historical Society's department of archives has prepared some recommended standards for microfilm. We lack the expertise necessary to prepare such quality standards for computer systems, but we believe that someone should do it. Use of poor quality computer equipment, tapes, or disks in an effort to store information permanently would be especially risky.

We wonder, moreover, if there are serious potential problems related to the necessity of granting adequate public access to computerized records. Lines 40 through 50 of this bill are aimed at dealing with this problem, but these provisions will be difficult to implement at reasonable cost. K.S.A. 45-219 allows custodians of records to charge fees covering the expense of granting public access to them. When records are computerized, this cost often could be prohibitive. Simply purchasing and maintaining an adequate number of computer terminals to provide prompt, convenient public access to records would be very expensive for many state and local agencies. Research in government records sometimes is a very time-consuming endeavor which requires examination of hundreds of documents and much note-taking or purchase of many copies. Few offices are adequately equipped to allow a researcher to spend an entire day examining computerized records, even if he or she legally has a right to see them and could conveniently do so if paper or microfilm copies were available. Widespread use of computers to store permanent records thus could severely limit public access to government records in Kansas.

The State Historical Society hopes that substantial changes are made in this bill, if it is approved in any form. Conversations with several supporters of the measure have indicated that obtaining authority to computerize several types of indexes created by county registers of deeds is their primary concern. Perhaps the committee could propose a statute similar to 60-2601a, which authorizes courts to use computers in creating appearance and judgment dockets. This more restricted approach would be much better than the blanket authority to computerize almost any records which would be provided by House Bill No. 2228.

Even if the scope of the bill is limited to several types of indexes, we urge you to require frequent inspection of computer disks and tapes concerning such indexes if they are to be retained permanently. Periodic reproduction of them whenever necessary to prevent loss of data through deterioration or obsolescence of equipment also should be required. We also urge inclusion of provisions which require preparation of backup microfilm or paper printouts meeting archival standards or at the very least backup disks or tapes for any computerized records containing permanent information, including indexes. We hope, moreover, that if this bill is adopted it will first be amended to require the preparation of appropriate standards for computer equipment and adherence to such standards whenever state or local agencies use computers as a means of permanently storing information. It might seem that the necessity of such measures can be assumed without statutory requirements, but our experiences with microfilm have demonstrated that state and local officials will not always be aware of seemingly obvious necessities.

We hope members of this committee will appreciate the importance of preserving the archival resources of Kansas and that they will refrain from approving statutory changes which would make this difficult or impossible.

2-4-85

HOUSE BILL No. 2006

By Special Committee on Communication, Computers and Technology

Re Proposal No. 11

12-18

0019 AN ACT relating to centers of excellence at institutions of higher
0020 education under the supervision and management of the state
0021 board of regents; making and concerning appropriations for
0022 the fiscal year ending June 30, 1986, for Kansas state univer-
0023 sity, Wichita state university and the university of Kansas;
0024 providing certain exemptions, authorizing certain transfers,
0025 imposing certain restrictions and limitations, and directing or
0026 authorizing certain receipts and disbursements and acts in-
0027 cidental to the foregoing.

Pittsburg state university,

0028 Be it enacted by the Legislature of the State of Kansas:

0029 Section 1. There are hereby established centers of excel-
0030 lence for the purposes of enhancing research and development
0031 in areas of high technology at Kansas state university, Wichita
0032 state university and the university of Kansas. In accordance with
0033 appropriations acts, the legislature shall provide for the support
0034 and continuity of faculty and other personnel assigned to centers
0035 of excellence and for the continuity of operations thereof. It is
0036 the intent of the legislature that of the appropriations made for
0037 state educational institutions under the supervision and control
0038 of the state board of regents and for centers of excellence at such
0039 institutions, at least 1/3 of such appropriations shall be for the
0040 faculty and other personnel of the centers of excellence and that
0041 the remaining appropriations shall be for the operating expendi-
0042 tures of the centers of excellence as determined by such institu-
0043 tions, except that at least 1/2 of such remaining amount shall be
0044 matched on a dollar-for-dollar basis by amounts received from
0045 nongovernmental sources for the centers of excellence at such
0046 institutions as prescribed by appropriations acts of the legisla-

Pittsburg state university,

or as otherwise may be

(Attachment 6)

(Attachment 6) 2/18/85

0047 ture.

0048 Sec. 2. For the fiscal year ending June 30, 1986, appropria-  
0049 tions are hereby made, restrictions and limitations are hereby  
0050 imposed, and transfers, disbursements and acts incidental to the  
0051 foregoing are hereby directed or authorized as provided in this  
0052 act.

0053 Sec. 3.

0054 KANSAS STATE UNIVERSITY

0056 (a) There is appropriated for the above agency from the state  
0057 general fund the following:

0058	Salaries and wages.....	\$70,000
0060	<i>Provided</i> , That expenditures from this account for state officers	
0061	and employees assigned to centers of excellence shall not be less	
0062	than \$70,000.	
0063	Centers of excellence.....	140,000
0065	<i>Provided</i> , That expenditures may be made from this account for	
0066	supplemental salaries and wages support, support for research	
0067	assistants and laboratory and equipment support: <i>Provided</i> ,	
0068	<i>however</i> , That expenditures from this account shall not exceed	
0069	\$70,000 except upon being matched by an equal amount of	
0070	expenditures from the centers of excellence matching fund, on a	
0071	dollar-for-dollar basis, of moneys received from nongovernmen-	
0073	tal sources and credited to that fund.	
0074	Total.....	<u>\$210,000</u>

0076 Sec. 4.

0078 WICHITA STATE UNIVERSITY

0079 (a) There is appropriated for the above agency from the state  
0080 general fund the following:

0081	Salaries and wages.....	\$70,000
0083	<i>Provided</i> , That expenditures from this account for state officers	
0084	and employees assigned to centers of excellence shall not be less	
0085	than \$70,000.	
0086	Centers of excellence.....	140,000
0088	<i>Provided</i> , That expenditures may be made from this account for	
0089	supplemental salaries and wages support, support for research	
0090	assistants and laboratory and equipment support: <i>Provided</i> ,	
0091	<i>however</i> , That expenditures from this account shall not exceed	
0092	\$70,000 except upon being matched by an equal amount of	
0093	expenditures from the centers of excellence matching fund, on a	
0094	dollar-for-dollar basis, of moneys received from nongovernmen-	
0096	tal sources and credited to that fund.	
0097	Total.....	<u>\$210,000</u>

0099 5.

0100 Sec. 5.

0102 UNIVERSITY OF KANSAS

0103 (a) There is appropriated for the above agency from the state  
0104 general fund the following:

0105	Salaries and wages.....	\$70,000
0107	<i>Provided, That expenditures from this account for state officers</i>	
0108	<i>and employees assigned to centers of excellence shall not be less</i>	
0109	<i>than \$70,000.</i>	
0110	Centers of excellence.....	140,000
0112	<i>Provided, That expenditures may be made from this account for</i>	
0113	<i>supplemental salaries and wages support, support for research</i>	
0114	<i>assistants and laboratory and equipment support: <i>Provided,</i></i>	
0115	<i>however, That expenditures from this account shall not exceed</i>	
0116	<i>\$70,000 except upon being matched by an equal amount of</i>	
0117	<i>expenditures from the centers of excellence matching fund, on a</i>	
0118	<i>dollar-for-dollar basis, of moneys received from nongovernmental</i>	
0120	<i>sources and credited to that fund.</i>	
0121	Total.....	\$210,000

0123 ~~Sec. 6.~~ This act shall take effect and be in force from and  
0124 after July 1, 1985, and its publication in the statute book.

Sec. 6

PITTSBURG STATE UNIVERSITY

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

Centers of excellence ..... \$130,000

Provided, That expenditures may be made from this account for supplemental salaries and wages support, support for research assistants and laboratory and equipment support: Provided, however, That no expenditures shall be made from this account until at least \$195,000 has been deposited in the state treasury to the credit of the centers of excellence matching fund.

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

Centers of excellence matching fund .....No limit

INSURANCE COVERAGE FOR DISC EQUIPMENT

Replacement Cost of Equipment	\$5,448,750
Cost of Operation in Cold Site In excess of normal operation costs. Assumed 180 days in the cold site.	\$ 22,530
Other Costs such as Freight	\$ 27,470

After consultation with the State Insurance Department we obtained cost estimates for insurance coverage from the US Insurance Group in Kansas City, which specializes in this type of Insurance.

US Insurance Group estimated the premiums required with three different deductible levels. Insurance is not available without a deductible.

\$ 1,000 deductible has premium of \$9,788  
\$ 5,000 deductible has premium of \$9,293  
\$10,000 deductible has premium of \$8,963

v12/VB2

(Attachment 7)  
2/18/85