

**75-3713c. State emergency fund; expenditures relating to defects in design or construction of state buildings authorized; legislative delegation, guidelines.** (a) 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, is hereby authorized to make allocations to and authorize expenditures by a state agency from the state emergency fund for one or more of the following purposes concerning a capital improvement project for the construction of a building or for major repairs or improvements to a building for the state agency:

- (1) To identify the nature, extent and causes of defects in the design, construction or other work on the project;
  - (2) to provide architectural, engineering or other technical services to determine methods for correcting or repairing such defects; or
  - (3) to correct or repair such defects or to make other repairs or perform maintenance related to such defects.
- (b) The functions specified in subsection (a) may be exercised by the state finance council only:
- (1) By unanimous vote of all members of the state finance council;
  - (2) when the legislature is not in session; and
  - (3) for those purposes under subsection (a) for which there are not sufficient funds available and unencumbered (A) within the existing appropriations for such capital improvement project for the state agency or (B) within other existing appropriations for the state agency which are available for transfer to such capital improvement project under K.S.A. 75-3726a.

**History:** L. 1981, ch. 321, § 1; July 1.