

SENATE BILL No. 415

By Joint Committee on State Building Construction

1-14

10 AN ACT concerning postsecondary educational institutions; relating to
11 deferred maintenance; amending **K.S.A. 76-755 and** K.S.A. 2007
12 Supp. 72-4479, 76-7,105, 76-7,117, 76-7,120 and 79-32,261 and re-
13 pealing the existing sections.

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2007 Supp. 72-4479 is hereby amended to read as
17 follows: 72-4479. (a) ~~On or before July 1, 2008, The governing bodies of~~
18 ~~the northeast Kansas technical college, Kansas City area technical school,~~
19 ~~Kaw area technical school, Salina area technical school and southwest~~
20 ~~Kansas~~ *body of each* technical school shall submit to the state board of
21 regents a plan to merge or affiliate with a postsecondary educational in-
22 stitution or become an accredited technical college with an independent
23 governing board. *Any plan approved by the state board in substantial*
24 *compliance shall be implemented on or before July 1, 2009.*

25 (b) ~~Whenever the state board approves a plan submitted by the gov-~~
26 ~~erning body of a technical school, the state board shall send notice of such~~
27 ~~approval~~ *The state board shall certify to the president of the Kansas*
28 *development finance authority and the secretary of the department of*
29 *revenue whenever a technical school or college has achieved sub-*
30 *stantial compliance with subsection (a).*

31 (b) (c) As used in this section:

32 (1) "Postsecondary educational institution" means a technical college,
33 community college, municipal university or a state educational institution.

34 (2) "Technical college", "community college", "municipal university"
35 and "state educational institution" have the meanings ascribed thereto by
36 K.S.A. 74-3201b, and amendments thereto.

37 (3) "State board" means the state board of regents.

38 (4) "Technical school" means the northeast Kansas technical college,
39 Kansas City area technical school, Kaw area technical school, Salina area
40 technical school and southwest Kansas technical school.

41 Sec. 2. K.S.A. 2007 Supp. 76-7,105 is hereby amended to read as
42 follows: 76-7,105. (a) Subject to the provisions of subsection (c), the state
43 board shall advise and consult with the joint committee regarding each

1 project. The state board shall not approve a project to be financed by
2 moneys from the infrastructure maintenance fund unless the state board
3 first has advised and consulted with the joint committee. ~~A state educa-~~
4 ~~tional institution shall advise and consult with the joint committee before~~
5 ~~expenditure of any moneys from the infrastructure maintenance fund, or~~
6 ~~from any account or accounts of the infrastructure maintenance fund of~~
7 ~~such institution, for each project.~~ No moneys received by a state educa-
8 tional institution as a contribution which qualifies as an income tax credit
9 pursuant to law to finance the cost of a project may be expended unless
10 the institution first has advised and consulted with the joint committee.

11 (b) Except as specifically provided by this act, the project financed
12 under the program shall not be subject to any further process or proce-
13 dure that requires the submission, review or approval of any infrastruc-
14 ture improvement. The state board shall ensure that projects financed
15 under the program comply with nationally recognized codes and life-
16 safety inspections under K.S.A. 31-132 et seq., and amendments thereto.
17 Such inspections, plan reviews and other related work shall be conducted
18 by the division of facilities management, or a designee of the division,
19 prior to certification for building occupancy. The state board shall not be
20 subject to the oversight of the state fire marshal.

21 (c) The joint committee shall develop recommendations for a plan
22 for the management and oversight of projects financed under the pro-
23 gram. Such recommendations shall be submitted to the president of the
24 senate and the speaker of the house of representatives on or before Jan-
25 uary 14, 2008.

26 Sec. 3. K.S.A. 2007 Supp. 76-7,117 is hereby amended to read as
27 follows: 76-7,117. As used in the infrastructure finance program:

28 (a) “State board” means the state board of regents.

29 (b) “Postsecondary educational institution” or “institution” means
30 Washburn university and any community college ~~or~~, technical college *or*
31 *technical school*.

32 (c) “Community college” means a community college established un-
33 der the provisions of the community college act.

34 (d) “Technical college” means a technical college as designated pur-
35 suant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475 and ~~72-4476~~ 72-4477,
36 and amendments thereto.

37 (e) (1) “Project” or “infrastructure improvement project” means the
38 maintenance, repair, reconstruction, remodeling or rehabilitation of a
39 building located at a postsecondary educational institution, any additions
40 to a building, any utility system and other infrastructure relating to such
41 building, any life-safety upgrades to such building, any improvements
42 necessary to be made to such building in order to comply with the
43 requirements of the Americans with disabilities act or other federal or

1 state law.

2 (2) “Infrastructure improvement project” shall not mean:

3 (A) The new construction of buildings;

4 (B) the maintenance, repair, reconstruction or rehabilitation of any
5 building used as an athletic facility that does not directly support the
6 delivery of academic pursuits; or

7 (C) the maintenance, repair, reconstruction or rehabilitation of the
8 residence of the president or chief executive officer of a postsecondary
9 educational institution.

10 (f) “Cost” means all costs or expenses which are necessary or inci-
11 dental to an infrastructure improvement project and which are directly
12 attributable thereto.

13 (g) “Program” means the postsecondary educational institution infra-
14 structure finance program.

15 (h) “Joint committee” means the joint committee on state building
16 construction.

17 (i) *“Technical school” means a technical school which has submitted*
18 *a plan approved by the state board in accordance with the provisions of*
19 *K.S.A. 2007 Supp. 72-4479, and amendments thereto.*

20 Sec. 4. K.S.A. 2007 Supp. 76-7,120 is hereby amended to read as
21 follows: 76-7,120. (a) (1) Subject to the provisions of this section, the
22 Kansas development finance authority is hereby authorized to issue bonds
23 to finance the cost of projects. Projects which are approved by the state
24 board under the program are hereby approved for the state board for the
25 purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.
26 *Except as provided by paragraph (3) of this subsection, the aggregate*
27 *principal amount of bonds issued pursuant to this section in a single fiscal*
28 *year under the program shall not exceed \$100,000,000, plus all amounts*
29 *required for costs of bond issuance, costs of interest on the bonds issued*
30 *for projects during the time such improvements are being made and any*
31 *required reserves for the payment of principal and interest on the bonds.*
32 ~~The aggregate principal amount of bonds issued pursuant to this section~~
33 ~~in a single fiscal year shall not exceed \$20,000,000, plus all amounts re-~~
34 ~~quired for costs of bond issuance, costs of interest on the bonds issued~~
35 ~~for projects during the time such improvements are being made and any~~
36 ~~required reserves for the payment of principal and interest on the bonds.~~
37 All moneys received from the issuance of any such bonds shall be depos-
38 ited and accounted for as prescribed by applicable bond covenants. The
39 debt service for any such bonds issued for such project shall be paid by
40 appropriations of moneys from the state general fund as may be necessary
41 to pay debt service on the bonds. Subject to the provisions of appropri-
42 ations acts, and as directed by the Kansas development finance authority,
43 payment of principal and interest on the bonds shall be made by the state

1 board from annual appropriations by the legislature or from any other
2 moneys as may be made available by law or from the postsecondary ed-
3 ucational institution in amounts sufficient to pay the principal and interest
4 on the bonds until the bonds are finally paid. The state board is authorized
5 to enter into loan agreements with a postsecondary educational institution
6 to provide for payment of principal on the bonds. All moneys received
7 pursuant to such agreements shall be deposited in the state treasury in
8 accordance with the provisions of K.S.A. 75-4215, and amendments
9 thereto, and shall be credited to the state general fund.

10 (2) No bonds shall be issued pursuant to this section after June 30,
11 2012.

12 (3) *The limitation imposed by paragraph (1) of this subsection on the*
13 *aggregate principal amount of bonds which may be issued under the pro-*
14 *gram shall be increased in an amount equal to \$4,000,000 for each tech-*
15 *nical school which has submitted a plan approved by the state board in*
16 *accordance with the provisions of K.S.A. 2007 Supp. 72-4479, and amend-*
17 *ments thereto. Applications for loans from technical schools shall be given*
18 *first priority for moneys attributable to the increase in bonding authority*
19 *under this paragraph. Any moneys remaining after loans are made to*
20 *technical schools may be reallocated to other postsecondary educational*
21 *institutions.*

22 (b) The aggregate principal amount of bonds issued pursuant to this
23 section to finance the cost of projects at a single postsecondary educa-
24 tional institution shall not exceed \$15,000,000, plus all amounts required
25 for costs of bond issuance, costs of interest on the bonds issued for pro-
26 jects during the time such improvements are being made and any re-
27 quired reserves for the payment of principal and interest on the bonds.

28 (c) The date of maturity on bonds issued pursuant to this section shall
29 not be fixed for a period of time which exceeds ~~eight~~ **eight** years from
30 the date of issuance.

31 (d) Subject to the provisions of appropriation acts, the secretary of
32 administration may enter into pledge agreements with the state board
33 and the Kansas development finance authority to pledge moneys for the
34 payment of bonds issued pursuant to the approval in subsection (a).

35 (e) Any postsecondary educational institutions may apply for a loan
36 under the program. Applications shall be submitted in the manner and
37 form required by the state board. The state board may enter into agree-
38 ments with the postsecondary educational institutions for the provision
39 of a loan and for the payment of all or a part of eligible project costs. The
40 purposes for which the loan is to be provided, the amount thereof and
41 the repayment terms and conditions shall be included in the agreement
42 entered into pursuant to subsection (d).

43 (f) The first payment of any principal and interest on bonds issued

1 pursuant to this section during fiscal year 2008, shall not be made prior
2 to July 1, 2008.

3 Sec. 5. K.S.A. 2007 Supp. 79-32,261 is hereby amended to read as
4 follows: 79-32,261. (a) On and after July 1, 2008, any taxpayer who con-
5 tributes in the manner prescribed by this section to a community college
6 located in Kansas for capital improvements, to a technical college *or tech-*
7 *nical school* for deferred maintenance or the purchase of technology or
8 equipment or to a postsecondary educational institution located in Kansas
9 for deferred maintenance, shall be allowed a credit against the tax im-
10 posed by the Kansas income tax act, the premium tax or privilege fees
11 imposed pursuant to K.S.A. 40-252, and amendments thereto, or the priv-
12 ilege tax as measured by net income of financial institutions imposed
13 pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated.
14 The tax credit allowed by this section is applicable for the tax year 2008
15 for any contributions made on and after July 1, 2008, and for the tax years
16 2009, 2010, 2011 and 2012 for any contributions made during the entire
17 tax year. The amount of the credit allowed by this section shall not exceed
18 60% of the total amount contributed during the taxable year by the tax-
19 payer to a community college ~~or a~~, technical college *or technical school*
20 located in Kansas for such purposes. The amount of the credit allowed
21 by this section shall not exceed 50% of the total amount contributed
22 during the taxable year by the taxpayer to a postsecondary educational
23 institution for such purposes. If the amount of the credit allowed by this
24 section for a taxpayer who contributes to a community college ~~or a~~, tech-
25 nical college *or technical school* exceeds the taxpayer's income tax liability
26 imposed by the Kansas income tax act, such excess amount shall be re-
27 funded to the taxpayer. If the amount of the tax credit for a taxpayer who
28 contributes to a postsecondary educational institution exceeds the tax-
29 payer's income tax liability for the taxable year, the amount which exceeds
30 the tax liability may be carried over for deduction from the taxpayer's
31 income tax liability in the next succeeding taxable year or years until the
32 total amount of the tax credit has been deducted from tax liability, except
33 that no such tax credit shall be carried over for deduction after the third
34 taxable year succeeding the taxable year in which the contribution is
35 made. Prior to the issuance of any tax credits pursuant to this section, the
36 structure of the process in which contributions received by a community
37 college, a technical college ~~or a~~, *technical school* or postsecondary edu-
38 cational institution qualify as tax credits allowed and issued pursuant to
39 this section shall be developed by a community college, a technical college
40 ~~and a~~, *technical school* or postsecondary educational institution in con-
41 sultation with the secretary of revenue and the foundation or endowment
42 association of any such community college, technical college, *technical*
43 *school* or postsecondary educational institution in a manner that complies

1 with requirements specified in the federal internal revenue code of 1986,
 2 as amended, so that contributions qualify as charitable contributions al-
 3 lowable as deductions from federal adjusted gross income.

4 (b) (1) Upon receipt of any such contributions to a community col-
 5 lege made pursuant to the provisions of this section, the treasurer of the
 6 community college shall deposit such contributions to the credit of the
 7 capital outlay fund of such community college established as provided by
 8 K.S.A. 71-501a, and amendments thereto. Expenditures from such fund
 9 shall be made for the purposes described in subsection (a) of K.S.A. 71-
 10 501, and amendments thereto, except that expenditures shall not be made
 11 from such fund for new construction or the acquisition of real property
 12 for use as building sites or for educational programs.

13 (2) Upon receipt of any such contributions to a technical college
 14 made pursuant to the provisions of this section, such contributions shall
 15 be deposited to the credit of a deferred maintenance fund or a technology
 16 and equipment fund established by the technical college which received
 17 the contribution. Expenditures from such fund shall be made only for the
 18 purpose as provided in this ~~subsection~~ *section*.

19 (3) *Upon receipt of any such contributions to a technical school made*
 20 *pursuant to the provisions of this section, such contributions shall be de-*
 21 *posited to the credit of a deferred maintenance fund or a technology and*
 22 *equipment fund established by the technical school which received the*
 23 *contribution. Expenditures from such fund shall be made only for the*
 24 *purpose as provided in this section.*

25 ~~(3)~~ (4) Upon receipt of any such contributions to a postsecondary
 26 educational institution made pursuant to the provisions of this section,
 27 such contributions shall be deposited to the credit of the appropriate
 28 deferred maintenance support fund of the postsecondary educational in-
 29 stitution which received the contribution. Expenditures from such fund
 30 shall be made only for the purposes designated for such fund pursuant
 31 to law.

32 (c) (1) ~~In no event shall (A) Except as provided in paragraph (B), for~~
 33 ***the tax year 2008***, the total amount of credits allowed under this section
 34 for taxpayers who contribute to any one such community college ~~or~~, techni-
 35 cal college *or technical school shall not exceed the following amounts:*
 36 ~~For the tax year 2008, an amount not to exceed \$78,125, for the tax year~~
 37 ~~2009, an amount not to exceed \$156,250, and for the tax years 2010, 2011~~
 38 ~~and 2012, an amount not to exceed \$208,233.33. ***\$78,125; and, except***~~
 39 ***as provided in paragraph (B), for the tax years 2009 through 2012,***
 40 ***the total amount of credits allowed under this section for taxpayers***
 41 ***who contribute to community colleges, technical colleges or tech-***
 42 ***nical schools shall not exceed the following amounts: For the tax***
 43 ***year 2009, an amount not to exceed \$3,750,000; and for the tax***

1 **years 2010, 2011 and 2012, an amount not to exceed \$5,000,000.**
 2 **Except as otherwise provided, for the tax years 2009 through 2012,**
 3 **the allocation of such tax credits for each individual community**
 4 **college, technical college or technical school shall be determined**
 5 **by the state board of regents in consultation with the secretary of**
 6 **revenue and each community college, technical college and tech-**
 7 **nical school, and such determination shall be completed prior to the**
 8 **issuance of any tax credits pursuant to this section. Not more than**
 9 **40% of the total of credits allowed under this section shall be al-**
 10 **located to any one community college, technical college or technical**
 11 **school unless all such community colleges, technical colleges and**
 12 **technical schools approve an allocation to any one such community**
 13 **college, technical college or technical school which exceeds 40% of**
 14 **the total of such credits allowed under this section.**

15 (B) *The limitation imposed under paragraph (A) of this subsection on*
 16 *the total amount of tax credits shall be increased: By \$78,125 for each*
 17 *technical school which has submitted a plan ~~approved~~ certified by the*
 18 *state board to be substantially compliant in accordance with the pro-*
 19 *visions of K.S.A. 2007 Supp. 72-4479, and amendments thereto, for tax*
 20 *year 2008; and in addition to any amounts allocated to a technical*
 21 *school pursuant to paragraph (A), by \$156,250 for each technical*
 22 *school which has submitted a plan ~~approved~~ certified by the state board*
 23 *to be substantially compliant in accordance with the provisions of*
 24 *K.S.A. 2007 Supp. 72-4479, and amendments thereto, for tax year 2009;*
 25 *and in addition to any amounts allocated to a technical school pur-*
 26 *suant to paragraph (A), by \$208,233.33 for each technical school which*
 27 *has submitted a plan ~~approved~~ certified by the state board to be sub-*
 28 *stantially compliant in accordance with the provisions of K.S.A. 2007*
 29 *Supp. 72-4479, and amendments thereto, for tax years 2010, 2011 and*
 30 *2012.*

31 (2) ~~In no event shall~~ The total of credits allowed under this section
 32 for taxpayers who contribute to postsecondary educational institutions
 33 shall not exceed the following amounts: For the tax year 2008, an amount
 34 not to exceed \$5,625,000; for the tax year 2009, an amount not to exceed
 35 \$11,250,000; and for the tax years 2010, 2011 and 2012, an amount not
 36 to exceed \$15,000,000. Except as otherwise provided, the allocation of
 37 such tax credits for each individual state educational institution shall be
 38 determined by the state board of regents in consultation with the secre-
 39 tary of revenue and the university foundation or endowment association
 40 of each postsecondary educational institution, and such determination
 41 shall be completed prior to the issuance of any tax credits pursuant to
 42 this section. Not more than 40% of the total of credits allowed under this
 43 section shall be allocated to any one postsecondary educational institution

1 unless all such postsecondary educational institutions approve an alloca-
2 tion to any one such postsecondary educational institution which exceeds
3 40% of the total of such credits allowed under this section.

4 (d) As used in this section: (1) “Community college” means a com-
5 munity college established under the provisions of the community college
6 act;

7 (2) “deferred maintenance” means the maintenance, repair, recon-
8 struction or rehabilitation of a building located at a technical college or a
9 postsecondary educational institution which has been deferred, any utility
10 systems relating to such building, any life-safety upgrades to such building
11 and any improvements necessary to be made to such building in order to
12 comply with the requirements of the Americans with disabilities act or
13 other federal or state law;

14 (3) “postsecondary educational institution” means the university of
15 Kansas, Kansas state university of agriculture and applied science, Wichita
16 state university, Emporia state university, Pittsburg state university, Fort
17 Hays state university and Washburn university of Topeka; ~~and~~

18 (4) “technical college” means a technical college as designated pur-
19 suant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475 and 72-4477, and
20 amendments thereto; *and*

21 (5) *“technical school” means a technical school which complies with*
22 *the provisions of K.S.A. 2007 Supp. 72-4479, and amendments thereto.*

23 (e) Any taxpayer not subject to Kansas income, privilege or premiums
24 tax who contributes to a community college, technical college, *technical*
25 *school* or postsecondary educational institution, hereinafter designated
26 the transferor, may sell, assign, convey or otherwise transfer tax credits
27 allowed and earned pursuant to this section. The sale price of a tax credit
28 shall be at least 50% of the full value of the credit. Such credit shall be
29 deemed to be allowed and earned by any such taxpayer which is only
30 disqualified therefrom by reason of not being subject to such Kansas
31 taxes. The taxpayer acquiring earned credits, hereinafter designated the
32 transferee, may use the amount of the acquired credits to offset up to
33 100% of the taxpayer’s income, privilege or premiums tax liability for the
34 taxable year in which such acquisition was made. Such credits may be
35 sold or transferred only one time and, if sold or transferred, shall be
36 transferred in the tax year such credit is earned or the two successive tax
37 years. A transferred credit shall be claimed in the year purchased. The
38 transferor shall enter into a written agreement with the transferee estab-
39 lishing the terms and conditions of the sale or transfer and shall perfect
40 such transfer by notifying the secretary of revenue in writing within 30
41 calendar days following the effective date of the transfer, subject to the
42 review and approval or denial of such transfer by the secretary of revenue.
43 The transferor and transferee shall provide any information pertaining to

1 the sale or transfer as may be required by the secretary of revenue to
 2 administer and carry out the provisions of this section. The amount re-
 3 ceived by the transferor of such tax credit shall be taxable as income of
 4 the transferor, and the excess of the value of such credit over the amount
 5 paid by the transferee for such credit shall be taxable as income of the
 6 transferee.

7 (f) The secretary of revenue shall submit an annual report to the
 8 legislature to assist the legislature in the evaluation of the utilization of
 9 any credits claimed pursuant to this act, including information specific as
 10 to each community college, technical college, *technical school* or postse-
 11 condary educational institution. Such report shall be due on or before the
 12 first day of the legislative session following the tax year in which the
 13 credits were claimed.

14 (g) The secretary of revenue shall adopt rules and regulations nec-
 15 essary to administer the provisions of this section.

16 ***New Sec. 6. (a) On or before the 10th day of each month, the***
 17 ***director of accounts and reports shall transfer from the state general***
 18 ***fund to the deferred maintenance support fund of each state edu-***
 19 ***cational institution interest earnings based on:***

20 ***(1) The average daily balance of moneys in each clearing fund***
 21 ***of the state educational institution for the preceding month; and***

22 ***(2) the net earnings rate of the pooled money investment port-***
 23 ***folio for the preceding month.***

24 ***(b) All moneys transferred to the deferred maintenance support***
 25 ***fund pursuant to this section shall be expended solely to finance***
 26 ***infrastructure improvement projects as defined by K.S.A. 2007***
 27 ***Supp. 76-7,102, and amendments thereto.***

28 ***(c) As used in this section, “clearing fund of the state educa-***
 29 ***tional institution” means those special revenue funds in the state***
 30 ***treasury which are designated as clearing funds, other than service***
 31 ***clearing funds under K.S.A. 76-755, and amendments thereto, of a***
 32 ***state educational institution, as defined in K.S.A. 76-711, and***
 33 ***amendments thereto, by the chief executive officer of the state board***
 34 ***of regents.***

35 ***New Sec. 7. (a) On or before the 10th day of each month, the***
 36 ***director of accounts and reports shall transfer from the state general***
 37 ***fund to the deferred maintenance support fund of each state edu-***
 38 ***cational institution interest earnings based on:***

39 ***(1) The average daily balance of moneys in each health fee fund***
 40 ***for the preceding month; and***

41 ***(2) the net earnings rate of the pooled money investment port-***
 42 ***folio for the preceding month.***

43 ***(b) All moneys transferred to the deferred maintenance support***

1 *fund pursuant to this section shall be expended solely to finance*
 2 *infrastructure improvement projects as defined by K.S.A. 2007*
 3 *Supp. 76-7,102, and amendments thereto.*

4 (c) *As used in this section, “health fee fund” means the univer-*
 5 *sity of Kansas health service fund, Kansas state university student*
 6 *health fees fund, Emporia state university student health fees fund,*
 7 *Pittsburg state university hospital and student health fees fund and*
 8 *Fort Hays state university health fees fund.*

9 **Sec. 8.** *K.S.A. 76-755 is hereby amended to read as follows: 76-*
 10 *755. (a) There is hereby established in the state treasury a service*
 11 *clearing fund for each state educational institution.*

12 (b) *The service clearing fund at a state educational institution*
 13 *shall be used only as a working capital fund to finance the internal*
 14 *service activities rendered to the state educational institution’s own*
 15 *departments, other institutional related organizations and specific*
 16 *organizations and classes of individuals approved by the state*
 17 *board of regents, which activities are specified in appropriations*
 18 *acts for the service clearing fund or which are authorized for the*
 19 *service clearing fund by the state board of regents with the approval*
 20 *of the state finance council acting on this matter which is hereby*
 21 *characterized as a matter of legislative delegation and subject to*
 22 *the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and*
 23 *amendments thereto.*

24 (c) *The director of accounts and reports shall approve the ac-*
 25 *counting procedures to be used for service clearing funds to insure*
 26 *a self-supporting operation of each service clearing fund.*

27 (d) *On or before the 10th day of each month, the director of accounts*
 28 *and reports shall transfer from the state general fund to the deferred*
 29 *maintenance support fund of each state educational institution interest*
 30 *earnings based on:*

31 (1) *The average daily balance of moneys in the service clearing fund*
 32 *of the state educational institution for the preceding month; and*

33 (2) *the net earnings rate of the pooled money investment portfolio for*
 34 *the preceding month.*

35 (e) *All moneys transferred to the deferred maintenance support fund*
 36 *pursuant to this section shall be expended solely to finance infrastructure*
 37 *improvement projects as defined by K.S.A. 2007 Supp. 76-7,102, and*
 38 *amendments thereto.*

39 ~~Sec. 9.~~ **K.S.A. 76-755 and** K.S.A. 2007 Supp. 72-4479, 76-7,105,
 40 76-7,117, 76-7,120 and 79-32,261 are hereby repealed.

41 ~~Sec. 7-10.~~ This act shall take effect and be in force from and after
 42 its publication in the statute book.