

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 13

April 1, 1982

Pages 261-288

IN THIS ISSUE	<i>Page</i>
✓ Secretary of State Usury Rate, April	262
✓ Department of Health and Environment Notice of Filing Application	262
✓ Governor's Proclamations: April	262
✓ Department of Health and Environment Notice of Public Hearing	263
Attorney General's Opinions Opinions No. 82-69 through 82-73	263
✓ Department of Health and Environment Notice of Public Hearing	264
✓ Secretary of State Public Disclosure Commission Opinions No. 82-4 and 82-5	264
✓ Legislative Bills Introduced	265
Notice to Bidders for State Purchases	265
Notices of Bond Sales	
Jewell County	267
City of Lincoln Center	268
City of Park City	269
City of West Plains	270
Jackson County	271
New Administrative Regulations	
✓ State Conservation Commission	272
✓ Secretary of State	274
✓ Kansas Fish and Game Commission	274
✓ Department of Revenue—Division of Alcoholic Beverage Control	279
✓ State Grain Inspection Department	283
✓ New State Laws Enacted	
HB 2695: Financing of U.S.D. 470, Cowley County	286
HB 2724: Concerning administrative rules and regulations	286

State of Kansas

SECRETARY OF STATE

NOTICE

To all to whom these presents shall come, Greeting:
I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1981 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of April 1, 1982 through April 30, 1982, shall be 17.814%.

In testimony whereof: I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 25th day of March A. D. 1982.

JACK H. BRIER
Secretary of State

Doc. No. 000148

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT

NOTICE OF FILING APPLICATION

The following application for a Certificate of Need has been filed by the Kansas Department of Health and Environment for initiation of the formal ninety (90) day review cycle. The application will be available for public examination at the Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas.

DATE FILED: March 22, 1982
NAME OF APPLICANT: Olathe Community Hospital
TYPE OF PROJECT: Replacement of Hospital
LOCATION: Olathe, Kansas

JOSEPH F. HARKINS
Secretary

Doc. No. 000146

State of Kansas

OFFICE OF THE GOVERNOR

PROCLAMATIONS

The following observances have been proclaimed or are scheduled to be proclaimed by the Governor for the month of April:

- April
- Lamb Month
- Cancer Control Month
 - April 4-10
- Week of Young Child
- Auctioneers Week
 - April 11-17
- Laboratory Week
 - April 12-16
- Bank Week
- Business Education Week
 - April 12-17
- Genealogy Week
 - April 16
- Special Olympics Day
 - April 18-24
- Professional Secretaries Week
- Kansas READ Week
- Grange Week
 - April 18-25
- Ground Zero Week
 - April 22
- Queen Isabella Day
 - April 25-May 1
- Consumers Week
- Hospice Awareness Week
- State KSRT Week
- Clean Up Week
 - April 26-30
- Beta Sigma Pi Week
 - April 30
- Independent Colleges Day

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 1981 Supp. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State; State Capitol; Topeka, Kansas 66612. One-year subscriptions are \$47.50; single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, Kansas.

ISSN No. 0744-2254.

Postmaster: Send change of address form to *Kansas Register*; Secretary of State; State Capitol; Topeka, Kansas 66612.

© Secretary of State of the State of Kansas 1982. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature, and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas**DEPARTMENT OF HEALTH
& ENVIRONMENT****NOTICE OF PUBLIC HEARING**

The following Certificate of Need Application has been filed by the Kansas Department of Health and Environment for initiation of the formal 90-day review cycle. The application will be available for public examination at the Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas.

DATE FILED: March 22, 1982
 NAME OF APPLICANT: Bethany Medical Center
 TYPE OF PROJECT: Renovation 26-Bed Inpatient Unit
 LOCATION: 51 North 12th Street
 Kansas City, Kansas 66102
 COST: \$981,041.00

A public hearing on the above-referenced application is scheduled for 1:00 p.m., April 30, 1982, at the Kansas City-Wyandotte County Health Department, 619 Ann, Kansas City, Kansas. Any affected individual will have the opportunity during the meeting to testify, or question the applicant or others who testify.

JOSEPH F. HARKINS
 Secretary

Doc. No. 000141

State of Kansas**ATTORNEY GENERAL****OPINION NO. 82-69**

Townships—General Provisions—Repair of Township Buildings. Roland R. Cordon, Trustee, Reilly Township, Goff, March 18, 1982.

The maintenance and repair of township buildings is entrusted to the township board, which may fund such repairs either from the general budget, through special levies or through the issuance of general obligation bonds. Only in the latter case is an election required, with a decision otherwise left to the discretion of the township board. Cited herein: K.S.A. 79-1962a, 80-104, 80-113, 80-115, 80-301. JSS.

OPINION NO. 82-70

State Boards, Commissions and Authorities—Kansas Water Authority—Membership; Groundwater Management District Representative. Van Smith, Groundwater Management District No. 1, Garden City, March 18, 1982.

K.S.A. 1981 Supp. 74-2622 provides that one of the members of the Kansas Water Authority be a board member of a western Kansas groundwater management district. Such a representative is appointed by the governor from a list of three names submitted by the presidents of groundwater management district boards nos. 1, 3 and 4. Upon the individual's removal from his

respective board, whether by resignation or defeat at an annual election, the individual's position on the authority also is vacated and the nomination process must be repeated to fill the vacancy. Cited herein: K.S.A. 13-2102, 14-205, 14-1305, 14-1504, 15-209, 15-1405, 15-1604, K.S.A. 1981 Supp. 74-2622. JSS.

OPINION NO. 82-71

Federal Jurisdiction—Surplus Property of Federal Agencies—Eligibility to Receive Property. Patrick J. Hurley, Secretary of Administration, Topeka, March 18, 1982.

Water districts (K.S.A. 19-3501 *et seq.*), watershed districts (K.S.A. 24-1201 *et seq.*) and irrigation districts (K.S.A. 42-357 *et seq.*) are public agencies within the contemplation of 40 U.S.C. § 484. As such, they are eligible to receive surplus federal property made available to the state of Kansas under that statute, and distributed under the supervision of the Secretary of Administration pursuant to K.S.A. 27-311. Cited herein: K.S.A. 1981 Supp. 2-1319, K.S.A. 19-3501, 19-3502, 24-1201, 24-1209, 27-201, 27-311, 42-357, 42-365, 42-372, 42-377, 42-388a, 42-388g, K.S.A. 1981 Supp. 79-3602, 40 U.S.C. § 484. WRA.

OPINION NO. 82-72

Waters and Watercourses—Groundwater Management Districts—Elections; Retention of Eligible Voter Affidavits. Thomas A. Adrian, Groundwater Management District No. 2, Newton, March 24, 1982.

Annual elections in a groundwater management district are governed by the provisions of K.S.A. 82a-1026. Nothing contained therein requires the district to make or maintain a current list of the district's eligible voters. Accordingly, any such records which a district maintains for its own convenience are not subject to the Open Public Records Act, K.S.A. 45-201 *et seq.*, and therefore do not have to be made available for inspection by the public. Cited herein: K.S.A. 45-201, 82a-1021, 82a-1025, 82a-1026. JSS.

OPINION NO. 82-73

Intoxicating Liquor and Beverages—Liquor Control Act—Transportation of Open Container in Vehicle
Intoxicating Liquors and Beverages—Cereal Malt Beverages—Transportation of Open Container in Vehicle. Phillip M. Fromme, Coffey County Attorney, Burlington, March 24, 1982.

The proscription in K.S.A. 41-804 and 41-2719 as to the transportation of an open container of alcoholic liquor or cereal malt beverage, respectively, extends to the driver or operator of the vehicle in which such open container is being transported, but has no application to a passenger in such vehicle. Cited herein: K.S.A. 41-719, 41-804, 41-2719, 41-2720 and 77-201. JEF.

ROBERT T. STEPHAN
 Attorney General

Doc. No. 000142

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****NOTICE OF PUBLIC HEARING**

Notice is hereby given to all interested parties that the Kansas Department of Health and Environment is applying to the Department of Health and Human Services, Public Health Service, for continued designation and funding as the State Health Planning and Development Agency for Kansas, pursuant to the provisions of P.L. 96-79, the National Health Planning and Resources Development Act, and K.S.A. 65-4701, *et seq.*, the Kansas Health Planning and Development Act. These laws provide that the State Health Planning and Development Agency shall conduct the health planning activities of the state, including administration of a Certificate of Need Program which applies to new institutional health services proposed to be offered or developed within the state.

Persons wishing to review the application may do so between the hours of 8:00 a.m. and 4:30 p.m. from March 29th to April 14th at the Office of Health Planning, Department of Health and Environment, Building 321, Forbes Field, Topeka, Kansas. Persons wishing to comment on the application should submit their comments in writing to Ronald E. Schmidt, Director, Office of Health Planning.

A hearing will be held on April 14, 1982, at 10:00 a.m., to inform the public on the application's content. All interested individuals and organizations are invited to attend this hearing in the Department of Health and Environment's Hearing Room, Building 740, Forbes Field, Topeka, Kansas.

JOSEPH F. HARKINS
Secretary

Doc. No. 000145

State of Kansas

SECRETARY OF STATE**KANSAS PUBLIC DISCLOSURE COMMISSION****Advisory Opinion No. 82-4**

Written March 10, 1982 to Samuel A. Peters, Senior Counsel, Public Affairs, Atlantic Richfield Company, 515 South Flower Street, Box 2679-T.A., Los Angeles, California 90051.

This opinion is in response to your letter of February 11, 1982, which was directed to the Secretary of State and referred to this office for response.

We understand you request this opinion on behalf of Atlantic Richfield Company. You ask whether K.S.A. 25-1709 prohibits your employer from making corporate contributions in Kansas.

We note that K.S.A. 25-1709 is not within our jurisdiction and therefore we cannot give an opinion on how that section applies to your employer. The Attorney General would be the appropriate person to contact.

We can advise you that there are no additional prohibitions against corporate contributions contained

within the Campaign Finance Act itself (K.S.A. 25-4142 *et seq.*). You should review, however, K.S.A. 25-4153 on the issue of the limitation on amounts which may be given by any contributor.

RICHARD E. DIETZ, Chairman
By Direction of the Commission

Advisory Opinion No. 82-5

Written March 10, 1982 to Clifford R. Hope, Jr., Haag, Hope, Mills, Bolin & Collins, 607 North Seventh, P.O. Box 439, Garden City, Kansas 67846.

This opinion is in response to your letter of February 8, 1982, which was directed to Secretary of State Jack Brier and referred to this office pursuant to K.S.A. 75-4303a.

We understand you request this opinion as an announced candidate for Finney County Commissioner. You indicate that you have two questions concerning the preparation of the Disclosure of Substantial Interests form as follows:

1. With regard to Section D, are you required to list any corporation or financial institution from which either dividends or interest in excess of \$1,000.00 has been received.
2. With regard to Section F, are you required to list the names and addresses of all clients from whom your portion of the fees to your firm exceed \$1,000.00 in the past year.

K.A.R. 19-51-2(c) answers your first question. As a general rule, the receipt of rent, interest, and dividends is not reportable under Section D of the report.

We have enclosed a copy of K.A.R. 19-51-2(d), which covers your second question. We would first note that the reporting requirement relates only to clients who seek your services in relation to a business interest, that is, you need not report clients seeking services on a personal, non-business matter. In addition, you must report those business clients who met the dollar threshold for both the current year and the preceding calendar year. Otherwise, we believe you have correctly interpreted the reporting requirements.

Lastly, you raise a concern about the confidentiality provisions of the legal profession in terms of disclosing the names of clients. This issue is outside our jurisdiction, but we are aware that the Attorney General has indicated that the mere disclosure of the attorney-client relationship is not normally a breach of the confidentiality provision.

RICHARD E. DIETZ, Chairman
By Direction of the Commission

Filed with the Secretary of State March 19, 1982.

JACK H. BRIER
Secretary of State

Doc. No. 000132

State of Kansas

LEGISLATURE

The following list gives the numbers and titles of bills and concurrent resolutions recently introduced in the Legislature.

Copies of bills and resolutions are available free of charge. (Limit: 5 copies of any one item.) Write: Legislative Document Room; State Capitol; Topeka, KS 66612. Or call: (913) 296-7394.

Bills Introduced March 18-24:

SB 876, by Committee on Federal and State Affairs: An act amending the employment security law; concerning disqualification for benefits; amending K.S.A. 44-706 and repealing the existing section.

SB 877, by Committee on Ways and Means: An act concerning the state board of agriculture; relating to certain fees and taxes; creating the water appropriation certification fund; amending K.S.A. 2-413, 2-415, 2-422a, 2-1205, 2-2120, 2-2204, 47-504, 65-708, 65-719, 65-745, 82a-708a, 82a-708b, 82a-727 and 83-123 and K.S.A. 1981 Supp. 2-2118, 2-2440, 2-2441a, 2-2443a, 2-2445a and 2-2805 and repealing the existing sections.

SB 878, by Committee on Federal and State Affairs: An act concerning natural gas; providing for the establishment of a maximum price thereof; prescribing duties for the state corporation commission relating thereto.

HB 3141, by Committee on Ways and Means: An act concerning the Kansas highway patrol; relating to the disposition of highway patrol vehicles.

HB 3142, by Committee on Ways and Means: An act relating to taxes upon the gross earnings derived from money, notes and other evidence of debt; authorizing the levying of such taxes by counties, cities and townships; providing for the administration and enforcement of the provisions of the act and the use and distribution of such revenues derived therefrom; amending K.S.A. 12-140 and 19-101a and repealing the existing sections.

HB 3143, by Committee on Federal and State Affairs: An act relating to population figures which are to be used in the application of statutes; amending K.S.A. 1981 Supp. 11-201 and repealing the existing section; also repealing K.S.A. 1981 Supp. 11-203.

HB 3144, by Committee on Ways and Means: An act concerning medical education; relating to providing allopathic and osteopathic medical care services in Kansas; authorizing the state board of regents to award scholarships to osteopathic medical students and requiring certain agreements in connection therewith; prescribing certain conditions and limitations; relating to practice and repayment obligations of certain allopathic medical students; amending K.S.A. 1981 Supp. 76-375 and repealing the existing section.

HB 3145, by Committee on Ways and Means: An act concerning imprest funds; relating to the creation of an imprest fund for the El Dorado honor camp under the department of corrections; amending K.S.A. 1981 Supp. 75-3058 and repealing the existing section.

HB 3146, by Committee on Ways and Means: An act concerning the department of corrections; relating to the disposition of certain lease proceeds; creating the faring operations account in the correctional industries fund; amending K.S.A. 76-179 and K.S.A. 1981 Supp. 75-5282 and repealing the existing sections.

SCR 1661, by Committee on Energy and Natural Resources: A concurrent resolution creating a committee to monitor the progress of operations relating to the cleanup of the commercial hazardous waste disposal facility located at Furley, Kansas.

SCR 1662, by Joint Committee on Administrative Rules and Regulations: A concurrent resolution revoking K.A.R. 28-15-25; relating to operation of public water supply systems.

HCR 5059, by Representative Polson: A resolution congratulating the St. Columbkille Parish of Blaine, Kansas, on its 100th anniversary.

HCR 5060, by Committee on Insurance: A concurrent resolution expressing concern about medicare assignment of benefits, and a need for health care providers to make such information readily available.

HCR 5061, by Committee on Public Health and Welfare: A concurrent resolution requesting the secretary of the department of health and environment to modify regulations relating to child care centers.

HR 6137, by Representative Weaver: A resolution memorializing Congress to reject any reorganization of the Railroad Retirement System provided for in the 1983 federal budget.

State of Kansas

DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., C.S.T., on the date indicated and then will be publicly opened.

MONDAY, APRIL 12, 1982

#25077

University of Kansas Medical Center, Kansas City—
PERSONNEL RADIATION MONITORING

#25080

Department of Human Resources, Topeka—JANI-
TORIAL SERVICES, for Division of Employment

#25081

Department of Human Resources, Topeka—JANI-
TORIAL SERVICES, for CETA

#49374

Pittsburg State University, Pittsburg—INSTALLA-
TION OF ASPHALT TRAFFIC AREA, around
Weede Physical Education Building

#49598

Wichita State University, Wichita—LINE
PRINTER

#49612

University of Kansas Medical Center, Kansas City—
LIQUID CHROMATOGRAPHY SYSTEM

#49613

Kansas State University, Manhattan—LABORA-
TORY FREEZER

#49615

Kansas Park Authority, Topeka—TRUCKS, for El-
dorado State Park

#49620

Emporia State University, Emporia—EQUIPMENT
RENTAL

#49634

Kansas State University, Manhattan—REFLEC-
TIVE STICKERS FOR PARKING PERMITS

TUESDAY, APRIL 13, 1982

#49593

Winfield State Hospital, Winfield—DISPOSABLE
INCONTINENT BRIEFS

#49597

Kansas State University, Manhattan—ELEVATOR
OVERHEAD DOOR REPLACEMENT, for Fort Hays
Experiment Station

#49599

Kansas Bureau of Investigation, Topeka—POWER
FILES

#49610

Kansas Department of Transportation, Topeka—
MAPS "KANSAS AERONAUTICAL CHARTS"

#49614

Kansas State University, Manhattan—TRACTOR

#49617

Kansas State University, Manhattan—3 WHEELED
VEHICLES

(continued)

#49647

Department of Administration, Topeka—DISK STORAGE UNIT, for Division of Information Systems and Computing

#A-4430

Adjutant General's Department—PARTIAL REROOFING, of Organizational Maintenance Shop #7, Kansas City, Kansas

WEDNESDAY, APRIL 14, 1982

#25076

University of Kansas Medical Center, Kansas City—DRY ICE

#49621

Kansas State University, Manhattan—BIOLOGICAL SAFETY CABINET

#49623

Kansas Department of Transportation, Hutchinson—COMMERCIAL MIX, BITUMINOUS MIXTURE USING AC-ASPHALT

#49624

Kansas Technical Institute, Salina—MOVEABLE WALL PARTITIONING

#49625

State Treasurer, Topeka—COMPUTER TAPE SAFE

#49626

Department of Administration, Topeka—FILING SYSTEM, for DISC

#49627

Kansas Correctional Industries, Lansing—ALUMINUM SHEET

#49648

Emporia State University, Emporia—SOFTWARE

THURSDAY, APRIL 15, 1982

#25079

University of Kansas Medical Center, Kansas City—SMALL ANIMAL FEED

#49630

Kansas State Penitentiary, Lansing—GARDEN TOOLS

#49636

Kansas Department of Transportation, Hutchinson—AUTOMATIC TRANSMISSION FLUID

#49638

Kansas Neurological Institute, Topeka—KITCHEN EQUIPMENT

#49639

Kansas Department of Social and Rehabilitation Services, Topeka—WETMOP YARN, for Kansas Industries For The Blind, Topeka

#49649

Kansas Fish and Game Commission, Pratt—FISH FOOD, for various locations in Kansas

#A-4314

Winfield State Hospital and Training Center, Winfield—ELEVATOR REPLACEMENT, of Medical Services Building

#A-4460

Department of Administration, Topeka—SIDE-WALK REPAIR, for State Capitol Grounds

FRIDAY, APRIL 16, 1982

#49645

University of Kansas Medical Center, Kansas City—MEAT PRODUCTS

#49646

Kansas Fish and Game Commission, Pratt—FLOATING TROUT FEED, for various locations in Kansas

#49650

Kansas Department of Transportation, Topeka—QUARRY RUN ROCK, MAXIMUM-¼ TON SIZE, for Jefferson County

#49651

Kansas Fish and Game Commission, Pratt—CHANNEL CATFISH FINGERLINGS

#A-4334 & A-4342

University of Kansas, Lawrence—ENCLOSING INTERIOR STAIRWAY AND REMODELING ROOM 109, at Bailey Hall, for Fire Code Compliance

TUESDAY, APRIL 20, 1982

#A-4328

Kansas Correctional Institution for Women, Lansing—ENERGY CONSERVATION IMPROVEMENTS, of Perry and "A" Buildings

MONDAY, APRIL 26, 1982

(Daylight Savings Time)

#49635

University of Kansas, Lawrence—MOBILE SHELVING

JAMES I. TOLBERT
Division of Purchasing

Doc. No. 000144

(Published in the KANSAS REGISTER, April 1, 1982.)

**NOTICE OF BOND SALE
\$500,000.00
GENERAL OBLIGATION BRIDGE
IMPROVEMENT BONDS
OF THE
COUNTY OF JEWELL, STATE OF KANSAS**

The BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEWELL, STATE OF KANSAS will receive sealed bids at the OFFICE OF THE COUNTY CLERK, JEWELL COUNTY COURTHOUSE, MANKATO, KANSAS, until 1:00 o'clock P.M., C.S.T., on

TUESDAY, APRIL 13, 1982

for \$500,000.00 par value GENERAL OBLIGATION BRIDGE IMPROVEMENT BONDS of the County, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, and the Bonds will be dated MAY 1, 1982. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$100,000.00	November 1, 1983
100,000.00	November 1, 1984
100,000.00	November 1, 1985
100,000.00	November 1, 1986
100,000.00	November 1, 1987

Interest on the Bonds will first be payable on MAY 1, 1983, and thereafter semiannually on the first days of NOVEMBER and MAY in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding FIVE (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of One percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed Two percent (2%). No interest rate shall exceed the legal maximum rate therefor as provided by Kansas law, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the County, and shall be addressed to BOARD OF COUNTY COMMISSIONERS, JEWELL COUNTY COURTHOUSE, MANKATO, KANSAS 66956, ATTENTION: HERSCHEL R. RHEA, COUNTY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the

County will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, COUNTY OF JEWELL, STATE OF KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the County as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the County; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the County. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before MAY 24, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the County. Delivery elsewhere will be made at the expense of the purchaser.

The Bonds will constitute general obligations of the County, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the County. The proceeds of the Bonds will be used for the purpose of paying the costs of repairing and reconstructing certain bridges in the County.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The County reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the County; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures for the County of Jewell, State of Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$33,777,159.00
Tangible Valuation of Motor Vehicles	\$ 2,882,072.00
Tangible Valuation of Motor Vehicle Dealers Inventory	\$ -0-
<hr/>	
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$36,659,231.00

The total bonded indebtedness of the County of Jewell, State of Kansas, at the date hereof, including this proposed issue of Bonds in the amount of \$500,000.00, is in the amount of \$590,000.00.

DATED: March 22, 1982.

HERSCHEL R. RHEA, County Clerk
County of Jewell, State of Kansas

Doc. No. 000140

(Published in the KANSAS REGISTER, April 1, 1982.)

(NOTICE OF SALE)
CITY OF LINCOLN CENTER
LINCOLN COUNTY, KANSAS
NOTICE OF BOND SALE
GENERAL OBLIGATION OF CITY HALL BUILD-
ING
SERIES B 1982
\$155,000.00

Sealed bids will be received by the Governing Body in the city of Lincoln Center, Kansas, at the Temporary City Office, 143 East Lincoln Avenue, Lincoln Center, Kansas 67455, Monday, April 12, 1982, at 7:30 p.m., at which time bids shall be publicly opened for the purchase of General Obligation City Hall Building Bonds of the city of Lincoln Center, Kansas, in the aggregate amount of \$155,000.00. Said bonds will be dated April 1, 1982, and will be in the denomination of \$5,000.00 each, and will become due as follows:

Number	Amount	Maturity
1-3	\$ 15,000.00	October 1, 1983
4-6	15,000.00	October 1, 1984
7-9	15,000.00	October 1, 1985
10-12	15,000.00	October 1, 1986
13-15	15,000.00	October 1, 1987
16-18	15,000.00	October 1, 1988
19-21	15,000.00	October 1, 1989
22-24	15,000.00	October 1, 1990
25-27	15,000.00	October 1, 1991
28-31	20,000.00	October 1, 1992

Said bonds are a general obligation of said city.

Interest on said bonds will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 1983. Both principal and interest will be payable at the office of the State Treasurer, Topeka, Kansas.

Said bonds are being issued for the purpose of reconstructing, repairing and improving the City Hall Building in said City.

DELIVERY AND LEGAL OPINION

Said bonds, properly printed, are to be furnished by the City without cost to the successful bidder, and said bonds will be sold subject to the legal opinion of William P. Timmerman, Attorney and Bond Counsel, 400 North Woodlawn, Wichita, Kansas, phone (316) 685-7212, whose final, unqualified, approving opinion will be furnished and paid for by the City and delivered to the successful bidder as and when the bonds are delivered. The successful bidder will also be furnished with a certified transcript of proceedings evidencing the authorization and issuance of said bonds, and the usual cosing proofs, including a non-litigation certificate.

Said bonds will be delivered to the successful bidder through any bank, on or about May 12, 1982 (expected delivery May 3, 1982), in Kansas City, Missouri; Topeka, Kansas; Wichita, Kansas; or Lincoln Center, Kansas, as may be specified by the bidder.

The assessed valuation of all tangible taxable property situated in the city of Lincoln Center, Lincoln County, Kansas, is \$3,802,169.00 for the year 1981.

The total bonded indebtedness of the City is as follows, to-wit:

G.O. Bonds, \$106,700.00, not including this issue.

Notes: \$108,800.00

Utility Revenue Bonds: \$1,030,000.00.

Warrants: None.

This Issue: \$155,000.00.

Population of Lincoln Center, Kansas 1759

Second Class City

COUPON RATE

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidder; provided, however, that each rate specified shall apply to all bonds of the same maturity. Each rate specified shall be an even multiple of *one-tenth of one percent (1/10th of 1%)* OR *one-eighth of one percent (1/8th of 1%)*. There shall be no more than five (5) rates.

CONDITIONS FOR BIDDERS

Bids shall be submitted on a contract form with the usual information thereon, and should be addressed to the City Clerk of Lincoln Center, Kansas, plainly marked, "Bond Bid." All bids must state the gross interest cost of the bid and the average annual interest rate and premium, if any, all certified by the bidder to be correct, and the City will be entitled to rely upon such representations. Each bid must be accompanied by a certified check, cashier's check or bank draft equal to two percent (2%) (\$3,100.00) of the amount of such bid, to the city of Lincoln Center, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned. The awards will be made on the basis of the lowest net interest cost to the City. In the event an error should occur in computing the coupon rates, the net interest cost will govern.

The right is reserved to reject any or all bids.

DEE GOURLEY

Mayor

(SEAL)

ATTEST: HELEN M. FLAHERTY

City Clerk

Doc. No. 000131

(Published in the KANSAS REGISTER on April 1, 1982.)

**NOTICE OF BOND SALE
\$443,000.00
GENERAL OBLIGATION INTERNAL
IMPROVEMENT BONDS,
SERIES A, 1982
OF THE CITY OF
PARK CITY, KANSAS**

The CITY OF PARK CITY, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 6125 NORTH HYDRAULIC, PARK CITY, KANSAS, until 8:00 o'clock, P.M., C.S.T., on

TUESDAY, APRIL 13, 1982

and such bids will be considered by the Governing Body of the City of Park City, Kansas, at its regular place of meeting in the Community Building, 6801 North Hydraulic, in the City of Park City, Kansas, at 8 o'clock P.M., C.S.T., on April 13, 1982, at which time and place such bids will be publicly opened for the purchase of \$443,000.00 par value GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS, SERIES A, 1982, of the City. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, except Bond No. 1, which will be in denomination of \$3,000.00, and the Bonds will be dated APRIL 1, 1982. The Bonds will mature as follows:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$33,000.00	October 1, 1983
35,000.00	October 1, 1984
35,000.00	October 1, 1985
35,000.00	October 1, 1986
35,000.00	October 1, 1987
35,000.00	October 1, 1988
35,000.00	October 1, 1989
40,000.00	October 1, 1990
40,000.00	October 1, 1991
40,000.00	October 1, 1992
40,000.00	October 1, 1993
40,000.00	October 1, 1994

Interest on the Bonds will first be payable on APRIL 1, 1983, and thereafter semiannually on the first day of OCTOBER and APRIL in each year until the Bonds are fully paid. Both principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding FIVE (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum rate of interest allowed by law at the time such bids are opened, and no bid of less than par and accrued interest will be considered. Bids involving the

use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at 6125 NORTH HYDRAULIC, WICHITA, KANSAS 67219, ATTENTION: JERRIE MOLINA, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF PARK CITY, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of CURFMAN, HARRIS AND WEIGAND, Wichita, Kansas, whose opinion will be paid for by the City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before MAY 13, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the City. The proceeds of the Bonds will be used together with other available funds for the purpose of redeeming an outstanding Temporary Note of \$515,000.00 which the City has previously issued for temporary financing of sewer and water extensions, and street improvements in the City.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the highest bidder. The city reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of

(continued)

the Bonds from their date until their respective maturities.

The assessed valuation of all tangible, taxable property in the City of Park City, Kansas, for the year 1981, is as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$5,430,114.00
Tangible Valuation of Motor Vehicles	\$1,390,580.00
Tangible Valuation of Motor Vehicle Dealer's Inventory	\$ 287,300.00
Equalized Assessed Tangible Valuation for Computation of Bonded Indebtedness	\$7,107,994.00

The total bonded indebtedness of the City of Park City, Kansas, at the date hereof, including this proposed issue of Bonds in the amount of \$443,000.00, is in the amount of \$1,222,000.00. The City has outstanding \$615,000.00 in Temporary Notes, \$515,000.00 of which will be retired with the proceeds of this bond issue and other available funds.

DATED: March 30, 1982.

JERRIE MOLINA
City Clerk
City of Park City, Kansas

Doc. No. 000139

(Published in the KANSAS REGISTER, April 1, 1982.)

NOTICE OF BOND SALE
\$146,000.00
GENERAL OBLIGATION BONDS
(Wastewater Treatment Facility)
OF
THE CITY OF WEST PLAINS
(commonly known as Plains)
STATE OF KANSAS
SERIES 1982-A

Sealed bids will be received in the Office of the City Clerk, at City Hall, City of West Plains, Kansas, until 8:00 o'clock p.m. C.S.T. on April 14, 1982, and will be considered by the Governing Body of the City of West Plains, Kansas at its regular place of meeting in the City Council Room in the City Hall, in the City of West Plains, Kansas, at 8:00 o'clock p.m. C.S.T. on April 14, 1982, at which time and place all proposals will be publicly opened, read aloud, and considered for the purchase of all, but not less than all, of the \$146,000.00 General Obligation Bonds (Wastewater Treatment Facility) of Series 1982-A, 1 through 10 year bonds; dated May 1, 1982, and maturing November 1 in the years 1983 through 1992 as set forth below. No oral or auction bids will be considered.

All of said bonds will be negotiable coupon bonds in the denomination of \$5,000 each, except Bond No. 1 which will be in the denomination of \$6,000.00, of the Series 1982-A, and said Bonds will mature as follows:

NUMBER (Inclusive)	Maturity Date	Amount
1-2	November 1, 1983	\$11,000.00
3-5	November 1, 1984	\$15,000.00

6-8	November 1, 1985	\$15,000.00
9-11	November 1, 1986	\$15,000.00
12-14	November 1, 1987	\$15,000.00
15-17	November 1, 1988	\$15,000.00
18-20	November 1, 1989	\$15,000.00
21-23	November 1, 1990	\$15,000.00
24-26	November 1, 1991	\$15,000.00
27-29	November 1, 1992	\$15,000.00

All of the Bonds shall mature without option of prior payment.

Interest on all of said Bonds will be payable beginning May 1, 1983, and semi-annually thereafter on November 1 and May 1 in each year until the principal sum is paid. Both principal of and interest on said Bonds will be payable in lawful money of the United States of America at the office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on Bonds bearing such rate or rates of interest, not exceeding four (4) interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8) or one-tenth (1/10) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed twelve percent (12%) and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the "Official Bid Form" furnished by the City and should be addressed to L. M. Wells, City Clerk, plainly marked "Bond Bid". All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two per cent (2%) of the total amount of the bid, payable to the City of West Plains, Kansas. The check of the successful bidder will be cashed and the proceeds thereof will be held as security for the performance of his contract to purchase the Bonds. In the event that the successful bidder shall fail to carry out its contract of purchase, the amount of said deposit shall be retained by the City as liquidated damages. No interest will be paid on the deposit made by the successful bidder. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by said City of West Plains, Kansas, and the Bonds will be sold subject to the legal opinion of Messrs. Curfman, Harris & Weigand, Wichita, Kansas, whose unqualified approving opinion will be furnished and paid for by the City. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the Bonds, and the usual closing proofs which will include a certificate that there is no litigation.

(continued)

tion pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before May 14, 1982, at any bank in the Cities of Topeka, or Wichita, Kansas, or Kansas City, Missouri, at the expense of the City. Delivery elsewhere will be made at the purchaser's expense. Upon delivery of and payment for the Bonds the above mentioned proceeds of the bid check will be applied to the purchase price of the Bonds. The balance of the purchase price of the Bonds shall be paid in Federal Reserve Funds or equivalent thereof.

The Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The proceeds of the Bonds will be used together with other available funds for the purpose of making Wastewater Treatment Facility improvements in the City. \$146,000.00 principal amount of said bonds are issued under authority of K.S.A. 12-621.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice, and the Bonds will be sold to the highest and best bidder. The City reserves the right to waive any irregularities in the bids and any and/or all bids may be rejected. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

The assessed valuation of all tangible, taxable property in the City of West Plains, Kansas, for the year of 1981, is as follows:

Equalized tangible valuation for computation of bonded indebtedness limitation (includes motor vehicles) \$2,428,788.00

The total bonded indebtedness of the City of West Plains, Kansas, including this issue of Bonds is \$580,783.28, \$60,000.00 of which are exempt from the statutory indebtedness limitation under K.S.A. 12-801 to 12-803, inclusive. The City has outstanding \$250,000.00 in temporary notes, all of which will be paid from the proceeds of a Federal grant of \$505,730.00.

Dated this 29th day of March, 1982.

L. M. WELLS
City Clerk

(Published in the KANSAS REGISTER, April 1, 1982.)

NOTICE OF BOND SALE
\$2,500,000
GENERAL OBLIGATION BRIDGE BONDS
OF THE
COUNTY OF JACKSON, STATE OF KANSAS

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JACKSON, STATE OF KANSAS will receive sealed bids at the OFFICE OF THE COUNTY CLERK, JACKSON COUNTY COURTHOUSE, HOLTON, KANSAS until 10:00 A.M. C.S.T.

WEDNESDAY, APRIL 14, 1982

for \$2,500,000 par value GENERAL OBLIGATION BRIDGE BONDS of the County, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, and the Bonds will be dated May 1, 1982. The Bonds will mature serially on September 1 in accordance with the following schedule:

Principal Amount	Maturity Date	Principal Amount	Maturity Date
\$250,000.00	9-1-83	\$250,000.00	9-1-88
250,000.00	9-1-84	250,000.00	9-1-89
250,000.00	9-1-85	250,000.00	9-1-90
250,000.00	9-1-86	250,000.00	9-1-91
250,000.00	9-1-87	250,000.00	9-1-92

Interest on the Bonds will first be payable on March 1, 1983 and thereafter semiannually on the first days of September and March in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding four (4) different interest rates, as may be specified by the Bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-tenth (1/10th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed twelve percent (12%) or the prevailing rate limitation as per the then existing statutory rate limitation, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra, or supplemental, coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the County, and shall be addressed to the BOARD OF COUNTY COMMISSIONERS, JACKSON COUNTY COURTHOUSE, HOLTON, KANSAS 66436, ATTENTION: EDNA BROCK, COUNTY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the County will be entitled to rely on the certificate of

(continued)

Doc. No. 000143

correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bond issue, and shall be payable to TREASURER, COUNTY OF JACKSON, STATE OF KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the County as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in connection with the printing of CUSIP numbers on the bonds shall be paid by the County.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the County; and the Bonds will be sold subject to the unqualified approving opinion of Nichols and Wolfe, Bond Counsel, of Topeka, Kansas, whose opinion will be paid for by the County. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before June 1, 1982, at any bank in Topeka, Wichita or Kansas City, Kansas, or Kansas City, Missouri at the expense of the County. Delivery elsewhere will be made at the expense of the purchaser.

The bonds will constitute general obligations of the County, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the County. The proceeds of the Bonds will be used for the purpose of paying the costs of repair and reconstruction of bridges throughout Jackson County, Kansas that have been condemned. The Bonds are authorized pursuant to K.S.A. 68-1103 to pay the cost thereof by the issuance of general obligation bonds of the County.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice and the Bonds will be sold to the highest bidder. The County reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the County; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

The 1981 assessed valuation of the County of Jackson, State of Kansas, for the purpose of computing bonded indebtedness, is \$36,928,108.

The total bonded indebtedness of the County of Jackson, State of Kansas, at the date hereof, including

this proposed issue of Bonds in the amount of \$2,500,000 is in the amount of \$3,940,000.

DATED MARCH 23, 1982.

EDNA BROCK, County Clerk
County of Jackson, State of Kansas

Doc. No. 000147

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 *et seq.* *These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1.* Any such legislative action will be reported in the *Kansas Register*. The May 6, 1982 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

CONSERVATION COMMISSION

ADMINISTRATIVE REGULATIONS

**Article 1.—WATER RESOURCES COST-SHARE
PROGRAM**

11-1-1. Administration channels. Appropriations for a "Water Resources Cost-Share Program" shall be made available in all Kansas counties and shall be disbursed by the state conservation commission through Kansas conservation districts to the owners of private lands of Kansas by following procedures prescribed by these rules and regulations. (Authorized by K.S.A. 1981 Supp. 2-1904 and 2-1915; implementing K.S.A. 1981 Supp. 2-1915; effective, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

11-1-2. Definitions. (a) "Actual cost" means charges to the landowner by the contractor for practices and their components.

(b) "Computed cost" means the total number of units multiplied by county average cost for practices and their components.

(c) "Conservation" means the development, use, and management of soil, water, and related sources in a way that will restore, enhance, protect, and maintain the quality and quantity of the natural resources.

(d) "Conservation district" means a sub-division of state government with its own governing body created under K.S.A. 2-1901 *et seq.* as a special purpose district to develop and carry out a conservation program within its boundaries which in each Kansas district are co-terminus with the respective boundaries of the state's 105 counties.

(e) "Conservation standards" means standards for various types of soils and land uses, including criteria, techniques, and methods for control of erosion and sediment, the control of critical areas, and the control and management of water, all as prescribed by section IV, "USDA Soil Conservation Service (SCS) Technical Guide".

(continued)

(f) "Cost-share" means assumption by the state of a proportional share of the actual cost or computed cost, whichever is less, of installing conservation structures on privately owned land.

(g) "Cost-share level" means that percentage of the total cost of installing a structure that is to be paid by the state under the program.

(h) "County average cost" means the county-wide average cost per unit for installing a structure.

(i) "Critical area" means a severely eroded sediment producing area that requires special treatment to establish and maintain vegetation in order to stabilize soil conditions.

(j) "Enduring water conservation structure" means a practical and effective device or measure or combination of the two which, when applied to land, will prevent or reduce the loss of soil, water, or nutrients and transportation to other land, streams, or lakes and which device or measure has an expectancy of functioning usefully for an extended period of years.

(k) "Erosion" means the wearing away of the land surface by running water, wind, ice and other geological agents.

(l) "Sediment" means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface.

(m) "Units" means cubic yards, acres, linear feet and other measurements used in determining costs of structures. (Authorized by K.S.A. 1981 Supp. 2-1904 and 2-1915; implementing K.S.A. 1981 Supp. 2-1915; effective, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

11-1-3. Availability. (a) Each Kansas conservation district shall be notified as soon as possible after the beginning of the state's fiscal year of the amount of money allocated by the state conservation commission to be credited to that district for cost-sharing with the owners of private lands for the installation of enduring water conservation structures. The commission shall establish a time period for the conservation district to recommend commitment of the cost-sharing grants to owners of land.

(b) With the allocation of credit to each district, the state conservation commission shall furnish a list of enduring water conservation structures which may be offered, subject to the judgment of the district's board of supervisors, to the owners of private lands in each district for installation with state cost-sharing. This list shall also prescribe a maximum cost-share level. Each district may set priorities for the use of or may offer fewer than the full list of structures for cost-sharing eligibility in that district and may prescribe less than the commission's maximum cost-share level. The district may also prescribe a maximum payment to an individual landowner. (Authorized by K.S.A. 1981 Supp. 2-1904 and 2-1915; implementing K.S.A. 1981 Supp. 2-1915; effective, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

11-1-4. Standards. Cost-sharing assistance shall be furnished only for structures installed in accordance with conservation standards defined in K.A.R. 11-1-2 (e). (Authorized by K.S.A. 1981 Supp. 2-1904 and 2-1915; implementing K.S.A. 1981 Supp. 2-1915; effective, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

tive, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

11-1-5. Procedure to disburse program funds. (a) Conservation districts shall provide to the commission all information required and report all actions pertaining to the water resources cost-share program on forms supplied by the commission.

(b) As soon as possible after receipt of notification of the amount of money credited to each district, that district shall furnish the commission with the district's list of eligible enduring water conservation structures for cost-sharing along with the prescribed district maximum cost-share level, the maximum cost-share payment to an individual landowner, and the district official(s) authorized to certify cost-share forms.

(c) Each district shall publicize information about the program and shall accept applications from landowners for cost-sharing for installation of eligible structures and shall, if approval is recommended, forward the application to the commission. The commission shall then approve or disapprove the application and notify the landowner through the district office.

(d) Upon completion of the installation of each approved structure, the district shall certify to the commission that the structure was installed in accordance with applicable conservation standards and the amount of the total cost of the structure. The commission shall then pay the landowner the appropriate cost-share amount. The warrant for the payment shall be transmitted to the landowner through the district office. Total payments to the landowners of a district shall not exceed the amount of money credited to the district by the commission.

(e) After the expiration of the time period established in the notification to each district, the commission may, upon request of the district, extend the time period to commit the credit or may rescind the uncommitted credit and re-allocate the funds. The actions shall be effective upon notification to the district by the commission. (Authorized by K.S.A. 1981 Supp. 2-1904 and 2-1915; implementing K.S.A. 1981 Supp. 2-1915; effective, E-81-26, Sep. 10, 1980; effective May 1, 1981; amended May 1, 1982.)

STATE CONSERVATION COMMISSION

Doc. No. 000125

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 et seq. These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the Kansas Register. The May 6, 1982 issue of the Register will contain a complete index to regulations effective May 1, and any legislative actions on them.

SECRETARY OF STATE

ADMINISTRATIVE REGULATIONS

Article 29.—BALLOTS

7-29-2. Official ballot colors. (a) All official ballots shall be printed in black ink on paper through which the printing or writing cannot be read.

(b) If only one ballot is required for an election, the ballot shall be white.

(c) Whenever a colored ballot is used, the same color must be used for that ballot throughout the county.

(d) The following designated colors shall be the exclusive colors used on the official ballots hereafter named:

- (1) National and State ballots white only
(2) Kansas Supreme Court ballots white or buff
(3) Kansas court of appeals ballots white or buff
(4) County and township ballots white or light blue
(5) City ballots white or light green
(6) School district ballots white or canary
(7) Constitutional amendment ballots white or canary
(8) Question submitted ballots white or light green
(9) Inspection ballots pink only

(Authorized by and implementing K.S.A. 25-601; effective May 1, 1982.)

Article 30.—SESSION LAWS

7-30-1. Session Laws. The price for the current Session Laws of Kansas shall be as follows:

- Clothbound copy, per volume \$14.00
Paperbound copy, per volume 13.00

(Authorized by and implementing K.S.A. 45-107; effective May 1, 1982.)

JACK H. BRIER
Secretary of State

Doc. No. 000126

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 et seq. These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the Kansas Register. The May 6, 1982 issue of the Register will contain a complete index to regulations effective May 1, and any legislative actions on them.

KANSAS FISH AND GAME COMMISSION

ADMINISTRATIVE REGULATIONS

Article 2.—GAME ANIMALS

23-2-7. Deer; firearms management units. (a) High Plains deer management unit; unit 1. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-23, then north on state highway K-23 to its junction with federal highway US-24, then west on federal highway US-24 to its junction with the Colorado-Kansas boundary, then north along the Colorado-Kansas boundary to its junction with the Nebraska-Kansas boundary, except federal and state sanctuaries.

(b) Smoky Hill deer management unit; unit 2. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Colorado-Kansas boundary east on federal highway US-24 to its junction with state highway K-23, then south on state highway K-23 to its junction with interstate highway I-70, then southeasterly on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas boundary, then north along the Colorado-Kansas boundary to its junction with federal highway US-24, except federal and state sanctuaries.

(c) Kirwin-Webster deer management unit; unit 3. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-283, then north on federal high-

(continued)

way US-283 to its junction with the Nebraska-Kansas boundary, then east along the Nebraska-Kansas boundary to its junction with state highway K-8, except federal and state sanctuaries.

(d) Kanopolis deer management unit; unit 4. The following described areas shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the interstate highway I-70, state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries.

(e) Pawnee deer management unit; unit 5. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with federal highway US-156, then west on federal highway US-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries.

(f) Middle Arkansas deer management unit; unit 6. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with state highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries.

(g) Solomon deer management unit; unit 7. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas boundary, then east along the Nebraska-Kansas boundary to its junction with federal highway US-81, except federal and state sanctuaries.

(h) Republican deer management unit; unit 8. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction

with the Nebraska-Kansas boundary, then east along the Nebraska-Kansas boundary to its junction with federal highway US-77, except federal and state sanctuaries.

(i) Tuttle Creek deer management unit; unit 9. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary, south on federal highway US-75 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas boundary, then east along the Nebraska-Kansas boundary to its junction with federal highway US-75, except federal and state sanctuaries.

(j) Kaw deer management unit; unit 10. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Nebraska-Kansas boundary south on federal highway US-75 to its junction with interstate highway I-35, then northeasterly on interstate highway I-35 to its junction with state highway K-150, then east on state highway K-150 to the Missouri-Kansas boundary, then north along the Missouri-Kansas boundary to its junction with the Nebraska-Kansas boundary, except federal and state sanctuaries.

(k) Osage Prairie deer management unit; unit 11. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Oklahoma-Kansas boundary north on federal highway US-169 to its junction with state highway K-37, then northwesterly on state highway K-37 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway K-35, then northeasterly on interstate highway K-35 to its junction with state highway K-150, then east on state highway K-150 to its junction with the Missouri-Kansas boundary, then south along the Missouri-Kansas boundary to its junction with the Oklahoma-Kansas boundary, except federal and state sanctuaries.

(l) Chautauqua Hills deer management unit; unit 12. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Oklahoma-Kansas boundary north on federal highway US-169 to its junction with state highway K-37, then northwesterly on state highway K-37 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas boundary, then east along the Oklahoma-Kansas boundary to its junction with federal highway US-169, except federal and state sanctuaries.

(m) Lower Arkansas deer management unit; unit 13. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Oklahoma-

(continued)

Kansas boundary north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas boundary, then west along the Oklahoma-Kansas boundary to its junction with federal highway US-81, except federal and state sanctuaries.

(n) Flint Hills deer management unit; unit 14. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the junction of interstate highway I-70 and federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with federal highway US-75, except federal and state sanctuaries.

(o) Ninescah deer management unit; unit 15. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Oklahoma-Kansas boundary, north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas boundary, then west along the Oklahoma-Kansas boundary to its junction with state highway K-179, except federal and state sanctuaries.

(p) Red Hills deer management unit; unit 16. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Oklahoma-Kansas boundary, north on state highway K-1 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas boundary, then west along the Oklahoma-Kansas boundary to its junction with state highway K-1, except federal and state sanctuaries.

(q) West Arkansas deer management unit; unit 17. The following described area shall be open for the taking of deer during the firearms deer season: that

part of Kansas bounded by a line from the Colorado-Kansas boundary east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-156, then east on federal highway US-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-144, then west on state highway K-144 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas boundary, then north along the Colorado-Kansas boundary to its junction with state highway K-96, except federal and state sanctuaries.

(r) Cimarron deer management unit; unit 18. The following described area shall be open for the taking of deer during the firearms deer season: that part of Kansas bounded by a line from the Colorado-Kansas boundary, east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-54, then northeast on federal highway US-54 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas boundary, then west along the Oklahoma-Kansas boundary to its junction with the Colorado-Kansas boundary, except federal and state sanctuaries. (Authorized by K.S.A. 32-164; implementing K.S.A. 32-110a and 32-178; effective E-81-13, June 11, 1980; effective May 1, 1981; amended May 1, 1982.)

Article 3.—FISH

23-3-2. Fishing; creel limit; size limit and possession limit. The daily creel, size and possession limits for all waters of the state shall be:

Species	Creel Limit	Size Limit
Black bass (largemouth, spotted, or smallmouth)	5*	—
Channel catfish or blue catfish	10*	—
Trout (rainbow or brown)	8*	—
Flathead catfish	5	—
Walleye, Sauger	8*	—
Pike family (northern pike, tiger or muskellunge)	2*	30"
Striped Bass	2	—
Paddlefish	2	—
Crappie	No limit	—
White Bass	No limit	—
Bullhead	No limit	—
All other species	No limit	—

* The daily creel limit is composed of single listed

(continued)

species or a combination of species in the aggregate. Possession limit shall be three (3) creel limits. Special size limits and creel limits shall be established by the commission on designated waters by posted notice or as published annually in the fishing informational brochure. All fish caught from these designated waters which are of a size or number that are illegal to possess shall be returned unrestrained to the water immediately. (Authorized by and implementing K.S.A. 32-215; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1971; amended E-77-25, May 1, 1976; amended Feb. 15, 1977; amended May 1, 1978; amended E-81-32, Oct. 8, 1980; amended May 1, 1981; amended May 1, 1982.)

Article 8.—WILDLIFE AREAS

23-8-1. Commission areas; identification of. All regulations applicable to state lakes, state parks, recreational grounds, game sanctuaries, game management areas and forest areas shall be applicable to wildlife areas. (Authorized by and implementing K.S.A. 32-224; effective Jan. 1, 1966; amended May 1, 1980; amended May 1, 1982.)

23-8-25. Non-commercial dog training. (a) Wildlife areas or portions thereof which are posted by the fish and game commission as open to hunting are declared open to the non-commercial training of bird dogs and retrieving dogs during the period from September 1 through March 31, unless posted otherwise, and for non-commercial training of trail hounds during the period from September 1 through the month of January, unless posted otherwise.

(b) Use of horses for non-commercial bird dog training purposes may be authorized on wildlife areas or portions of wildlife areas by posted notice during the periods September 1 through October 31 and January 2 through March 31 unless posted otherwise. Horses shall not be boarded or corralled overnight on wildlife areas.

(c) A permit to use horses on wildlife areas while non-commercially training bird dogs shall be secured through the director of the fish and game commission or his or her designated representatives on forms provided for this use. The permit shall be annual and expires at sunset on December 31 of the year issued. Permittees shall complete a questionnaire and submit to the director as required following spring and fall training periods. Permittees shall display a "trainer" card provided by the commission in their vehicle while using a wildlife area for training purposes.

(d) Hunting, taking or killing of wildlife while using horses to non-commercially train bird dogs shall not be permitted.

(e) the director of the fish and game commission may refuse to issue a permit if permit application is incomplete, unclear or misrepresented; for failure to return questionnaire; or for multiple and flagrant violations of laws and regulations pertaining to wildlife areas and horseback training of bird dogs. The director shall have the authority to limit the amount of use on any wildlife area or portions thereof through restrictions specified on permits issued. (Authorized by K.S.A. 32-224, implementing K.S.A. 32-225; effective Feb. 15, 1977; amended May 1, 1982.)

23-8-33. Jamestown wildlife management area—

regulations; hunting, fishing, trapping. The Jamestown wildlife management area shall be open to legal hunting, fishing, and trapping of all species of game birds, game animals, furbearers, and fish during the legal open season for taking these species; subject to posted notice by the commission, state and federal laws and regulations and by the restrictions listed below: (a) Portable or temporary blinds shall be removed within ten (10) days following the close of the waterfowl season.

(b) Boats with or without motors, may be used for fishing, trapping, and hunting by posted notice designating which unit(s) are open to boat use.

(c) Fishing shall be allowed, including the use of bow and arrow for rough fish, on all waters not designated as closed to fishing. Throw lines, limb lines and trotlines are prohibited on impounded waters.

(d) Trapping is allowed by permit only. Areas open to trapping shall be so designated by posted notice. Permittee shall make a written report of his catch to the area manager within thirty (30) days following closure of the furbearer trapping season. Failure to do so shall result in denial of following year permit. (Authorized by and implementing K.S.A. 32-224 and 74-3302; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1970; amended May 1, 1976; amended May 1, 1981; amended May 1, 1982.)

Article 9.—GAME BIRDS; SHOOTING AREAS

23-9-1. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; revoked May 1, 1982.)

23-9-2. Applications for license; requirements. (a) Application for game bird breeding and controlled shooting area license shall be made on the form provided by the fish and game commission, and include further information as the director may require. The application shall be secured from the director of the fish and game commission, Box 54A, Pratt, Kansas 67124, and shall be completed in full.

(b) All applications and application renewals shall be submitted to the director of the fish and game commission not later than August 10 of the current year. Applications received after August 10 shall be returned to the applicant without further processing.

(c) The applicant shall submit proof of ownership or lease for a five-year period of the area described in the application. Proof of ownership or lease shall accompany the application. (Authorized by K.S.A. 32-321; implementing K.S.A. 32-312; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1974; amended May 1, 1982.)

23-9-4. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; amended Jan. 1, 1970; revoked May 1, 1982.)

23-9-5. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; amended Jan. 1, 1970; revoked May 1, 1982.)

23-9-6. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1974; revoked May 1, 1982.)

23-9-7, 23-9-8. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; amended Jan. 1, 1970; revoked May 1, 1982.)

23-9-9. (Authorized by K.S.A. 32-321; effective Jan. 1, 1966; revoked May 1, 1982.)

(continued)

23-9-10. Special representative; reports. The licensee, his or her agent, or employee designated by the licensee may apply to the director of the fish and game commission for appointment as a special representative. The representative shall make a written report to the fish and game commission, within ten (10) days following the enforcement activity giving full information regarding his actions as representative. (Authorized by K.S.A. 32-321; implementing K.S.A. 32-320; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1982.)

23-9-11. Operating procedures. (a) The licensee shall erect signs at a height of not less than four (4) feet from the ground, along the boundary of the controlled shooting area, at intervals of not more than five hundred (500) feet. The sign shall read as follows: "Controlled shooting area. Licensed by Kansas fish and game commission. Trespassing unlawful." The signs shall be made of wood or metal and shall not be smaller than fifteen (15) inches by fifteen (15) inches.

(b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting area posted in a conspicuous and readily available place at the headquarters of the area.

(c) If the license of the game bird breeding and controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within thirty (30) days of the cancellation or revocation date. If a licensee fails to renew his or her license prior to August 10, all controlled shooting area signs shall be removed from the boundary of the licensee's area prior to September 10.

(d) The licensee shall not take or permit the taking of more than one hundred percent (100%) of the number of each species of game bird released on the game bird breeding and controlled shooting area. Game birds shall not be hunted on the area until a release of the game birds has been made.

(e) Except as authorized under Kansas dog training and field trial laws and regulations, it shall be unlawful to recapture by trapping any game bird, other than hand-reared mallard ducks, released on the area.

(f) The licensee shall maintain game bird release reports and a daily register of hunters and their kill. Both reports shall cover a full calendar month's operation and shall be submitted to the director of the fish and game commission, Box 54A, Pratt, Kansas 67124, within ten (10) days after each month's operation. The report forms shall be obtained from the office of the director. The reports shall be made under oath of the licensee.

(g) Only those birds released on the licensee's game bird breeding and controlled shooting area between August 15 and March 31 (both dates inclusive) of the current controlled shooting area season shall be credited toward the allowable kill on the area.

(h) It shall be unlawful to influence or restrict the birds' ability to fly or run in any manner.

(i) Kill tags shall be supplied to licensees upon proper application to the director of the fish and game commission, Box 54A, Pratt, Kansas 67124. Applications for kill tags shall be made by licensees at least two (2) weeks prior to time of expected use. The fee for the kill tags shall be remitted with the application. The director may limit the number of tags a licensee may request on any given application. Unused kill tags

remaining in the licensee's possession after March 31 shall be the property of the licensee with the condition that the licensee intends to relicense his or her game bird breeding and controlled shooting area for the following year. These unused tags will be held over by the licensee and used during the subsequent controlled shooting area season, except in cases where an operator's license is canceled, revoked, or not renewed by August 10, the unused tags shall then be returned to the director within ten (10) days of such cancellation, revocation or failure to renew license.

(j) The shooting hours for the taking of game birds released on game bird breeding and controlled shooting areas, shall be within the period of one-half (½) hour before sunrise to sunset. The hunting, shooting or taking of wild migratory waterfowl is prohibited on the areas used for the propagation and shooting of hand-reared mallard ducks. (Authorized by and implementing K.S.A. 32-321; effective May 1, 1982.)

Article 18.—FEES

23-18-1. Amount of fees. The following fees shall be in effect:

Resident hunting license	\$8.00
Nonresident hunting license	40.00
Resident fishing license	8.00
Nonresident fishing license	20.00
Resident trapping license	12.00
Resident duplicate license or permit (hunting, fishing, trapping)	3.00
Nonresident duplicate license or permit (hunting and fishing)	3.00
Resident fur dealer license	100.00
Combination resident hunting and fishing license	16.00
Nonresident fur dealer license	200.00
Controlled shooting area hunting license	8.00
Resident mussel fishing license	25.00
Nonresident mussel fishing license	100.00
Game breeders permit	10.00
Live rabbit trapping permit	10.00
Rabbit shipping permit	200.00
Collecting for scientific and exhibition permit	5.00
Disabled persons vehicle permit (lifetime)	3.00
General resident deer hunting permit	25.00
Landowner-tenant deer hunting permit	15.00
General resident antelope hunting permit	30.00
Landowner-tenant antelope hunting permit	20.00
Turkey hunting permit	20.00
Field trial permits (game birds and game animals)	20.00
Field trial permits (fur-bearing animals)	20.00
Commercial dog training permit	20.00
Water event permit	20.00

(Authorized by and implementing K.S.A. 32-164b; effective E-79-32; Nov. 21, 1978; effective May 1, 1979; amended May 1, 1981; amended May 1, 1982.)

KANSAS FISH AND GAME COMMISSION

Doc. No. 000135

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 *et seq.* These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the *Kansas Register*. The May 6, 1982 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

**DEPARTMENT OF REVENUE—
DIVISION OF ALCOHOLIC BEVERAGE
CONTROL**

ADMINISTRATIVE REGULATIONS

Article 2.—LICENSEES AND VENDORS

14-2-23. Honest representations. A licensee shall not make any false or misleading representations with respect to any alcoholic liquor product, any licensed premises, or in connection with a sales transaction, relating to brand, type, proof, or age of an alcoholic liquor or beer. Further, a licensee shall not deceive or attempt to deceive a customer by removing or changing any label or sanitation cover from a container of alcoholic liquor or beer. (Authorized by K.S.A. 41-209 and 41-210; implementing K.S.A. 41-211 and 41-905; effective May 1, 1978; amended May 1, 1982.)

Article 3.—RETAILERS

14-3-1. Retail premises. All premises used for the sale of alcoholic liquors at retail shall be located at ground or street level. All entrances for use of the public shall open either immediately into the room used for retail sales purposes or into an energy efficient vestibule. Any arrangement that allows customers access to a retail sales room from another place of business shall be prohibited. The area of an energy efficient vestibule which is common to a retail liquor store and another place of business shall not be construed as another place of business. Access from this common energy efficient vestibule shall not constitute access via an inside entrance if this energy efficient vestibule is so constructed that the entire area of the vestibule is visible from the exterior of the premises. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-711; effective Jan. 1, 1966; amended Jan. 1, 1973; amended, E-81-36, Dec. 10, 1980; amended May 1, 1981; amended May 1, 1982.)

14-3-13. Records of purchases; invoices or sales tickets to be furnished by distributor; retention; records subject to inspection. Every retail licensee purchasing alcoholic liquor shall, at the time of delivery of this alcoholic liquor and only this time, demand and receive in duplicate from the licensed distributor selling the alcoholic liquor a serially numbered invoice,

purchase order, or sales ticket truly and correctly showing the kind, brand, quantity, and price of the alcoholic liquor purchased or sold, the date and place of purchase or sale, and the name and address of the distributor and the retail licensee. At the time of delivery of the alcoholic liquor the retail licensee or an authorized agent shall sign the aforementioned invoice, purchase order, or sales ticket. The retail licensee shall keep one copy of each invoice, purchase order, or sales ticket on the licensed premises for three years thereafter. The premises shall be open at all times to inspections by the director, his or her deputies or agents, or any other law-enforcing officer of the state of Kansas. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-708 and 41-717; effective Jan. 1, 1966; amended Jan. 1, 1972; amended May 1, 1982.)

14-3-16. Opened containers of liquor or cereal malt beverage on licensed premises. A retail licensee shall not permit the original package or container of any alcoholic liquor or cereal malt beverage to be opened in or on the licensed premises. The licensee shall not keep or permit to be kept on the premises any unsealed container or original package containing alcoholic liquor or cereal malt beverage. The presence of any unsealed container or original package containing alcoholic liquor or cereal malt beverage on the premises shall be considered as prima facie evidence of a violation of the act. The word "container" as used here shall not include a shipping container of wine. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-713; effective Jan. 1, 1966; amended May 1, 1982.)

14-3-19. Intoxicated persons on licensed premises. A retail licensee shall not permit or allow an intoxicated or incapacitated person to frequent, loiter, or be employed upon the licensed premises. The word "incapacitated" as used here shall mean any person who is impaired by reason of mental illness, mental deficiency, or any other cause to the extent that he or she lacks capacity to make responsible decisions concerning his or her person. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-713 and 41-715; effective Jan. 1, 1966; amended May 1, 1982.)

14-3-21. (Authorized by K.S.A. 41-103, 41-210, 41-211 and 41-2634; effective Jan. 1, 1966; revoked May 1, 1982.)

14-3-35. Sales to licensed club; retailers reports. (a) A retailer shall not engage in the sale of alcoholic liquor to licensed private clubs without having first obtained a federal wholesale basic permit. Retailers engaged in sales to licensed private clubs shall give these clubs vouchered, numbered sales slip in connection with all purchases.

(b) Retailers are prohibited from making sales of alcoholic liquor to a licensed private club through any person who is not a registered employee of the licensed private club. The itemized sales slip shall have the following information on it and shall be kept by the retail liquor store for three (3) years:

- (1) Date of purchase and name of liquor store and store's address as it appears on license;
- (2) Name and address of private club same as it appears on club license;

(continued)

(3) Name of individual making purchase for club and individual's position with that club;

(4) Brand, size, proof, and amount of each brand purchased;

(5) Bottle cost to club and total price for each brand and size; and

(6) Total cost of order after discount, if applied, and the total cost of order including enforcement tax. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-308 and 41-702; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Feb. 15, 1977; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended May 1, 1982.)

14-3-39. Retail parking signs. A retailer shall not have any sign on the outside of the retail premises or upon the property where the premise is located without written approval of the director for that sign. However a retailer located in a bona fide shopping plaza or mall may, after submitting a diagram depicting the sign location and obtaining written approval of the director, may list the retail liquor store on a shopping plaza or mall directory. Letters on the directory listing shall not exceed four inches (4") in height and three inches (3") in width. For the purposes of this regulation, a bona fide shopping plaza or mall means a single location wherein four (4) or more independently operated business establishments exist. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-714; effective Jan. 1, 1974; amended May 1, 1982.)

Article 4.—MANUFACTURERS; DISTRIBUTORS

14-4-9. Manufacturers, wholesalers, and distributors; possession of returned empty packages. A manufacturer, wholesaler, or distributor shall not accept or have in his or her possession any returned empty original containers or packages of alcoholic liquor, except beer, unless authorized by the director. Empty beer containers or packages shall be redeemed only by persons legally authorized to purchase beer. The redemption amount shall only be the amount deposited and may be paid as a credit on a simultaneous beer purchase or by cash upon receipt of bottles. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-308; effective Jan. 1, 1966; amended May 1, 1982.)

Article 6.—CONTAINERS AND LABELS

14-6-2. Capacities of containers. Alcoholic liquors shall be sold or offered for sale at retail in this state in original containers of the following capacities: (a) Beer: Six and one-half (6½), seven (7), eight (8), ten (10), eleven (11), eleven and one-half (11½), twelve (12), fifteen (15), sixteen (16), seventeen (17), twenty-four (24), and twenty-five and six tenths (25.6) fluid ounces; one (1) quart one-half (½) gallon, one (1) gallon, two and one-half (2½) gallons (tapper), one eighth (⅛) barrel (three and seven-eighths (3⅞)), one-fourth (¼) barrel (seven and three-fourths (7¾) gallons), one-half (½) barrel (fifteen and one-half (15½) gallons), and one (1) barrel (thirty-one (31) gallons).

(b) Wines: Four-fifths (⅘) pint or three hundred seventy-five (375) ml., one (1) pint (imports only), four-fifths (⅘) quart or seven hundred fifty (750) ml., one (1) quart or one (1.0) liter; one-half (½) gallon,

two-fifths (⅖) gallon or one and one-half (1.5) liters; one (1) gallon or three (3.0) liters and four (4.0) liters. A brand or type may be permitted in either the one-half (½) gallon, two-fifths (⅖) gallon or one and one-half (1.5) liters; one (1) gallon or three (3.0) liters and four (4.0) liters through eighteen (18.0) liters provided they are measured in full liter quantities. A brand or type may be permitted in either the one-half (½) gallon, two-fifths (⅖) gallon or one and one-half (1.5) liter sizes, but only one of these; or in the one (1) gallon or three (3.0) liter size; but not both. Aperitif wine (including vermouth) may be sold or offered for sale at retail in this state in the original containers having a capacity of fifteen-sixteenths (15/16) quart if the gallonage tax is paid at the full quart rate per bottle.

(c) Alcoholic liquor other than beer and wine: one-half (½) pint or two hundred (200) ml. one-tenth (1/10) gallon, one (1) pint or five hundred (500) ml., four-fifths (⅘) quart or seven hundred fifty (750) ml., one (1) quart or one (1.0) liter, one-half (½) gallon or one and seventy-five hundredths (1.75) liter, one (1) gallon.

(1) Domestic whiskey, including bonded bourbon, bonded rye, straight bourbon, straight rye, all blends of neutral spirits, corn whiskey, alcohol, domestic and imported gin, vodka, tequila, and Canadian imported whiskey shall not be offered for sale in containers of one-tenth (1/10) gallon.

(2) Domestic brandies, prepared cocktails, rum, American cordials, liqueurs and specialties, flavored gin, flavored vodka, and flavored whiskey, and scotch whiskey shall not be offered for sale in containers of one (1) pint size, but may be offered in the five hundred (500) ml. size.

(3) A brand or type of merchandise may be permitted in either the one-tenth (1/10) gallon size, pint size or five hundred (500) ml. size, but only one (1) at a time.

(d) For tax approval purposes of containers offered for sale, a variance in content may be permitted within two (2) fluid ounces for the above approved sizes. (Authorized by K.S.A. 41-210, 41-211 and 41-1117; implementing K.S.A. 41-211; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1968; amended Jan. 1, 1972; amended May 1, 1975; amended Feb. 15, 1977; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended May 1, 1982.)

Article 7.—TAX; TAX STAMPS; CROWNS; LIDS

14-7-9. Filing of agreements; cancellation. All agreements between beer manufacturers or suppliers of beer and wholesalers or distributors of beer shall be filed with the office of the alcoholic beverage control division at the time of filing application for a distributor's license. A copy of the agreement shall be submitted to the director for the files of the alcoholic beverage control division. A manufacturer or supplier of beer shall not enter an agreement for the distribution of a brand of beer with more than one wholesaler or distributor for all or part of any designated territory. No agreement filed pursuant to this regulation shall be cancelled or transferred except upon notice to the director and a determination by the director that the licensee being terminated has complied with all provisions of the liquor control act and that the licensee being terminated has failed to comply with the provi-

(continued)

sions of the agreement. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-409; effective Jan. 1, 1974; amended, E-74-36, July 2, 1974; amended May 1, 1975; amended Feb. 15, 1977; amended May 1, 1982.)

Article 8.—ADVERTISING

14-8-2. Prohibited statements and restrictions in the advertising of alcoholic liquor. (a) Advertisements of alcoholic liquor shall not contain:

- (1) Any statement that is false or misleading in any manner;
- (2) Any statement, design, device, or representation which is obscene or indecent;
- (3) Any statement concerning the brand of alcoholic liquor that is inconsistent with any statement on the labeling;
- (4) Any statement of or reference to the price of the alcoholic liquor, except a reference to the authorized discount on case sales, if the advertisement is directed to the public;
- (5) Any statement concerning or illustrating women, children, or family scenes which are immodest, undignified, or in bad taste;
- (6) Any statement, design, device, or representation of or relating to any guaranty, irrespective of falsity, which is likely to mislead the consumer;
- (7) Any statement, design, or device representing that the use of any alcoholic liquor has curative or therapeutic effects, if the statement is untrue specifically or tends to create a misleading impression;
- (8) Any statement, design, device, or representation or relating to analyses, standards, or tests, irrespective of falsity which is likely to mislead the customer;
- (9) Any statement that the product is produced, blended, made, bottled, packed, or sold under or in accordance with any authorization, law, or regulation of any municipality, county, state, federal, or foreign government unless this statement is required or specifically authorized by the laws or regulations of that government. If a municipal, county, state or federal permit number is stated, this permit number shall not be accompanied by any additional statement relating to it;
- (10) Any statement that alcoholic liquor was manufactured in, or imported from, a place or country other than that of its actual origin or was produced or processed by one who was not in fact the actual producer or processor;
- (11) Any statement, design, device, or pictorial representation of or relating to, or capable of being construed as relating to, the armed forces of the United States, the American flag, any state flag, or of any emblem, seal, insignia, or decoration associated with any flag or the armed forces of the United States. Advertisements shall not contain any statement, device, design, or pictorial representation of or concerning any flag, seal, coat of arms, crest, or other insignia, likely to falsely lead the consumer to believe that the product has been endorsed, made, used by, or produced for or under the supervision of or in accordance with the specifications of the government, organization, family, or individual with whom the flag, seal, coat of arms, crest, or insignia is associated;
- (12) The words "bond," "bonded," "bottled in bond," "aged in bond," or phrases containing these or

synonymous terms, unless these words or phrases appear upon the labels of the distilled spirits advertised and are stated in the advertisement in the manner and form in which they appear upon the label; and

(13) Any statement, design, or device directly or by implication concerning age or maturity of any brand or lot of alcoholic liquor unless a statement of age appears on the labels of the advertised product. When this statement, design, or device concerning age or maturity is contained in any advertisement, it shall include (in direct conjunction and with substantially equal conspicuousness) all parts of the statement concerning age and percentages, if any, which appear on the label. However, an advertisement for any whiskey or brandy which does not bear a statement of age on the label, or an advertisement for rum which is four (4) years or more old, may contain general inconspicuous age, maturity or other similar representations;

(b) Kansas licensees shall not be allowed to advertise any alcoholic liquor by the brand name; however, this restriction shall not apply to the advertising of private labels when the same are advertised by the licensed distributor owning the label. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-714; effective Jan. 1, 1966; amended Jan. 1, 1971; amended, E-81-36, Dec. 10, 1980; amended E-82-9, Apr. 27, 1981; amended May 1, 1981; amended May 1, 1982.)

14-8-4. Retail licensees; marking price on original packages; use of price or inventory control tags, or both; shelf markings; and price marking on point of sale materials. The retail selling price may be legibly marked on the glass portion of the original container by means of crayon, grease pencil, or other similar method. Price marking on the container's label, Kansas ID stamp, or federal strip is prohibited. Retail licensees may affix to an original container a price or inventory control paper tag, or both, not to exceed two (2) inches by two (2) inches in size. Luminous, fluorescent or similar paper may be used for price or inventory control tags, or both. The use of black on white or white on black removable numbers not exceeding two (2) inches in height may be attached to the shelf edge or edges designating the retail selling price. Retail licensees having authorized coolers or refrigerators may place on the refrigerator or cooler or on a nearby wall the list of cold items available and the price per item, pack, or case provided the numbers and letters are black on white or white on black and do not exceed two (2) inches in height. In addition, retailers may place price information, individual letters, and numbers not to exceed three (3) inches by two (2) inches in size, on point of sale materials as authorized and defined in K.A.R. 14-10-1. (Authorized by K.S.A. 41-210 and 41-211; implementing K.S.A. 41-714; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Feb. 15, 1977; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended May 1, 1982.)

Article 18.—CLASS A AND B CLUBS

14-18-4. Guests of members; guests of management; reciprocal members; registration. (a) Members of licensed private clubs may bring guests upon club premises provided the guests are accompanied by the

(continued)

member. The relationship between member and guests necessarily requires that the member shall be acquainted with the guest and not be a total stranger before the time that the privilege of access is extended.

(b) Every club shall require the name and address of all persons who enter the club premises as guests of management or club employees. These guests shall be registered in a permanently bound book kept on the club premises for that purpose. The relationship between management or employees and their guests necessarily requires that the management or employee shall have been acquainted with the guest for some period of time before the privilege being extended, which would exclude a total stranger.

(c) Reciprocal members shall be members who belong to a club which has executed and filed with the director a written reciprocal agreement with the club to which access is being made. All reciprocal members shall sign their name and address (hometown or city) and the name and city of their member club in a reciprocal member's guest book.

(d) The extension of club privileges for a guest of management or a guest of a member ends with the departure of the sponsoring club manager or club member from the licensed premises. (Authorized by K.S.A. 41-2634; implementing K.S.A. 41-2637; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended, E-82-22, Dec. 9, 1982; amended May 1, 1982.)

14-18-23. Prohibited employees. A manufacturer, distributor, or retailer, or any officer agent, or employee of a manufacturer distributor, or retailer shall not be employed by a licensed club as an officer, manager, or in the capacity of a person registered to mix, serve, sell, or dispense alcoholic liquor. (Authorized by K.S.A. 41-2634; implementing K.S.A. 41-2623; effective Jan. 1, 1974; E-80-28, Dec. 12, 1979; effective May 1, 1980; amended May 1, 1982.)

14-18-28. Agreement for reciprocal membership. Class A clubs shall forward four (4) copies of the reciprocal agreement to the director for approval. Class B clubs shall forward, as a condition precedent to receiving agreement approval, a statement of gross receipts showing the ratio of food sales to alcoholic beverage sales, as those terms are defined in L. 1979 ch. 152, on forms provided by the director for this purpose. Upon receiving approval to submit the reciprocal agreement, the class B clubs shall forward (4) copies of the reciprocal agreement to the director for approval. An approved-stamped copy of the agreement shall be returned to the club for retention on the club premises. In all instances, reciprocal agreements shall be executed by the licensee, if the licensee is an individual, a partner, or an officer or manager of a corporate licensee. At the time a club severs its agreement or agreements, it shall notify the director in writing within five (5) days of this severance. (Authorized by K.S.A. 41-2634; implementing K.S.A. 41-2637; effective May 1, 1982.)

Article 19.—CLASS A CLUBS

14-19-10. (Authorized by K.S.A. 41-2634, 41-2637; effective Jan. 1, 1966; amended Jan 1, 1969; E-80-28, Dec. 12, 1979; amended May 1, 1980; revoked May 1, 1982.)

Article 20.—CLASS B CLUBS

14-20-3. (Authorized by K.S.A. 41-2634; effective Jan. 1, 1966; revoked May 1, 1982.)

14-20-7. Temporary memberships; granting, records, and billing. (a) A class B club located on the premises of a "hotel," as defined in K.S.A. 1980 Supp. 36-501, shall at all times, keep a record of temporary memberships granted by the club to registered non-resident guests of the hotel on which premises the club is located. The temporary memberships shall be granted only by the club and shall not be handled by or delegated to the hotel management. A temporary membership card shall be issued the temporary member setting forth, on its face, the effective dates, the name of the club and the name of the member. Billing may be handled by the hotel if all funds are accounted to the club and if the hotel keeps a permanent record of all such charges and payments of the club handled by the hotel.

(b) A class B club located on property which is owned or operated by a municipal airport authority shall keep a record of all temporary memberships granted to air travelers. The temporary memberships shall be granted only upon the licensed club premises by club management after receipt of an application form, and shall be valid only for the day that the air traveler's ticket is valid. Each temporary membership card issued shall state on its face, the name of the club, the name of the temporary member, the name of the airline and flight number and the effective date(s) of the membership.

(c) Records of all temporary memberships issued pursuant to sections (a) and (b) shall be maintained on licensed club premises for a period of one year from date of issuance. (Authorized by K.S.A. 41-2634; implementing K.S.A. 41-2601; effective Jan. 1, 1966; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended E-82-13, June 17, 1981; amended May 1, 1982.)

MICHAEL LENNEN
Secretary of Revenue

Doc. No. 000124

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 *et seq.* These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the *Kansas Register*. The May 6, 1982 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

STATE GRAIN INSPECTION**DEPARTMENT****ADMINISTRATIVE REGULATIONS**

Article 1.—WAREHOUSING

25-1-1. Net worth. Every warehouseman conducting a public warehouse, under the provisions of chapter 34, article 2, of the Kansas Statutes Annotated, shall be considered to have inadequate and insufficient security against any loss which might occur unless he or she shall have and maintain in addition to the bond required by K.S.A. 34-229, a net worth as determined from the financial statement required by K.S.A. 1980 Supp. 34-228 equal to at least ten (10) cents per bushel of the warehouse's storage capacity, except that the net worth need not be more than one hundred thousand dollars (\$100,000.00). The director shall require an additional bond equal to or greater than the difference between the net worth of the warehouseman and the net worth required in this rule and regulation. (Authorized by K.S.A. 34-102; implementing K.S.A. 34-229; effective Jan. 1, 1966; amended May 1, 1981; amended May 1, 1982.)

25-1-4. Discontinuation of warehouse license. Every warehouseman who discontinues being a public warehouseman shall return all unused warehouse receipts and all Kansas public warehouse licenses in his or her possession to the Kansas state grain inspection department, warehouse division, for cancellation. (Authorized by K.S.A. 34-102, 34-2,100; implementing K.S.A. 34-299 and 34-2,100; effective Jan. 1, 1966; amended Jan. 1, 1968; amended May 1, 1982.)

25-1-6. Storage liability reports. (a) The "examiners copy" of all executed warehouse receipts shall be mailed, at the end of each week, to the Kansas state grain inspection department, warehouse division.

(b) All local public warehousemen shall maintain current and complete records at all times with respect to all grain, including grain owned by him or her, which is stored in or handled through the warehouse. These records shall include a daily summarized position record showing:

(1) The total quantity of each kind of grain received and loaded out, and the quantity of each kind of grain

remaining in the warehouse as of the close of each business day; and

(2) The warehouseman's total storage obligation for each kind of grain as of the close of each business day.

(c) The warehouseman shall forward to the Kansas state grain inspection department, warehouse division, not later than the fifth day of each month, a monthly statement of stocks of grain in elevator as of the last day of the preceding month, for each licensed warehouse location. (Authorized by K.S.A. 34-102, 34-2,100; implementing 34-295a, 34-2,100; effective Jan. 1, 1966; amended Jan. 1, 1968; amended May 1, 1982.)

25-1-7. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; implementing K.S.A. 34-235; effective Jan. 1, 1966; amended Jan. 1, 1968; revoked May 1, 1982.)

25-1-16. Warehouse receipts—registration of bailment receipts by state registrar. A public warehouseman operating a grain warehouse pursuant to article 2, chapter 34, of the Kansas Statutes Annotated authorized to issue warehouse receipts may, with the consent of the director, issue negotiable warehouse receipts for use as collateral on his or her own grain, using the same form, providing the receipt is forwarded to the state registrar, office of the director, Kansas state grain inspection department, or to the office of a deputy registrar designated by the director, for registration as provided in K.S.A. 34-240. The original warehouse receipt shall be accompanied by the warehouse examiner's copy of the receipt, a stamped self-addressed envelope, and a copy of the registrars' report. A warehouseman redeeming the registered warehouse receipt shall forward the receipt to the state registrar or present the receipt to a Kansas state grain inspection department warehouse examiner for cancellation. (Authorized by K.S.A. 34-102, 34-2,100; implementing K.S.A. 34-248a; effective Jan. 1, 1966; amended Jan. 1, 1968; amended May 1, 1982.)

25-1-20. Scale tickets; inbound form. Upon the deposit of grain by a producer or other depositor in any warehouse licensed under the provisions of K.S.A. chapter 34, grain shall be weighed and graded as provided by the laws and regulations of the state of Kansas and the Kansas state grain inspection department. The original of an approved scale ticket issued to the depositor for the deposit shall be approved in form by the state grain inspection department.

The scale tickets shall be plainly marked "inbound," and shall be serially numbered and shall contain at some convenient conspicuous point the following statement: "Approved by Kansas state grain inspection department." Scale tickets may contain additional information as may be desirable to the warehouseman so long as the additional information receives prior approval of the Kansas state grain inspection department, but shall be used only for grain received by the warehouseman. A copy of the scale tickets shall be kept by the warehouseman in numerical order, including voided tickets, and shall be furnished to an authorized examiner of the grain inspection department upon demand. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; implementing K.S.A. 34-102; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended May 1, 1982.)

(continued)

25-1-21. Scale tickets; outbound form. Upon the shipment or transfer of grain by a warehouseman licensed under the provisions of K.S.A. chapter 34, on shipment or transfer being made by any means of transportation except by rail or water, grain shall be weighed as provided by the laws and regulations of the state of Kansas and the Kansas state grain inspection department. The original of an approved scale ticket issued to the consignee of the grain shall be approved in form by the Kansas state grain inspection department.

The scale tickets shall be plainly marked "outbound," and shall be serially numbered and shall contain at some convenient conspicuous point the following statement: "Approved by Kansas state grain inspection department." Scale tickets may contain additional information as may be desirable to the warehouseman so long as the additional information received prior approval of the Kansas state grain inspection department. The approved scale tickets shall not be used for custom weighing or for any other purpose or use not within the purview of K.S.A. chapter 34, article 2, and the regulations of the Kansas state grain inspection department, but shall be used only for grain shipped or transferred by the warehouseman. A copy of the scale tickets shall be kept by the warehouseman in numerical order, including voided tickets, and shall be furnished to an authorized examiner of the grain inspection department upon demand. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; implementing K.S.A. 34-102; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended May 1, 1982.)

25-1-26. The financial statement required by K.S.A. 1980 Supp. 34-228 shall be prepared by a person regularly engaged in the business of accounting and bookkeeping. (Authorized by K.S.A. 34-102; implementing K.S.A. 34-228; effective May 1, 1982.)

Article 2.—INSPECTION DIVISION

25-2-3. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; implementing K.S.A. 34-102; effective Jan. 1, 1966; revoked May 1, 1982.)

Article 3.—WEIGHING

25-3-1. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; effective Jan. 1, 1966; revoked May 1, 1982.)

25-3-3. Official weights. All scales used for loading or unloading of rail or barge shipment, before being placed in service, shall be tested and approved by the official scale inspector for the state grain inspection department. All track and hopper scales in the state over which grains are officially weighed shall be tested by a qualified scale expert twice a year. All truck scales in the state over which grains are officially weighed shall be tested as required by law by the weights and measures division of the state board of agriculture, and shall bear its seal of approval. Official weights on truck scales shall be given on "inbound" vehicles only which can be weighed all at one time. (Authorized by K.S.A. 83-121, 83-123, 34-102, 34-235, 34-2,100; implementing K.S.A. 34-102; effective Jan. 1, 1966; amended May 1, 1982.)

25-3-6. Cleaning of pits and sinks. When hopper

scales are used to weigh the amount of grain a car contains, it shall be the duty of the elevator employees unloading the car to deliver to the hopper scales the entire contents of the car, except when cars contain unusual dirt, foreign matter, or damaged grain which would not be suitable for handling by the elevator, as set forth in K.A.R. 25-3-17. It shall be the further duty of the elevator employee to clean thoroughly the unloading pit(s) or sink(s) and the area adjacent to the pit(s) or sink(s) of any of the contents of the car that may have become lodged and deliver the contents to the scale to be weighed and credited to the car. It shall be the further duty of elevator employees to see that cars are not opened at any pit or sink until the pit or sink is cleared and closed. Also, they shall not open any pit or sink until they get a signal from the upstairs weighmaster that all grain from the previous car is out of the garner and the garner is closed. (Authorized by K.S.A. 34-102, 34-2,100; implementing K.S.A. 34-102; effective Jan. 1, 1966; amended May 1, 1982.)

25-3-15. Shipping or surge bin for hopper car loading. (a) The bin hopper bottom shall have at least a thirty-six (36) degree bottom with the only bottom opening leading directly to the car. The hopper bottom shall have a concrete topcoat of not less than three (3) inches, shall be cone shaped, troweled to upper edges, and feathered so that grain will not hang up. The finish shall be troweled as slick as possible and treated to seal surface.

(b) The bin shall have at least seven hundred (700) square inches of venting to permit free flow of air to and from the bin. The bin shall have an inspection hole with a cover plate for easy access to inspect the hopper bottom.

(c) Gates other than the one at the bottom of the loading spout shall not be permitted. The bin shall not be greater in size than forty-seven hundred (4700) cubic feet.

(d) The spout shall have a switch (such as a bin eye) within sixteen (16) inches of the gate or valve which shall work in conjunction with the limit switch on the gate to operate a light on the scale floor and shall be within sight of the scale beam. The light shall turn on only when grain is in the spout and the gate is closed. This light shall be green in color.

(e) Before start of construction, blueprints shall be furnished to the scale inspector for approval, and shall be filed with the grain inspection department. This inspector shall make final inspection before this loading equipment is put into use. (Authorized by K.S.A. 34-102, 34-2,100, implementing K.S.A. 34-102; effective Jan. 1, 1972; amended May 1, 1979; amended May 1, 1982.)

25-3-16. Railroad cars; condition. All cars that are to be loaded with grain shall be in a structurally sound condition to carry grain. In case cars are loaded so that in the judgment of the weighmaster they are not in proper condition to carry grain, the parties loading the cars shall at once be notified, and the statement of the condition of the car and any repairs that are made at elevator (after car has been loaded) placed upon the weighmaster's card, daily report, and upon the face of the certificate of weight issued for the car. (Authorized by K.S.A. 34-102, 34-235; implementing K.S.A. 34-112a; effective May 1, 1982.)

(continued)

25-3-17. Cleaning and inspection of cars. All cars, when unloaded, shall be thoroughly cleaned. In case of excessive amount of foreign matter or badly damaged grain in bottom of car (which the sampler was unable to get when drawing the official sample), which would be unfit for mixing with grain, it shall be the duty of the weighmaster to estimate the amount of this foreign matter or damaged grain to be left in the car. The warehouseman shall have the option of either returning the grain originally removed to the car and calling another inspection on the entire load or calling an inspection on that part left in car, then cause it to be removed and weighed, and take the remainder at the grade established on it. (Authorized by K.S.A. 34-102; implementing K.S.A. 34-112a; effective May 1, 1982.)

Article 4.—MISCELLANEOUS

25-4-1. Fees. The following fees shall be charged for the services rendered by this department, effective May 1, 1982:

Inspections	
Hopper car—in or out, direct transfer	\$11.00
Hopper car—reinspection	11.00
Extra sample secured at time of original at request of applicant	3.50
New sample secured after time of original at request of applicant	5.00
Boxcar—in or out, direct transfer	7.00
Boxcar—reinspection	7.00
Extra sample secured at time of original at request of applicant	2.00
New sample secured after time of original at request of applicant	3.00
All reinspections basis official file sample	4.00
Inspection of sample obtained by mechanical spout sampler at country points—(Outside the switching limits where the department has an official inspection station) white certificate (Plus sampling fee and mileage paid to sampler attendant)	6.00
Warehouse sample lot inspection—yellow certificate	6.00
Approving and check testing sampling equipment at country points and training and supervising elevator personnel—flat fee	40.00
Plus: Hourly rate	11.00
Mileage—portal to portal at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;	
Report grade by telephone	Call collect
Review visits:	
Hourly rate	11.00
Mileage—portal to portal at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;	
Check testing sampling equipment at terminal points:	
Hourly rate	11.00
Minimum charge	11.00
Truck inspection—in or out	5.50
Truck—reinspection	5.50
Extra truck sample at request of applicant	2.00
Bin inspection	5.00
Barges, in or out, per 1,000 bushels or fraction	2.50
Barge reinspection, per 1,000 bushels or fraction	2.50
Submitted sample inspection	4.00
Protein analysis per sample or reinspection basis official file sample	2.75
Factor analysis only, moisture	1.25
Each approved statement requested by applicant	2.25
Duplicate certificates	1.00
DHV count.	3.00
Charge for sampling, weighing and other services performed by state grain personnel upon request by the grain industry—overtime (over eight (8) hours per day) including Saturdays, Sundays, and holidays, a minimum of two (2) hours at \$11.00 per hour (pursuant to K.A.R. 1-5-25.) Employees of the Kansas state grain inspection department who are called in to work on a regular day off or called back to	

work after a regular work schedule shall be paid a minimum of two (2) hours pay at the appropriate rate. The industry that requests this service shall be charged a minimum of two (2) hours.

Stowage Examinations When Requested by Applicant

Hopper cars and boxcars	2.25
Barges	5.50
Weights	
Hopper car or boxcar—in, out, or direct transfers	6.00
Barges, in or out, per 1,000 bushels or fraction	2.25
Truck or wagonload—(in only) each	6.00
House transfers per 1,000 bushels or fraction	1.50
Weigh-up, annual, per 1,000 bushels or fraction	1.00
In weighing, sacked cars, per manhour	11.00
Out weighing, sacked cars, with count, per manhour	11.00
Out weighing, sacked cars, with count and weight each sack, per manhour	11.00
Hopper scale per test	75.00
Hopper scale per F.G.I.S. test, plus hourly charge on site	75.00
Hopper scale at unofficial points, plus mileage and per diem	75.00
Mileage charge for special trips by the hopper testing scale truck, portal to portal, per mile	.45
Labor of scale inspector for repair work outside his regular inspecting or adjusting of scale, per hour	11.00
Charge per hour for sampler or weigher by special arrangement, per each man	11.00
Warehouse examiners for special or requested examination of warehouse, each examiner, per diem expense plus, per hour	11.00
Mileage—portal to portal at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;	
Charge for amending warehouse license	25.00

(Authorized by K.S.A. 34-103a, 34-2,100; implementing K.S.A. 34-103a; effective Jan. 1, 1966; amended Jan. 1, 1967; amended, E-68-7, Feb. 20, 1968; amended Jan. 1, 1969; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended, E-71-26, June 18, 1971; amended Jan. 1, 1972; amended, E-72-8, Feb. 26, 1972; amended Jan. 1, 1973; amended, E-74-27, June 26, 1974; amended, E-74-51, Sep. 30, 1974; amended May 1, 1975; amended, E-78-10, March 24, 1977; modified, L. 1978, ch. 448, May 1, 1978; modified, L. 1980, ch. 345, May 1, 1980; amended May 1, 1981; amended, May 1, 1982.)

25-4-4. Fees and charges; warehouse division. The annual fee for a public warehouse license shall be computed as follows, based on the capacity of that public warehouse:

Capacity in Bushels	Annual Fee
1 to 100,000	\$250.00
100,001 to 150,000	275.00
150,001 to 250,000	300.00
250,001 to 300,000	325.00
300,001 to 350,000	350.00
350,001 to 400,000	375.00
400,001 to 450,000	400.00
450,001 to 500,000	425.00
500,001 to 600,000	450.00
600,001 to 700,000	475.00
700,001 to 800,000	500.00
800,001 to 900,000	525.00
900,001 to 1,000,000	550.00
1,000,001 to 1,750,000	725.00
1,750,001 to 2,500,000	850.00
2,500,001 to 5,000,000	1,100.00
5,000,001 to 7,500,000	1,350.00
7,500,001 to 10,000,000	1,550.00
10,000,001 to 12,500,000	1,700.00
12,500,001 to 15,000,000	1,850.00

(continued)

15,000,001 to 17,500,000 2,000.00
 17,500,001 to 20,000,000 2,150.00

Over 20,000,000 bushels add \$150 for each 2,500,000 bushels or fraction thereof. (Authorized by and implementing K.S.A. 34-228; effective, E-67-18; Sep. 13, 1967; effective Jan. 1, 1968; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended May 1, 1982.)

MARVIN R. WEBB, Director
 State Grain Inspection Department

Doc. No. 000136

(Published in the KANSAS REGISTER, April 1, 1982.)

HOUSE BILL No. 2695

AN ACT concerning the financing of unified school district No. 470, Cowley county.

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

Section 1. (a) For the purposes of the school district equalization act and notwithstanding any provision therein to the contrary, for the 1982-83 school year, the term "enrollment" for unified school district No. 470, Cowley county, means 2,960.5 pupils.

(b) In the 1982-83 school year, the legally adopted budget of operating expenses and the general state aid of unified school district No. 470, Cowley county, shall be determined in accordance with the enrollment of such school district as specified in subsection (a).

(c) In the 1983-84 school year, the legally adopted budget of operating expenses and the general state aid of unified school district No. 470, Cowley county, shall be determined as if the provisions of the school district equalization act had applied to the determination thereof in the 1982-83 school year, and as if this act had not been in effect.

(d) The provisions of this act shall not apply to unified school district No. 470, Cowley county, if the enrollment in the 1982-83 school year has decreased less than the percentage applicable to the district under subsection (g) of K.S.A. 72-7055, and amendments thereto, from the enrollment in the district in the 1981-82 school year or if the enrollment in the district has increased in the 1982-83 school year over the enrollment in the 1981-82 school year.

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

I hereby certify that the above BILL originated in the House, and passed that body.

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 11, 1982.

WENDELL LADY
Speaker of the House.
 GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE March 16, 1982.

ROSS O. DOYEN
President of the Senate.
 LU KENNEY
Secretary of the Senate.

APPROVED March 26, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
 Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26th day of March, 1982.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 1, 1982.)

HOUSE BILL No. 2724

AN ACT concerning administrative rules and regulations; amending K.S.A. 55-141a and K.S.A. 1981 Supp. 77-415 and repealing the existing sections.

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

Section 1. K.S.A. 55-141a is hereby amended to read as follows: 55-141a. (a) Whenever the corporation commission is authorized or directed by this act, or by any of the acts contained in chapter 55 of the Kansas Statutes Annotated, to adopt rules and regulations, any rules and regulations so adopted shall be published by the commission and made available to the public without charge. The commission shall maintain said the publication in a current condition either by a published supplement thereto or, whenever supplementation is impractical due to the cost or usefulness thereof, by republishing all of such rules and regulations in force and effect. In addition, the commission is hereby directed to commence complying comply with the provisions of K.S.A. 77-415 et seq. with respect to any such rule or and regulation which levies, assesses, taxes or otherwise fixes or determines any fee, tax, charge or other payment of money to the commission or to the state of Kansas; and with respect to any such rule or regulation concerning any of the activities enumerated in subsection (p) of K.S.A. 77-415 which is not of a purely technical, mechanical or scientific nature.

(b) Whenever the commission is authorized or directed by this act, or by any of the acts contained in chapter 55 of the Kansas Statutes Annotated, to levy, assess, tax or otherwise fix or determine any fee, tax, charge or other payment of money to the commission or to the state of Kansas, such authority or directive shall be exercised or complied with by the adoption of a rule or and regulation.

(c) Nothing in this section shall be construed as invalidating or otherwise affecting the force and effect of any rule, regulation, order or other regulatory act of the commission existing on or prior to the effective date of this act, nor shall any such existing rule, regulation, order or other regulatory act which is in conflict with the requirements of this section be deemed invalid or of no force and effect prior to January 1, 1972.

Sec. 2. K.S.A. 1981 Supp. 77-415 is hereby amended to read as follows: 77-415. As used in K.S.A. 77-415 to 77-437, inclusive, and amendments thereto, unless the context clearly requires otherwise:

(1) (a) "State agency" means any officer, department, bureau, division, board, authority, agency, commission or institution of this state which is authorized by law to promulgate rules and regulations concerning the administration, enforcement or interpretation of any law of this state.

(b) "State agency" does not include any officer, department, bureau, division, board, authority, agency, commission or institution of the judicial or legislative branch except that the board of supervisors of panels to aid indigent defendants shall be considered a state agency for the purpose of adoption of rules and regulations pursuant to K.S.A. 22-4504 and amendments thereto.

(2) "Person" means firm, association, organization, partnership, business trust, corporation or company.

(3) "Board" means the state rules and regulations board established under the provisions of K.S.A. 1981 Supp. 77-423 and amendments thereto.

(4) "Rule and regulation," "rule," "regulation" and words of like effect mean a standard, statement of policy or general order, including amendments or revocations thereof, of general appli-

(continued)

cation and having the effect of law, issued or adopted by a state agency to implement or interpret legislation enforced or administered by such state agency or to govern the organization or procedure of such state agency. Every rule and regulation adopted by a state agency to govern its enforcement or administration of legislation shall be adopted by the state agency and filed as a rule and regulation as provided in this act. The fact that a statement of policy or an interpretation of a statute is made in the decision of a case or in a state agency decision upon or disposition of a particular matter as applied to a specific set of facts does not render the same a rule or regulation within the meaning of the foregoing definition, nor shall it constitute specific adoption thereof by the state agency so as to be required to be filed. A rule and regulation as herein defined shall not include any rule and regulation which: (a) Relates to the internal management or organization of the agency and does not affect private rights or interest; (b) is an order directed to specifically named persons or to a group which does not constitute a general class and the order is served on the person or persons to whom it is directed by appropriate means. The fact that the named person serves a group of unnamed persons who will be affected does not make such an order a rule or regulation; (c) relates to the use of highways and is made known to the public by means of signs or signals; (d) relates to the construction and maintenance of highways or bridges or the laying out or relocation of a highway; (e) relates to the curriculum of public educational institutions or to the administration, conduct, discipline, or graduation of students from such institutions or relates to parking and traffic regulations of state educational institutions under the control and supervision of the state board of regents; (f) relates to the emergency or security procedures of a correctional institution, as defined in subsection (d) of K.S.A. 1980 1981 Supp. 75-5202; (g) relates to the use of facilities by public libraries; (h) relates to military or naval affairs; (i) relates to the form and content of reports, records, or accounts of state, county, or municipal officers, institutions, or agencies; (j) relates to expenditures by state agencies for the purchase of materials, equipment, or supplies by or for state agencies, or for the printing or duplicating of materials for state agencies; (k) establishes personnel standards, job classifications, or job ranges for state employees who are in the classified civil service; (l) fixes or approves rates, prices, or charges, or rates, joint rates, fares, tolls, charges, rules, regulations, classifications or schedules of common carriers or public utilities subject to the jurisdiction of the state corporation commission, except when a statute specifically requires the same to be fixed by a rule or regulation; (m) determines the valuation of securities held by insurance companies; (n) is a statistical plan relating to the administration of rate regulation laws applicable to casualty insurance or to fire and allied lines insurance; (o) is a form, the content or substantive requirements of which are prescribed by regulation or statute; (p) relates to the exploration for or to the production, conservation or sale of crude oil or natural gas, or to the injection of air, gas, water or other fluid under pressure into oil or gas producing sands, strata or formations for the purpose of recovering the oil and gas contained therein, or to the disposal of oil field or gas field brines, mineralized waters and wastes; (q) (p) is a pamphlet or other explanatory material not intended or designed as interpretation of legislation enforced or adopted by a state agency but is merely informational in nature; (r) (q) fixes the seasons and establishes bag limits and possession limits for game birds and game animals, if such seasons, bag limits and possession limits are made known to the public by other means; (s) (r) fixes the seasons and establishes creel, size and possession limits for fish, if such seasons and creel, size and possession limits are made known to the public by other means; or (t) (s) fixes the seasons and establishes bag limits and season limits for fur-bearing animals, if such seasons, bag limits and season limits are made known to the public by other means.

Sec. 3. K.S.A. 55-141a and K.S.A. 1981 Supp. 77-415 are hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 5, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE March 16, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED March 26, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26th day of March, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612

Second Class
postage paid
at
Topeka, Kansas

**Use this form (or a copy of it) to enter a
SUBSCRIPTION**

_____ One-year subscriptions @ \$47.50 ea.

TOTAL ENCLOSED _____

(Make checks payable to Kansas Register)

SEND TO: _____
(Please, no
more than
4 address
lines.)

Zip code must be included

THIS SPACE FOR REGISTER OFFICE
USE ONLY, PLEASE

CODE _____ REC. NO. _____

EXPIRES _____ ENTERED BY _____

MAIL FORM WITH PAYMENT TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612

**Use this form (or a copy of it) for
CHANGE OF ADDRESS**

Remove your mailing label (above) and affix it here:

Indicate change or correction of name or address
here:

MAIL TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612