

**74-5066. Administration of programs; powers and duties of secretary; contractual agreements authorized; costs; exemption from competitive bidding procedures; availability; goals and objectives; prohibitions on use of funds.** (a) The secretary shall administer the KIT program and the KIR program and shall:

- (1) Consider proposals from industries and job training agencies for training or retraining services under the programs;
- (2) publicize the programs and the procedures for making and submitting proposals for participation therein;
- (3) establish standards and criteria for consideration of proposals and for assigning priorities among industries making proposals;
- (4) ensure the provision of adequate fiscal and accounting controls under the programs;
- (5) allocate and distribute funds made available for administration of the programs;
- (6) evaluate the programs each year and make a report on the performance and cost effectiveness thereof as a part of the annual report required by K.S.A. 74-5049, and amendments thereto; and
- (7) adopt rules and regulations necessary for administration of the programs.

(b) Contractual agreements may be entered into by the secretary with any industry or job training agency for participation in the programs and such agreements may be in the form of fixed-fee performance contracts. Training services under the KIT program may be provided at no cost to the industry or on a shared-cost basis with the industry as determined through negotiation between the secretary and the industry. Retraining services under the KIR program shall be provided on a shared cost basis. All expenditures for the payment of costs under the KIT and KIR programs 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 or by a person or persons designated by the secretary. Notwithstanding any provision of law to the contrary, contractual agreements entered into under the KIT program or the KIR program shall not be subject to competitive bidding procedures of K.S.A. 75-3739 and amendments thereto.

(c) Within the limitation of funds available for the KIT and KIR programs and to the extent practicable, the secretary shall make participation in the programs available to all industries which submit proposals to participate therein, if consistent with program goals and objectives and the allocation of resources for the programs. Goals and objectives for the KIT and KIR programs shall include appropriate priorities for basic industries.

(d) The secretary shall not use any funds in the KIT program or KIR program for the training or retraining of employees who are employed by a swine production facility on agricultural land which is owned, acquired, obtained or leased by a corporation, limited liability company, limited partnership, corporate partnership or trust.

**History:** L. 1988, ch. 323, § 2; L. 1996, ch. 205, § 1; L. 1998, ch. 143, § 41; May 7.