

82a-1425. Weather modification programs; tax levy, use of proceeds; protest petition and election. (a) The board of county commissioners of any county may establish or participate in weather modification programs and, for the purpose of paying the costs thereof, may levy a tax of not to exceed two mills upon the assessed tangible valuation of property in the county and expend the revenues for weather modification purposes, except that counties having a population of more than 180,000 and not more than 220,000 and an assessed tangible valuation of more than \$350,000,000 and not more than \$365,000,000 shall be excluded. No such levy shall be made until: (1) A resolution authorizing the levy is adopted by the board of county commissioners and stating the specific purpose for which such levy is made, the amount of the proposed levy and the number of years that the levy will be made; and (2) such resolution has been published once each week for two consecutive weeks in the official county newspaper. There upon, the levy may be made unless a petition requesting an election upon the proposition of whether to make the levy is filed in accordance with this section. Such petition shall be signed by electors equal in number to not less than 5% of the qualified electors of the county and shall be filed in the office of the county election officer within 60 days following the last publication of the resolution. If a valid petition is filed, no levy shall be made until the levy is approved by a majority of the electors of the county voting at an election called and held thereon within 90 days after the last publication of the resolution or at the next general election, if held within 90 days. Notice of the election shall be given and the election shall be called and held in the manner provided for by the provisions of K.S.A. 10-120 and amendments thereto. Such tax levy shall be in addition to all other tax levies authorized or limited by law and shall not be subject to nor within the limitation upon the levy of taxes imposed by K.S.A. 79-5021 et seq., and amendments thereto.

(b) The board of county commissioners may expend any other funds of the county available for any such purpose and, in addition, receive and expend any and all funds which may be offered or become available for any such purpose.

History: L. 1976, ch. 114, § 1; L. 1979, ch. 52, § 200; L. 1981, ch. 173, § 84; L. 1990, ch. 66, § 59; L. 1995, ch. 138, § 15; July 1.