

Approved 1-23-90
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:10 a.m./p.m. on January 16, 1990 in room 254-E of the Capitol.

All members were present except:

Senator Anderson, Senator Strick, Senator Vidricksen,
and Senator Yost

Committee staff present:

Mary Ann Torrence, Revisor of Statutes Office
Mary Galligan, Legislative Research
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Tom Sloan, Department of Corrections
Mark Wettig, Department of Revenue

Tom Sloan, Department of Corrections, requested an amendment to the statute which requires that surplus state property be held for 60 days before it can be sold to the general public. The Department of Corrections would like the number of days to be changed to 30.

A motion was made by Senator Bond and seconded by Senator Morris that such an amendment be introduced. The motion carried.

Mark Wettig, Department of Revenue presented five requests for alcoholic beverage control legislation. (Attachment 1)

A motion was made by Senator Bond and seconded by Senator Walker that the requests be introduced. The motion carried.

Recommendations by the Interim Joint Committee on Arts and Cultural Resources were presented by staff. (Attachments 2, 3, 4, 5, 6, and 7)

A motion was made by Senator Bond and seconded by Senator McClure that the recommendations be introduced. The motion carried.

The minutes of the January 11, 1990, meeting were approved.

There was discussion on bills still in the Committee. It was decided that the following bills would be heard: HB 2376 (at the Attorney General's request,) SB 324, SB 429, and SB 430. The Chairman indicated there was some interest in HB 2018 and HB 2223.

A Sub-Committee was appointed on SB 69 as follows: Senator Walker, Chairman; Senator Vidricksen, and Senator Yost.

The meeting was adjourned at 11:45 a.m.

KANSAS DEPARTMENT OF REVENUE
Office of the Secretary
Robert B. Docking State Office Building
Topeka, Kansas 66612-1588

TO: The Honorable Edward F. Reilly, Chairman
Senate Committee on Federal and State Affairs

FROM: Mark E. Wettig,
Special Assistant to the Secretary of Revenue

DATE: January 16, 1990

SUBJECT: Request for Alcoholic Beverage Control Legislation

PROPOSAL

1. Recommendation

Require an application for a temporary permit to be filed not less than 14 days in advance of the event.

Background

Currently, ABC is given 7 days notice on temporary permits. In most cases, the applicant is completely unfamiliar with the liquor laws and regulations which apply to the permit. It has been our experience that compliance is greater and violations reduced when an enforcement agent can be assigned to contact a permit holder prior to the event. This allows questions to be answered and potential violations addressed before an illegal situation develops. The 7 day notice is rarely sufficient to allow enforcement personnel to make advance contact or to schedule an agent to cover the event.

2. Recommendation

Require caterers to notify ABC 10 days in advance of events to be catered under their license.

Background

Currently, a licensee is required to notify only local authorities when an event is scheduled. Sales of alcohol by all other licensees can be monitored by ABC for compliance because the times and

Senate F&SA
1-16-90
Att. 1

General Information (913) 296-3909
Office of the Secretary (913) 296-3041 • Legal Services Bureau (913) 296-2381
Audit Services Bureau (913) 296-7719 • Planning & Research Services Bureau (913) 296-3081
Administrative Services Bureau (913) 296-2331 • Personnel Services Bureau (913) 296-3077

locations of the sales are known in advance. The current inability to monitor catered events results in inconsistent enforcement of the liquor laws and allows potential violations to go undetected.

3. Recommendation

Remove the requirement that ABC must notify a city or township clerk each time an application is received for RENEWAL of a retailer's license.

Background

The notice to local clerks required at renewal time is an unnecessary expense to the ABC. Local authorities require their own licenses and fees on an annual basis and are aware that it is renewal time without an additional notice from ABC. This proposal would save the ABC approximately \$4,000 annually in postage and stationary costs.

4. Recommendation

Require persons who physically call on and solicit liquor sales to private clubs and drinking establishments on behalf of retailers to hold a salesperson's permit. Persons working only on the licensed retail premises would be exempt from this requirement.

Background

Since 1987, retailers have been allowed to sell and deliver alcoholic liquor to clubs and drinking establishments, but were not subject to the registration requirements placed on salespersons employed by manufacturers and distributors. This recommendation would result in the consistent application of salesperson requirements and assist ABC in identifying persons authorized to solicit off premise liquor sales.

5. Recommendation

Repeal obsolete statutes.

Background

The following statutes are obsolete and should be repealed:

K.S.A.	1988 Supp 41-307a	K.S.A.	41-1103
"	41-329	"	41-1104
"	41-411	"	41-1106
"	41-501a	"	41-2714
"	41-504	"	41-2715
"	41-505	"	41-2716
"	1988 Supp. 410506	"	41-2717

SENATE BILL NO. _____

By

AN ACT concerning the Kansas development finance authority act; relating to purposes for which bonds may be issued; amending K.S.A. 1989 Supp. 74-8902 and 74-8905 and repealing the existing sections.

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

Section 1. K.S.A. 1989 Supp. 74-8902 is hereby amended to read as follows: 74-8902. The following words or terms used in this act shall have the following meanings unless a different meaning clearly appears from the context:

(a) "Act" means the Kansas development finance authority act.

(b) "Authority" means the Kansas development finance authority created by K.S.A. 1988 1989 Supp. 74-8903, and amendments thereto.

(c) "Agricultural business enterprises" means facilities supporting or utilized in the operation of farms, ranches and other agricultural, aquacultural or silvicultural commodity producers and services provided in conjunction with the foregoing.

(d) "Board of directors" means the board of directors of the authority created by K.S.A. 1988 1989 Supp. 74-8903, and amendments thereto.

(e) "Bonds" means any bonds, notes, debentures, interim certificates, grant and revenue anticipation notes, interest in a lease, lease certificate of participation or other evidences of indebtedness, whether or not the interest on which is subject to federal income taxation, issued by the authority pursuant to this act.

(f) "Capital improvements" means any physical public

Senate F&SA
1-16-90
Att. 2

betterment or improvement or any preliminary plans, studies or surveys relative thereto; land or rights in land, including, without limitations, leases, air rights, easements, rights-of-way or licenses; and any furnishings, machinery, vehicles, apparatus or equipment for any public betterment or improvement.

(g) "Cultural facilities" means real, personal and mixed property of any and every kind utilized for the exhibition of works of art, the conduct of programs of music, literature and the performing arts, the establishment of museums, the exhibition of historical objects, the presentation of dramatic productions or other exhibitions and performances enhancing the cultural and intellectual level of the community.

(g) (h) "Construct" means to acquire or build, in whole or in part, in such manner and by such method as the authority shall determine to be in the public interest and necessary to accomplish the purposes of and authority set forth in this act.

(h) (i) "Loans" means loans made for the purposes of financing any of the activities authorized within this act, including loans made to financial institutions for funding or as security for loans made for accomplishing any of the purposes of this act and reserves and expenses appropriate or incidental thereto.

(i) (j) "Educational facilities" means real, personal and mixed property of any and every kind intended by an educational institution in furtherance of its educational program.

(j) (k) "Facilities" means any real property, personal property or mixed property of any and every kind.

(k) (l) "Health care facilities" means facilities for furnishing physical or mental health care.

(l) (m) "Housing development" means any work or undertaking, whether new construction or rehabilitation, which is designed and financed pursuant to the provisions of this act for the primary purpose of providing dwelling accommodations for elderly persons and families of low income in need of housing.

(m) (n) "Industrial enterprise" means facilities for

manufacturing, producing, processing, assembling, repairing, extracting, warehousing, distributing, communications, computer services, transportation, corporate and management offices and services provided in connection with any of the foregoing, in isolation or in any combination, that involve the creation of new or additional employment or the retention of existing employment.

~~(n)~~ (o) "Political subdivision" means political or taxing subdivisions of the state, including municipal and quasi-municipal corporations, boards, commissions, authorities, councils, committees, subcommittees and other subordinate groups or administrative units thereof, receiving or expending and supported, in whole or in part, by public funds.

~~(e)~~ (p) "Pooled bonds" means bonds of the authority, the interest on which is subject to federal income taxation, which are issued for the purpose of acquiring bonds issued by two or more political subdivisions.

~~(p)~~ (q) "State" means the state of Kansas.

~~(q)~~ (r) "State agency" means any office, department, board, commission, bureau, division, public corporation, agency or instrumentality of this state.

~~(r)~~ (s) "Eligible Kansas basic enterprise" means any enterprise:

(1) Which has been located or principally based in Kansas for one year or more; and

(2) which can provide demonstrable evidence that:

(A) It is primarily engaged in any one or more of the Kansas basic industries; or

(B) it is primarily engaged in the development or production of goods or the provision of services for out-of-state sale; or

(C) it is primarily engaged in the production of goods or the provision of services which will attract out-of-state buyers or consumers into the state; or

(D) it is primarily engaged in the production of raw materials, ingredients, or components for other enterprises which export the majority of their products from the state; or

(E) it is a national or regional enterprise which is primarily engaged in interstate commerce; or

(F) it is primarily engaged in the production of goods or the provision of services which will supplant goods or services which would be imported into the state; or

(G) it is the corporate or regional headquarters of a multistate enterprise which is primarily engaged in out-of-state industrial activities; and

(3) which had gross revenues in its most recently completed year of not more than \$1,500,000; and

(4) which is not eligible for a loan or loan guaranty from the small business administration or the farmers home administration of the federal government, other than as part of a packaged loan arrangement including a loan or loan guarantee from one or both of such federal agencies, for the same project for which an application has been made for a loan under the Kansas basic enterprises loan program.

~~(s)~~ (t) "Kansas basic industries" means:

(1) Agriculture;

(2) mining;

(3) manufacturing;

(4) interstate transportation;

(5) wholesale trade which is primarily multistate in activity or which has a major import supplanting effect within the state;

(6) financial services which are provided primarily for interstate or international transactions;

(7) business services which are provided primarily in out-of-state markets;

(8) research and development of new products, processes, or technologies; or

(9) tourism activities which are primarily engaged in for the purpose of attracting out-of-state tourists.

~~(t)~~ (u) "Primarily engaged" means engagement in an industrial activity by an enterprise to the extent that not less

than 51% of the gross income of the enterprise is derived from such engagement.

Sec. 2. K.S.A. 1989 Supp. 74-8905 is hereby amended to read as follows: 74-8905. (a) The authority is hereby authorized and empowered to issue bonds, either for a specific activity or on a pooled basis for a series of related or unrelated activities or projects duly authorized by a political subdivision or group of political subdivisions of the state in such amounts as shall be determined by the authority for the purpose of financing capital improvement facilities, educational facilities, health care facilities and housing developments. Nothing in this act shall be construed to authorize the authority to issue bonds or use the proceeds thereof to (1) purchase, condemn, or otherwise acquire a utility plant or distribution system owned or operated by a regulated public utility or (2) finance any capital improvement facilities, educational facilities, or health care facilities which are authorized under the laws of the state to be financed by the issuance of general obligation or utility revenue bonds of a political subdivision, except that the acquisition by the authority of general obligation or utility revenue bonds issued by political subdivisions with the proceeds of pooled bonds shall not violate the provisions of the foregoing. Nothing in this subsection (a) shall prohibit the issuance of bonds by the authority when any statute specifically authorizes the issuance of bonds by the authority or approves any activity or project of a state agency for purposes of authorizing any such issuance of bonds in accordance with this section and provides an exemption from the provisions of this subsection (a).

(b) The authority is hereby authorized and empowered to issue bonds for activities and projects of state agencies as requested by the secretary of administration. No bonds may be issued pursuant to this act for any activity or project of a state agency unless the activity or project either has been approved by an appropriation or other act of the legislature or has been approved 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. When requested to do so by the secretary of administration, the authority is further authorized and empowered to issue bonds for the purpose of refunding, whether at maturity or in advance of maturity, any outstanding bonded indebtedness of any state agency. The revenues of any state agency which are pledged as security for any bonds of such state agency which are refunded by refunding bonds of the authority may be pledged to the authority as security for the refunding bonds.

(c) The authority is hereby authorized and empowered to issue bonds for the purpose of financing industrial enterprises, agricultural business enterprises, cultural facilities, educational facilities, health care facilities and housing developments, or any combination of such facilities, or any interest in facilities, including without limitation leasehold interests in and mortgages on such facilities. No less than 30 days prior to the issuance of any bonds authorized under this act with respect to any project or activity which is to be undertaken for the direct benefit of any person or entity which is not a state agency or a political subdivision, written notice of the intention of the authority to provide financing and issue bonds therefor shall be given by the president of the authority to the governing body of the city in which the project or activity is to be located, or, if the project or activity is not proposed to be located within a city, such notice shall be given to the governing body of the county. No bonds for the financing of the project or activity shall be issued by the authority for a one-year period if, within 15 days after the giving of such notice, the governing body of the political subdivision in which the project or activity is proposed to be located shall have duly enacted an ordinance or resolution stating express disapproval of the project or activity and shall have notified the president of the authority of such disapproval. The provisions of this

subsection shall not apply to the Kansas basic enterprises loan program.

(d) The authority is hereby authorized and empowered to issue bonds for the purpose of establishing and funding one or more series of venture capital funds in such principal amounts, at such interest rates, in such maturities, with such security, and upon such other terms and in such manner as is approved by resolution of the authority. The proceeds of such bonds not placed in a venture capital fund or used to pay or reimburse organizational, offering and administrative expenses and fees necessary to the issuance and sale of such bonds shall be invested and reinvested in such securities and other instruments as shall be provided in the resolution under which such bonds are issued. Moneys in a venture capital fund shall be used to make venture capital investments in new, expanding or developing businesses, including, but not limited to, equity and debt securities, warrants, options and other rights to acquire such securities, subject to the provisions of the resolution of the authority. The authority shall establish an investment policy with respect to the investment of the funds in a venture capital fund not inconsistent with the purposes of this act. The authority shall enter into an agreement with a management company experienced in venture capital investments to manage and administer each venture capital fund upon terms not inconsistent with the purposes of this act and such investment policy. The authority may establish an advisory board to provide advice and consulting assistance to the authority and the management company with respect to the management and administration of each venture capital fund and the establishment of its investment policy. All fees and expenses incurred in the management and administration of a venture capital fund not paid or reimbursed out of the proceeds of the bonds issued by the authority shall be paid or reimbursed out of such venture capital fund.

(e) The authority is hereby authorized and empowered to use the proceeds of any bond issues herein authorized, together with

any other available funds, for venture capital investments or for purchasing, leasing, constructing, restoring, renovating, altering or repairing facilities as herein authorized, for making loans, purchasing mortgages or security interests in loan participations and paying all incidental expenses therewith, paying expenses of authorizing and issuing the bonds, paying interest on the bonds until revenues thereof are available in sufficient amounts, purchasing bond insurance or other credit enhancements on the bonds, and funding such reserves as the authority deems necessary and desirable. All moneys received by the authority, other than moneys received by virtue of an appropriation, are hereby specifically declared to be cash funds, restricted in their use and to be used solely as provided herein. No moneys of the authority other than moneys received by appropriation shall be deposited with the state treasurer.

(f) (1) The authority is hereby authorized and empowered to develop and implement the Kansas basic enterprises loan program and to issue bonds for the financing of loans thereunder. All loans under the program shall be made to eligible Kansas basic enterprises in accordance with guidelines and conditions prescribed by the authority and by statute. Each loan under the program shall be qualified, entered into and serviced by a financial institution acting as the agent of the authority and receiving a fee for such services pursuant to a contract entered into by the authority with the financial institution. The authority shall prescribe monitoring and reporting requirements for participating financial institutions to provide for the monitoring of each loan under the program and the activities of the eligible Kansas basic enterprise in connection with the loan to provide for compliance with the loan provisions and the provisions of this subsection. Each loan under the program shall be in an amount of not less than \$20,000 and not more than \$200,000 and shall be matched by a subordinated loan to the eligible Kansas basic enterprise from the participating financial institution which shall be in an amount of not less than 15% of

the amount of the loan made under the program. The eligible Kansas basic enterprise receiving a loan under the program shall contribute equity capital to the project, for which the loan is being made under the program, which capital is equal to at least 10% of the total cost of the project. Loans may be made to an eligible Kansas basic enterprise under the Kansas basic enterprise loan program for the purposes of purchasing, leasing, constructing, restoring, renovating, altering, repairing and equipping facilities, refinancing of facilities and providing working capital. Subject to the provisions of this subsection (f), the authority is hereby authorized to pledge moneys credited to the Kansas basic enterprises loan guarantee fund in security for bonds issued under the program. Nothing in this act shall preclude the making of any loan under this program as part of a packaged loan arrangement for an eligible Kansas basic enterprise which includes one or more loans or loan guaranties from the small business administration or farmers home administration of the federal government or from other lenders.

(2) There is hereby established in the state treasury the Kansas basic enterprises loan guarantee fund. The fund shall be administered by the authority and all moneys in the fund shall be used for the purposes of pledging security for bonds issued to finance loans to eligible Kansas basic enterprises pursuant to this subsection (f). All expenditures from the Kansas basic enterprises loan guarantee fund shall be made in accordance with the provisions of appropriations acts for the purposes of satisfying obligations arising pursuant to surety agreements entered into pursuant to this subsection (f) on warrants of the director of accounts and reports issued pursuant to vouchers signed by the president of the authority or a person designated by the president.

Sec. 3. K.S.A. 1989 Supp. 74-8902 and 74-8905 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

SENATE BILL NO. _____

By

AN ACT concerning the state historical society; authorizing the exchange, donation or other disposition of certain society property; amending K.S.A. 75-2701 and 75-2704 and repealing the existing sections.

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

Section 1. K.S.A. 75-2701 is hereby amended to read as follows: 75-2701. (a) The state historical society, heretofore organized under the incorporation laws of the state, shall be the trustee of the state, and as such shall faithfully expend and apply all money received from the state to the uses and purposes directed by law, and shall hold all its present and future collections of property for the state, and shall not sell, mortgage, transfer or dispose of in any manner or remove from its building or buildings, except for temporary purposes, any article thereof of property, or part of the same, without authority of law except that this shall not prevent the sale or, exchange, donation or other disposition by the society of its publications, duplicate ~~materials,---or---materials---outside---its---fields---of~~ collection, property in its collection holdings, property outside its scope of collection, property with insufficient research, educational or exhibit value or hazardous property that ~~it~~ the society may have or obtain. There shall continue to be a board of directors to consist of as many members as the society ~~shall~~ determine determines.

(b) The society may acquire property, real or personal, by gift, bequest or otherwise, in any amount, and upon such conditions as its executive committee may deem best for ~~its~~ the interests of the society. Any such property so acquired and any state-owned historic site, structure or property which has been

placed by law under the jurisdiction and supervision of the society shall be administered by the society in the public interest, and the society ~~is hereby authorized and directed to~~ shall provide for the preservation thereof of such property and ~~to~~ shall adopt ~~such~~ rules and regulations as are necessary for the proper use and enjoyment thereof of such property. For this purpose the society ~~is hereby authorized to~~ may fix, charge and collect fees for admittance to any state-owned historic site, structure or property which has been placed under ~~its~~ the jurisdiction and supervision of the society and is further authorized to provide exemptions from such fees or to fix reduced fees for one or more categories of persons.

(c) The society shall remit all moneys received by the society under the provisions of subsection (b) to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the historic properties fee fund which is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the state historical society or a person designated by the secretary.

Sec. 2. K.S.A. 75-2704 is hereby amended to read as follows: 75-2704. The secretary of the state historical society ~~is hereby prohibited from permitting or allowing~~ shall not permit any of the files, documents or records of ~~said~~ the society to be taken away removed from the building or buildings where ~~its~~ the society's office and rooms are ~~or shall be~~ located. ~~Provided, That this.~~ This section shall not prevent the removal of materials for temporary purposes, or the sale ~~or~~ , exchange of ~~materials,~~ donation or other disposition of property as authorized in K.S.A. 75-2701 and 75-2702, and amendments thereto.

Sec. 3. K.S.A. 75-2701 and 75-2704 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

SENATE BILL NO. _____

By

AN ACT concerning the Kansas arts commission; authorizing the commission to adopt rules and regulations.

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

Section 1. The Kansas arts commission may adopt rules and regulations as may be necessary to administer the provisions of subsections (a) to (k), inclusive, of K.S.A. 74-5204 and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Senate F&SA
1-16-90
Att. 4

SENATE BILL NO. _____

By

AN ACT concerning the joint committee on the arts and cultural resources; amending K.S.A. 1989 Supp. 46-1801 and repealing the existing section; also repealing K.S.A. 1989 Supp. 46-1802.

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

Section 1. K.S.A. 1989 Supp. 46-1801 is hereby amended to read as follows: 46-1801. (a) There is hereby established a joint committee on the arts and cultural resources which shall consist of five senators and five members of the house of representatives. The senate members shall be appointed by the committee on organization, calendar and rules. The house of representative members shall be appointed by the speaker of the house of representatives. Not less than one representative member shall be a member of the house committee on appropriations and not less than one senator member shall be a member of the senate committee on ways and means. In addition, not less than one representative member shall be a member of the house committee on economic development and not less than one senator member shall be a member of the senate committee on economic development. The committee on organization, calendar and rules shall designate a senator member to be chairperson or vice-chairperson of the joint committee as provided in this section. The speaker of the house of representatives shall designate a representative member to be chairperson or vice-chairperson of the joint committee as provided in this section.

(b) A quorum of the joint committee on the arts and cultural resources shall be six. All actions of the committee may be taken by a majority of those present when there is a quorum. In odd-numbered years the chairperson of the joint committee shall

Senate F&SA
1-16-90
Att. 5

be the designated member of the house of representatives from the convening of the regular session in that year until the convening of the regular session in the next ensuing year. In even-numbered years the chairperson of the joint committee shall be the designated member of the senate from the convening of the regular session of that year until the convening of the regular session of the next ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(c) The joint committee on the arts and cultural resources shall study, investigate and analyze the following matters:

(1) The goals appropriate to the future of the arts and cultural life of Kansas including, but not limited to, the following: Public art; individual artists; films, video, radio and music; and historic preservation;

(2) the role the legislature and state government should play in the achievement of these goals;

(3) arts legislation in other states and at the federal level;

(4) the budget and programs of the Kansas arts commission and other state supported arts and cultural programs and agencies;

(5) the present status of arts education in Kansas; and

(6) the economic impact of arts and cultural resources in Kansas.

(d) The joint committee shall report to the legislature on or before December 31 each year any finding and recommendations concerning the arts in Kansas which the joint committee deems appropriate. The joint committee may introduce such legislation as it deems necessary in performing its functions.

(e) The joint committee on the arts and cultural resources shall meet on call of the chairperson as authorized by the legislative coordinating council. 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 committee authorized by the legislative coordinating council.

(f) Amounts paid under authority of this section shall be paid from appropriations for legislative expense and vouchers therefor shall be prepared by the director of legislative administrative services and approved by the chairperson or vice-chairperson of the legislative coordinating council.

Sec. 2. K.S.A. 1989 Supp. 46-1801 and 46-1802 are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

SENATE BILL NO. _____

By

AN ACT concerning the state historical society; providing copies of publications of state agencies to the society; amending K.S.A. 75-1023 and 75-2703 and repealing the existing sections.

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

Section 1. K.S.A. 75-1023 is hereby amended to read as follows: 75-1023. Whenever the division of printing prints any of the publications of the state and of its societies and institutions, there shall be printed extra copies thereof as ~~shall--be~~ necessary to deliver such number of copies thereof to the state historical society as the secretary of ~~said~~ the society ~~shall--request~~ requests but not exceeding ~~thirty-(30)~~ 10 copies, ~~thirty-five--(35)~~ and 35 copies to the state library, to be used by ~~said~~ the state historical society and ~~said~~ the state library in making exchanges with other states, libraries, societies and institutions for similar publications, and two ~~(2)~~ copies thereof to each of the following named libraries,--~~to-wit~~:

The library of the university of Kansas, the library of Kansas state university of agriculture and applied science, the library of Wichita state university, the libraries of Fort Hays state university, Pittsburg state university and Emporia state university. In case any publication is issued in both bound and unbound form, bound copies shall be supplied. This section shall not apply to the reports of the supreme court of the state of Kansas, or to the statutes or session laws.

The director of printing shall notify the secretary of the state historical society of the printings of all publications so that ~~said~~ the secretary may ~~make--proper--requests--for~~ request copies of such publications.

Senate F&SA
1-16-90
Att. 6

Sec. 2. K.S.A. 75-2703 is hereby amended to read as follows:
75-2703. To enable the society to augment its collections, by effecting exchanges with other societies and institutions, ~~thirty~~ ~~(30)~~ not to exceed 10 bound copies each of the several publications of the state, and of its societies and institutions, as requested by the secretary of the society, except the reports of the supreme court and the statutes and session laws, which are not printed by the division of printing shall be ~~and-the-same-are~~ hereby donated to ~~said~~ the society as ~~they-shall--be~~ issued the ~~same-to-be~~ and delivered to the society by the ~~secretary-of-state~~ or ~~other~~ officer having custody of the ~~same-to-include-also-for~~ deposit-in-its-collections-one-(1)-set-of-all-the-publications-of ~~the-state-heretofore-issued,-including-the-supreme-court-reports,~~ and-six-(6)-sets-of-the-general publications. In addition the society shall receive from the officer having custody of the publications one set of supreme court reports and six sets of the statutes and session laws.

Sec. 3. K.S.A. 75-1023 and 75-2703 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

SENATE BILL NO. _____

By

AN ACT providing for checkoff donation for the purpose of funding the heritage preservation program; establishing the heritage trust fund.

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

Section 1. (a) For all taxable years commencing after December 31, 1989, each Kansas state individual tax return form shall contain a designation as follows:

Heritage Preservation Program. Check if you wish to donate, in addition to your tax liability, or designate from your refund, [] \$5, [] \$10, [] \$25, or [] \$ ____.

(b) The director of taxation of the department of revenue shall determine annually the total amount designated for use in the heritage preservation program pursuant to subsection (a) and shall report such amount to the state treasurer. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount to the state treasurer who shall deposit the same in the state treasury and credit such amount to the heritage trust fund.

(c) There is hereby established in the state treasury the heritage trust fund. All moneys deposited in such fund shall be used solely for the purpose of historic preservation assisting private individuals with historic preservation projects involving property included in the national register of historic places or the state register of historic places, as authorized under K.S.A. 75-2715 to 75-2725, inclusive, and amendments thereto and any rules and regulations adopted pursuant thereto. The state historical society shall ensure that such moneys are expended for the purpose of historic preservation. Except as otherwise provided in this section, all expenditures from the heritage

trust fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the state historical society or a person designated by the secretary.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.