

# KANSAS REGISTER

State of Kansas

**JACK H. BRIER**  
Secretary of State

Vol. 2, No. 34

August 25, 1983

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## State of Kansas

**LEGISLATURE**  
**INTERIM AGENDA**

Notice is hereby given to all interested parties that the following legislative committee meetings have been scheduled during the period of August 29 through September 9, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Aug. 29	313-S	10:00 A.M.	Special Committee on	Conferences with Cabinet secretaries and heads of other state agencies.
Aug. 30	313-S	9:00 A.M.	Efficiency in State Government	
Aug. 29	123-S	10:00 A.M.	Joint Committee on State	Agenda unavailable.
Aug. 30	123-S	9:00 A.M.	Building Construction	
Aug. 30	Manhattan	9:00 A.M.	Joint Meeting of Senate and	Room 212—Kansas State Union—Review of K.S.U. 31st: K.S.U. agricultural activities.
Aug. 31	Manhattan	8:00 A.M.	House Agriculture Committees	
Aug. 31	K.U. Medical Center	10:00 A.M.	Legislative Budget	Proposal 52.
Sept. 1		9:00 A.M.	Committee	
Sept. 2	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative business.
Sept. 6	529-S	10:00 A.M.	Special Committee on	Proposals 14, 15, 17 and 18.
Sept. 7	529-S	9:00 A.M.	Education	
Sept. 7	519-S	10:00 A.M.	Special Committee on	Agenda unavailable.
Sept. 8	519-S	9:00 A.M.	Energy and Natural Resources	
Sept. 7	531-N	10:00 A.M.	Subcommittee No. 1 of the	Agenda unavailable.
Sept. 8	531-N	9:00 A.M.	Special Committee on Infrastructure	
Sept. 8	529-S	10:00 A.M.	Special Committee on Labor and Industry	Agenda unavailable.
Sept. 9	529-S	9:00 A.M.		
Sept. 9	519-S	10:00 A.M.	Special Committee on Furley and Strother Field	Agenda unavailable.

**WILLIAM R. BACHMAN**  
Director of Legislative  
Administrative Services

Doc. No. 001434

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Secretary of State  
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PHONE: 913/296-2236

## State of Kansas

**STATE BOARD OF INDIGENTS'  
DEFENSE SERVICES****NOTICE OF MEETING**

Notice is hereby given to all interested parties that the State Board of Indigents' Defense Services will hold its regular meeting on Thursday, September 1, 1983, at 9:00 a.m. in the Court of Appeals Courtroom, 3rd Floor of the Old Courthouse, located at 510 N. Main, Wichita, Kansas.

For further information, contact Mr. Ron Miles, Director, 535 Kansas Avenue, Suite 1202, Topeka, Kansas 66603, (913) 296-4505.

RON MILES  
Director

Doc. No. 001431

## State of Kansas

**STATE BOARD OF INDIGENTS'  
DEFENSE SERVICES****NOTICE OF HEARING**

The State Board of Indigents' Defense Services will hold a public hearing on Friday, September 2, 1983, at 9:00 a.m. in the Court of Appeals Courtroom, 3rd Floor of the Old Courthouse, located at 510 N. Main in Wichita, Kansas.

The purpose of this hearing is to examine alternatives to the current system of assigned counsel for felony offenders. One alternative the Board will be examining in detail is that of a public defender office. Persons wishing to offer oral or written comments concerning this issue should contact Ron Miles, Director, 535 Kansas Avenue, Topeka, (913) 296-4505, no later than August 29 in order to be placed on the agenda.

RON MILES  
Director

Doc. No. 001413

(Published in the *KANSAS REGISTER*, August 25, 1983.)

## State of Kansas

**DEPARTMENT OF TRANSPORTATION****NOTICE TO CONTRACTORS**

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., September 15, 1983 and then publicly opened:

**DISTRICT I**

**Johnson**—35-46 K 1442-01—0.748 mile Grading & Bituminous Surfacing, Interchange of I-35 & 75th Street in the Cities of Merriam & Overland Park (Federal Funds).

**Osage**—31-70 K 0653-01—2.699 miles Grading, Bituminous Surfacing, Seeding & 2 Bridges, beginning

approx. 2.7 miles west of the west city limits of Burlingame; thence east on K-31 (Federal Funds).

**Shawnee**—70-89 K 2462-01—Flashing Beacon Installation at approx. Van Buren Street & I-70 & Fifth Street & I-70 in the City of Topeka. Bids on this project will be received only from Small Business Enterprises (State Funds).

**DISTRICT II**

**Marion**—50-57 K 1827-01—0.121 mile Grading & Bridge Deck Replacement, beginning approx. 2.4 miles east of Florence; thence easterly on US-50 (Bridge over Martin Creek) (Federal Funds).

**DISTRICT III**

**Logan**—83-55 K 1701-01—14.930 miles Bituminous Recycling, beginning approx. at the jct. of US-83 & US-40; thence south on US-83 (Federal Funds).

**DISTRICT IV**

**Montgomery**—63 C 1109-02—0.075 mile Grading & Bridge, beginning approx. 1.0 mile west & 2.0 mile south of Liberty; thence west (Bridge over Cotton Creek) (Federal Funds).

**DISTRICT V**

**Butler**—54-8 K 0152-03—5 Bridges, beginning approx. 0.3 mile east of the east city limits of Augusta; thence east on US-54 (New Alignment) (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS  
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP  
Secretary

Doc. No. 001429

(Published in the KANSAS REGISTER, August 25, 1983.)

**State of Kansas**

**DEPARTMENT OF TRANSPORTATION**

**NOTICE TO CONTRACTORS**

Notice is hereby given that advertisement of highway project Morris—56-64-K 1662-01—0.214 mile Grading, Bituminous Surfacing & Bridge, beginning approx. at the intersection of US-56 & Wood Street; thence easterly on US-56 (Federal Funds) is hereby withdrawn from advertisement as published in the KANSAS REGISTER, August 18, 1983.

BY ORDER OF THE KANSAS  
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP  
Secretary

Doc. No. 001436

(Published in the KANSAS REGISTER, August 25, 1983.)

**State of Kansas**

**DEPARTMENT OF TRANSPORTATION**

**NOTICE TO CONTRACTORS**

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., September 15, 1983 and then publicly opened:

**DISTRICT II**

Morris—56-64-K 1662-01—0.214 mile Grading, Bituminous Surfacing & Bridge, beginning approx. at the intersection of US-56 & Wood Street; thence easterly on US-56 in the City of Council Grove (Federal Funds). Proposals will be issued upon request to all prospective bidders who have prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS  
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP  
Secretary

Doc. No. 001437

**NORTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 4**

**OPEN MEETING NOTICE**

The September board meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for September 1, 1983 at the district office, 1175 South Range, Colby, Kansas. The meeting begins at 10:00 a.m. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT  
Manager

Doc. No. 001435

**State of Kansas**

**ABSTRACTERS' BOARD OF EXAMINERS**

**NOTICE OF EXAMINATION**

An examination of persons desiring to secure registration and become subject to license to engage in the business of making, compiling or completing and selling abstracts of title to real estate, in the State of Kansas, will be held at the Marcus Center for Continuing Education, Wichita State University, 4201 East 21st Street, Wichita, Kansas, on Saturday, September 17, 1983, beginning at 8:00 o'clock a.m., by the Abstracters' Board of Examiners.

All persons desiring to take such examination shall file with the Executive Secretary of said Board, at her office, P.O. Box 218, Jetmore, Kansas 67854, on or before September 10, 1983, an application to do so, and at the time of filing of such application, shall pay to said Executive Secretary, an examination fee of Twenty-five Dollars (\$25.00).

JOANNE CLARKE  
Executive Secretary

Doc. No. 001430

**State of Kansas**

**DEPARTMENT OF ADMINISTRATION  
DIVISION OF PURCHASES**

**NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

**TUESDAY, SEPTEMBER 6, 1983**

#25715

University of Kansas, Lawrence—THE KANSAS LAW REVIEW (PRINTING, BILLING AND MAILING)

#25720

University of Kansas, Lawrence and University of Kansas Medical Center, Kansas City—ELECTRICAL SUPPLIES

#25726

Statewide—FLEXIBLE DISKS

#55043

Revisor of Statutes, Topeka—LASER PRINTER

(continued)

#55093

Fort Hays State University, Hays—PRINTING OF STUDENT HANDBOOK

WEDNESDAY, SEPTEMBER 7, 1983

#A-4275(b)

University of Kansas, Lawrence—PROVIDE INSULATION OF STEAM AND CONDENSATE LINES IN UTILITY TUNNELS

#A-4845

Department of Administration, Division of Printing, Topeka—PRINTING PLANT BUILDING REPAIRS

#25718

Kansas State Agencies—TABLEWARE

#25723

University of Kansas, Lawrence—OCTOBER (1983) MEAT PRODUCTS

#25727

Statewide—OFFICE SUPPLIES

#54685A

Department of Human Resources, Topeka—TERMINAL PRINTER

#55044

Department of Transportation, Chanute—TRAFFIC CONES

#55045

Department of Transportation, Topeka—PLANT MIX, BITUMINOUS MIXTURE

#55046

Emporia State University, Emporia—STEEL PIPE

#55047

Emporia State University, Emporia—INSERTION-TYPE TURBINE FLOW METER

#55048

University of Kansas Medical Center, Kansas City—NURSE CALL SYSTEM

#55056

Winfield State Hospital and Training Center, Winfield—CANNED GOODS

#55057

Winfield State Hospital and Training Center, Winfield—MISCELLANEOUS GROCERIES

#55058

Kansas Fish and Game Commission, Pratt—TRACTORS

THURSDAY, SEPTEMBER 8, 1983

#25711

Statewide—OCTOBER (1983) MEAT PRODUCTS

#25717

University of Kansas Medical Center, Kansas City—ESCALATOR MAINTENANCE SERVICE

#25719

Statewide—CANNED GOODS

#54806A

University of Kansas Medical Center, Kansas City—UPGRADE EXISTING CT8800 TO CT9800

#55040

Department of Transportation, Hutchinson—SNOW PLOW SHOES

#55041

Department of Transportation, Hutchinson—BLADES, GRADER

#55062

Kansas State Penitentiary, Lansing—UNION SUITS

#55063

Department of Transportation—CONCRETE REINFORCING BAR, FOR CHANUTE AND TOPEKA

#55065

Kansas Correctional Industries, Lansing—HOG FEEDERS AND WATERERS

#55066

Department of Transportation, Chanute—MRA—B, C, D OR E AGGREGATE, FOR WAVERLY, KANSAS

#55070

Department of Transportation, Topeka—TRAFFIC COUNTER HOSE

#55071

Department of Transportation, Topeka—TRAFFIC CONES

#55072

Department of Transportation, Norton—AUTOMATIC TRANSMISSION FLUID

#55073

University of Kansas, Lawrence—SOAP AND DETERGENT

#55074

Fort Hays State University, Hays—LIBRARY BOOK DETECTION SYSTEM

#55075

Kansas State Industrial Reformatory, Hutchinson—AMMUNITION

#55077

University of Kansas Medical Center, Kansas City—HOSPITAL CHESTS AND TABLES

#55078

Kansas Corporation Commission, Pittsburg—CONSTRUCTION OF WATERWAY, CLEAN SEDIMENT FROM POND, PREPARE SEED BED, FERTILIZE AND SEED AREA.

#55087

Department of Human Resources, Topeka—POWER PAPER CUTTER

#55088

University of Kansas, Lawrence—XEROX COPIER SUPPLIES

#55089

University of Kansas Medical Center, Kansas City—REVOLVERS

#55090

Department of Transportation, Hutchinson—CARBIDE BITS

#55091

Department of Transportation, Topeka—TRAFFIC COUNTERS

#55092

Wichita State University, Wichita—CONTINUOUS FORMS—APO—DA-103A

TUESDAY, SEPTEMBER 13, 1983

#25721

Kansas State Agencies—COOKIES AND CRACKERS

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 001433

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF WORKERS' COMPENSATION****TEMPORARY ADMINISTRATIVE REGULATIONS**

(Approved by the State Rules and Regulations Board  
July 26, 1983. Will expire May 1, 1984.)

**Article 2.—FEES**

**51-2-5. Special local administrative law judge fees and expenses.** (a) Special local administrative law judge fees shall be:

(1) A fee of \$20.00 for a settlement hearing which is heard as part of a regular settlement docket;

(2) A fee of \$25.00 for a settlement hearing heard as an individual setting;

(3) A fee of \$45.00 for a preliminary hearing including a preliminary award or for a full hearing;

(4) A fee of \$35.00 per hour for preparing and rendering a final award not to exceed a total of \$100.00.

(b) If special local administrative law judges incur expenses conducting hearings outside their home community, they shall be assessed as costs proportionately among the cases generating the expenses. (Authorized by K.S.A. 1983 Supp. 44-551, 44-573; implementing K.S.A. 1983 Supp. 44-551; effective T-84-16, July 26, 1983.)

BRYCE B. MOORE, Director  
Division of Workers' Compensation  
JERRY R. SHELOR, Secretary  
Department of Human Resources

Doc. No. 001409

## State of Kansas

**DEPARTMENT OF  
HEALTH AND ENVIRONMENT****TEMPORARY ADMINISTRATIVE REGULATIONS**

(Approved by the State Rules and Regulations Board  
July 26, 1983. Will expire May 1, 1984.)

**Article 46.—UNDERGROUND INJECTION  
CONTROL REGULATIONS**

**28-46-27. Prohibition of movement of fluid into underground sources of drinking water.** (a) No owner or operator shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR Part 142, as in effect on October 1, 1982, or may otherwise adversely affect the health of persons. Each applicant for a permit shall have the burden of showing that the requirements of this subsection are met.

(b) Class I, II, and III wells. If any water quality monitoring of an underground source of drinking water indicates the movement of any contaminant into the underground source of drinking water, except as

authorized under 40 CFR Part 146, as in effect on October 1, 1982, the secretary shall prescribe any additional requirements for construction, corrective action, operation, monitoring, or reporting that are necessary to prevent such movement, including closure of the injection well. If such a well is authorized by a permit, these additional requirements shall be imposed by modifying the permit in accordance with K.A.R. 28-46-15. Appropriate enforcement action may be taken if the permit has been violated, or the permit may be terminated under K.A.R. 28-46-16 if cause exists.

(c) Class V wells. If at any time the secretary learns that construction or operation of a Class V well may cause a violation of primary drinking water regulations under 40 CFR Part 142, as in effect on October 1, 1982, the secretary shall:

(1) Require the injector to obtain an individual permit;

(2) Order the injector to take any actions that may be necessary to prevent the violation, including closure of the injection well; or

(3) Take enforcement action.

(d) Whenever the secretary learns that a Class V well may be otherwise adversely affecting the health of persons, the secretary may prescribe any actions that may be necessary to prevent the adverse effect, including any action authorized under subsection (c) of this regulation.

(e) Notwithstanding any other provision of this section, the secretary may take emergency action upon receipt of information that a contaminant which is present in or is likely to enter a public water system may present an imminent and substantial endangerment to the health of persons. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982; amended May 1, 1983; amended, T-84-18, July 26, 1983.)

BARBARA J. SABOL  
Secretary

Doc. No. 001408

## State of Kansas

**STATE CORPORATION COMMISSION****TEMPORARY ADMINISTRATIVE REGULATIONS**

(Approved by the State Rules and Regulations Board July 26, 1983. Will expire May 1, 1984.)

**Article 3.—PRODUCTION AND CONSERVATION OF OIL AND GAS**

**82-3-101. Definitions.** (a) As used in these regulations: (1) "Acreage factor" means the quotient obtained by dividing the acreage attributable to a well by the basic acreage unit. The basic acreage unit shall be defined by the commission and promulgated in the basic proration order for the common source of supply in which the well is located.

(2) "Allowable" means the amount of oil or gas authorized to be produced by order of the commission.

(3) "Allowable period" means the time in which the allowable may be produced.

(4) "Alternative cementing materials" means rotary mud or heavy laden mud that will effectively seal the formations and prevent the vertical migration of fluids.

(5) "Assessment" means any charge against the parties involved in any hearing, application, investigation, or the enforcement of an order, and the assessment on natural gas and oil produced to pay the costs associated with the administration of the oil or gas conservation act.

(6) "Attributable acreage" means the acreage assigned to a well in accordance with the well spacing program adopted for each of the prorated fields.

(7) "Casing" means tubular goods used to line a well bore.

(8) "Casing-head gas" means gas produced that was in solution with oil in its original state in the reservoir.

(9) "Cement" means Portland cement or a blend of Portland cement used in the oil and gas industry to support and protect casing and to prevent the migration of subsurface fluids by the formation of an impermeable barrier.

(10) "Combination well" means a well productive of both oil and gas, excluding casing-head gas, from the same common source of supply.

(11) "Commingling" means the mixing of production from more than one common source of supply.

(12) "Commission" means the state corporation commission.

(13) "Common source of supply" means each geographic area or horizon definitely separated from any other area or horizon which contains, or appears to contain, a common accumulation of oil or gas or both.

(14) "Conservation division" means the division of the commission in charge of the administration of the oil and gas conservation acts, well plugging, salt water disposal, and enhanced recovery.

(15) "Correlative rights" means that each owner or producer in a common source of supply is privileged to produce from that supply only in a manner or amount that will not injure the reservoir to the detriment of others, take an undue proportion of the obtainable oil or gas, or cause undue drainage between developed leases.

(16) "Day" means a period of 24 consecutive hours.

(17) "Deliverability" means the amount of natural gas, expressed in M.c.f. per day, which a well is capable of producing into a pipeline, while maintaining a back-pressure against the well head. The amount of back-pressure to be maintained and the test procedure shall be specified by the commission in the basic proration order for the common source of supply in which the well is located.

(18) "Discovery well" means the first well completed in a common source of supply which is not in communication with any other common source of supply.

(19) "Disposal well" means a well which injects, for purposes other than enhanced recovery, those fluids brought to the surface in connection with oil and natural gas production.

(20) "Division order" means a dated written statement, duly signed by the owners and delivered to the purchasers, certifying and guaranteeing the interests of ownership of production, and directing payment according to those interests.

(21) "Enhanced recovery" means any process involving the injection of fluids into a pool to increase the recovery of oil or gas.

(22) "Enhanced recovery injection well" means a well which injects fluids to increase the recovery of hydrocarbons.

(23) "Field" means a geographic area containing one or more pools.

(24) "First purchaser" means the person holding the division order and issuing checks to pay any working or royalty interest.

(25) "Fluid" means a material or substance which flows or moves in a semi-solid, liquid, sludge, or gas state.

(26) "Gas" means the gas obtained from gas or combination wells regardless of its chemical analysis.

(27) "Gas" (cubic foot) means the volume of gas contained in one cubic foot of space at a standard pressure base and at a standard temperature base. The standard pressure base shall be 14.65 pounds per square inch absolute, and the standard temperature base shall be 60 degrees Fahrenheit. Whenever the conditions of pressure and temperature differ from the above standard, conversion of the volume from these conditions to the standard conditions shall be made in accordance with the ideal gas laws as corrected for deviation.

(28) "Gas-oil ratio" means the ratio of gas produced, in cubic feet, to one barrel of oil produced during the concurrent period.

(29) "Gas" (sour) means any natural gas containing more than 1½ grains of hydrogen sulphide per 100 cubic feet or more than 30 grains of total sulphur per 100 cubic feet, or gas which in its natural state is found by the commission to be unfit for use in generating electricity or fuel for domestic purposes.

(30) "Illegal production" means any production in violation of the statutes, rules, regulations or orders of the commission.

(31) "Minimum well" means any oil well which has a productivity of 25 barrels or less per day.

(continued)



(32) "Mousehole" means a service hole drilled at a slight angle and normally about 30 feet deep on those wells drilled by rotary tools.

(33) "Mud-laden fluid" means any commission approved mixture of water and clay or other material, as the term is commonly used in the industry, which will effectively seal a formation to which it is applied.

(34) "Oil" means crude oil or petroleum and shall include all waste oil which is removed from the lease.

(35) "Oil, (pipeline)" means oil free from water and basic sediment to the degree that it is acceptable for pipeline transportation and refinery use.

(36) "Oil well" means any well producing oil.

(37) "Open flow" means the volume of gas which a gas well is capable of producing at the wellhead during a period of 24 hours against atmospheric pressure, computed according to the standard procedure approved by the commission.

(38) "Operator" means any person who is in charge of the development of a lease, or the operation of a producing well.

(39) "Overage" or "overproduction" means the oil or gas produced in excess of the allowable.

(40) "Person" means any natural person, corporation, association, partnership, governmental or political subdivision, receiver, trustee, guardian, executor, administrator, fiduciary, or any other legal entity.

(41) "Pipeline" means any pipes above or below the ground used or to be used for the transportation of oil, gas liquids, or gases.

(42) "Pool" means a common source of supply as officially named.

(43) "Producer" means any person who owns, in whole or in part, a well capable of producing oil or gas or both.

(44) "Production" means produced oil, gas, condensate, or casing-head gas.

(45) "Productivity of a well" means the daily capacity of a well to produce oil or gas.

(46) "Productivity of a pool" means the sum of the productivities of the wells completed in the pool.

(47) "Proration" means the regulation of the amount of allowed production to prevent waste, undue drainage between developed leases, unratable taking, or unreasonable discrimination between operators, producers and royalty owners who are within a common source of supply, that would favor any one pool as compared to any other pool in this state.

(48) "Purchaser" means any person who purchases production from a well, lease or common source of supply.

(49) "Rathole" means the service hole drilled at a slight angle and normally about 40 feet deep on those wells drilled by rotary tools.

(50) "Reasonable market demand" means the amount of crude petroleum or natural gas which must be produced to satisfy current rates of consumption.

(51) "Service well" means a well drilled for:

(A) The injection of fluids in enhanced recovery projects;

(B) The supply of fluids for enhanced recovery projects; or

(C) The disposal of salt water.

(52) "Shortage" means the amount by which the oil or gas legally produced and sold or removed from the premises is less than the allowable.

(53) "Storage oil" means produced oil confined in tanks, reservoirs, or containers.

(54) "Storage oil-lease" means produced oil in tanks, reservoirs, or containers on the lease where it was produced.

(55) "Storage well" means a well used to inject or extract hydrocarbons for storage purposes.

(56) "Stratigraphic hole" means a hole, normally of small diameter, drilled through subsurface strata for exploratory purposes, with no intent to produce hydrocarbons through the hole being drilled.

(57) "Undue drainage" means the uncompensated migration of either oil or gas between developed leases within the same common source of supply caused by the unratable production of some well or wells located there.

(58) "Waste oil" means any tank bottom, basic sediment, cut oil, reclaimed oil from pits, ponds or streams, dead oil, emulsions, or other types of oil not defined as pipeline oil.

(59) "Well completion, (oil)" occurs when the first new oil is produced through permanent wellhead equipment into lease tanks from the producing interval after the production casing has been run.

(60) "Well completion, (gas)" occurs when the well is capable of producing gas through permanent wellhead equipment from the producing zone after the production casing has been run.

(61) "Well completion, (dry hole)" occurs when all provisions of plugging are complied with as set out in these regulations.

(62) "Wellhead working pressure" means the static pressure in the annulus while flowing through the tubing or static pressure in the tubing while flowing through the annulus, except in cases where the casinghead is not in open communication with the producing formation because of the presence of a packer or other obstruction in the annular space between casing and tubing. In these cases, the wellhead working pressure shall be determined by adjusting the observed tubing pressure for the effect of friction caused by flow through the tubing, or by using a bottom-hole pressure bomb and correcting back to wellhead conditions.

(63) "Well log" means the written record progressively describing the well's down-hole development.

(64) "Well history" means the chronological record of the development and completion of a well.

(b) All terms not defined in this definitional section shall be interpreted to be consistent with their common use in the industry. (Authorized by and implementing K.S.A. 1982 Supp. 55-152, 55-602, 55-604, 55-704; K.S.A. 1982 Supp. 55-901; T-83-44, Dec. 8, 1982; Effective May 1, 1983; Amended T-84-19, July 26, 1983.)

STATE CORPORATION COMMISSION

Doc. No. 001407



## State of Kansas

## DEPARTMENT OF ADMINISTRATION

## TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board  
July 26, 1983. Will expire May 1, 1984.)

Article 7.—PROBATIONARY PERIOD AND  
EMPLOYEE EVALUATION

**1-7-12. Evaluation appeal procedure.** (a) (1) If any employee with permanent status believes that he or she has been unfairly rated, the employee may, within seven calendar days after the employee has been informed of the rating, address an appeal in writing to the appointing authority.

(2) The appointing authority or such authority's designee, within seven calendar days following receipt of the employee's written notice of appeal, shall have the option either to make any changes in the rating deemed appropriate, or to appoint a committee of three or more persons to hear the appeal.

(3) If the appointing authority or the authority's designee makes any change in the rating, or adds any comments to the rating form, the rating form shall be returned to the employee to be signed again. The employee shall be informed that, if he or she disagrees with the revised evaluation, the employee may, within seven calendar days, file an appeal in writing to the appointing authority. If the employee files such an appeal, the appointing authority or the authority's designee shall, within seven calendar days following receipt of the employee's written notice of appeal, appoint a committee of three or more persons to hear the appeal.

(4) If an appeal committee is appointed to hear the appeal, persons shall be appointed who, in the authority's judgment, will be fair and impartial in discharging their responsibilities. Before appointing the appeal committee, the appointing authority shall give the employee a reasonable opportunity for consultation on the matter of appointment of the appeal committee. The appeal committee shall not include the initial rater or raters. Members of the appeal committee shall be officers or employees of the agency. However, the appointing authority may select one or more members of the committee from one or more other state agencies if the appointing authority determines that the objective of a fair and impartial hearing can best be served by doing so.

(b) (1) As soon as the committee has been appointed, the appointing authority shall notify the employee of the names of the members of the committee.

(2) The appeal committee shall consider any relevant evidence that may be offered by the employee and the rater, and shall make available to the employee any evidence it may secure on its own initiative. The employee and rater shall have an opportunity to question any person offering evidence to the appeal committee. The appeal committee may limit the offering of evidence it deems to be repetitious.

(3) Within 14 calendar days of the date the members of the committee were appointed, the committee shall

prepare and sign a rating for the employee. That rating shall be final and not subject to further appeal. The appeal committee shall give the rating to the appointing authority, who, within five calendar days, shall transmit copies to the employee, the person or persons who originally rated the employee, and the division of personnel services.

(4) If the appointing authority cannot appoint an appeal committee in the prescribed seven calendar days, or if the appeal committee cannot make its rating within 14 calendar days of the date of its appointment, the appointing authority may extend these time limits. However, such an extension shall not result in the appeal committee making its rating more than 30 calendar days from the date the appeal was filed, except with the approval of the director of personnel services. (Authorized by K.S.A. 1982 Supp. 75-3747; implementing K.S.A. 1982 Supp. 75-2943; effective May 1, 1983; amended T-84-20, July 26, 1983.)

## Article 16.—TRAVEL REIMBURSEMENT

**1-16-15. Reduced allowances for subsistence.** (a) If an agency desires to pay a reduced subsistence under circumstances not included in subsection (b), the prior approval of the secretary of administration shall be obtained. Agencies desiring to obtain this approval shall submit a request therefor on a form which may be obtained from the division of accounts and reports.

(b) The following instances of reduced allowances have been approved by the secretary of administration and the use of the approval form shall not be necessary:

(1) If an agency is not requiring the employee to undertake the travel in question and the agency desires to not pay subsistence, or desires to pay a specified reduced rate, and this is stated to the employee in advance of the travel, the agency may handle subsistence payments as stated to the employee.

(2) If the cost of meals or lodging is included within the cost of a registration fee or other fees and charges paid by the agency, an agency shall pay the applicable reduced subsistence allowance set forth in subsection (d) of K.A.R. 1-16-18 and any amendments to it.

(3) If both meals and lodging will be provided at no cost to the traveling employee, an agency is authorized to not pay any subsistence for this travel.

(4) If the traveling employee requests a specified reduced subsistence amount, the requested amount may be paid.

(c) Requests for approval of reduced subsistence allowances shall be based on reducing quarter-day per diem rates in multiples of a half dollar, and this reduced subsistence shall in all other respects be paid in accordance with regulations and accounting procedures. (Authorized by and implementing K.S.A. 75-3207; effective Jan. 1, 1966; amended, E-69-18, Aug. 14, 1969; amended Jan. 1, 1970; amended May 1, 1979; amended May 1, 1982; amended, T-84-20, July 26, 1983.)

**1-16-18. Subsistence allowance; rates.** (a) General  
(continued)

provisions. Subsistence rates shall be paid on a per diem basis at the appropriate rate for any fraction of a quarter day in which the official travel begins and for each full quarter day thereafter. For purposes of this regulation, a day shall commence at 12:01 a.m. No quarter day allowance shall be paid for any fractional quarter day in which the traveler returns to the traveler's official station or domicile.

(b) In-State travel rates. The subsistence rate per quarter day for official in-state travel shall be \$10.00. The director of accounts and reports may approve payment of subsistence allowances at the in-state rate for travel by state personnel to any city in a state bordering Kansas when the agency regularly transacts business in that city. The out-of-state travel approval required by K.S.A. 75-3208 shall not be required for travel to such a city.

(c) Out-of-State travel rates.

(1) Except as otherwise specifically provided by law, subsistence allowances for out-of-state travel shall be paid on the basis of a quarter day rate for meal expenses and the actual cost of lodging expenses incurred within the lodging expense limits set forth in this regulation. The quarter day meal rate for out-of-state travel shall be \$4.50 except that in areas designated as high cost geographic areas pursuant to K.A.R. 1982 Supp. 1-16-18a, and any amendments thereto, the quarter day rate shall be \$5.50.

(2) In order to receive reimbursement for actual lodging expenses incurred, including taxes, the reimbursement request shall be supported by the original official receipt of the lodging place or other suitable evidential matter. Reimbursement for lodging expenses shall be limited to the lodging place's lowest available rate for normal single occupancy on the day or days the lodging expense was incurred. Reimbursement for lodging expenses shall be subject to a lodging expense limitation of \$45.00, except that in an area designated as a high cost geographic area the limitation shall be \$75.00.

(3) Specific exceptions to the dollar limitation on lodging expenses may be made in exceptional or hardship cases involving international travel if written approval to exceed the maximum rate has been granted by the authority that appointed the head of the department of the traveling employee. If the head of the department is an elected state official, the department head may grant the written approval. As used in this paragraph (3), "international travel" means travel outside of the forty-eight contiguous states and the District of Columbia.

(d) If the cost of meals or lodging is included within the cost of registration fees or other fees and charges paid by the agency, the subsistence amount shall be reduced as follows:

In-State Travel:	Amount
For each meal furnished	\$ 4.50
For each night of lodging furnished	\$26.50
Out-of-State Travel:	
For each meal furnished	\$ 6.00
Travel to High Cost Geographic	

Areas:

For each meal furnished \$ 7.33

(e) Any agency may reimburse travel expenses incurred on or after July 1, 1983, and within 30 days after the effective date of this regulation as amended, pursuant to:

(1) this regulation, as hereby amended, or

(2) K.A.R. 1982 Supp. 1-16-18.

(Authorized by and implementing K.S.A. 1982 Supp. 75-3207a; effective, E-80-10, July 11, 1979; effective May 12, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended, T-84-20, July 26, 1983.)

**1-16-18a. Designated high cost geographic areas.**

(a) For official travel to and from, or within, any high cost geographic area outside the state designated in subsection (d), in which the traveler is required to sleep away from home, the subsistence allowance rate for designated high cost geographic areas may be paid. However, reimbursement on this basis shall not be allowable when such an area is only an intermediate stopover at which no official duty is performed, or when the subsistence expenses incurred relate to relocation, travel to seek residence quarters or to report to a new permanent duty station or to temporary quarters.

(b) Reimbursement for travel in high cost geographic areas shall be at the prescribed high cost geographic rate unless the agency head establishes a reduced rate as provided in K.A.R. 1982 Supp. 1-16-15. When an out-of-state trip is to two or more destination cities, and when one of these cities is designated as a high cost geographic area, the subsistence allowance rate shall change from the high cost geographic area rate to the regular rate, or from the regular rate to the high cost geographic area rate, subject to and on application of the appropriate quarter day allowance as determined by the time of arrival at the second destination city.

(c) The agency head may authorize the reduced allowance permitted by K.A.R. 1982 Supp. 1-16-15, if that action is made prior to travel and pursuant to a determination that the expenses of the employee will be reduced by:

(1) known arrangements at the temporary duty location where lodging or meals or both may be obtained without cost or at prices advantageous to the traveler;

(2) situations in which special rates for accommodations have been made available for a particular meeting or conference;

(3) the use of methods of travel in which sleeping accommodations are provided as part of the transportation expenses; or

(4) other factors which reduce travel and subsistence costs.

(d) The boundaries of designated high cost geographic areas include all locations within the corporate limits of the cities listed, unless otherwise specified. The designated high cost geographic areas are:

(continued)

Albany, New York  
 Albuquerque, New Mexico  
 Alexandria, Virginia  
 Anchorage, Alaska  
 Ann Arbor, Michigan (Washtenaw County)  
 Aspen, Colorado (locations within Pitkin County)  
 Atlanta, Georgia  
 Atlantic City, New Jersey  
 Austin, Texas  
 Baltimore, Maryland  
 Baton Rouge, Louisiana (East Baton Rouge Parish)  
 Birmingham, Alabama (all locations within Jefferson County)  
 Bismarck, North Dakota  
 Boston, Massachusetts (all locations within the counties of Middlesex, Norfolk and Suffolk)  
 Boulder, Colorado (all locations within Boulder County)  
 Bridgeport, Connecticut (all locations within Fairfield County)  
 Buffalo, New York (all locations within the corporate limits of Buffalo and Niagara Falls, New York)  
 Camden, New Jersey (Camden County)  
 Charleston, South Carolina (Charleston and Berkeley Counties)  
 Charlestown, Indiana (Indiana Army Ammunition Plant)  
 Chicago, Illinois (all locations within Lake and Cook Counties)  
 Cincinnati, Ohio  
 Cleveland, Ohio  
 Coatesville, Pennsylvania (Chester County)  
 Cocoa Beach, Florida (all locations within Brevard County)  
 Columbus, Ohio  
 Corpus Christi, Texas (Nueces County)  
 Dallas, Texas  
 Dayton, Ohio (Montgomery County)  
 Dearborn, Michigan  
 Denver, Colorado  
 Des Moines, Iowa  
 Detroit, Michigan  
 Dover, New Jersey (Morris County, including Picatinny Arsenal)  
 Eatontown, New Jersey (Monmouth County)  
 Edison, New Jersey (Middlesex County)  
 El Paso, Texas (El Paso County)  
 Fairfax, Virginia (Fairfax County)  
 Falls Church, Virginia  
 Fort Lauderdale, Florida (all locations within Broward County)  
 Fort Washington, Pennsylvania (Montgomery County)  
 Fort Wayne, Indiana  
 Fresno, California (all locations within Fresno County)  
 Galveston, Texas (Galveston County)  
 Glenwood Springs, Colorado (all locations within Garfield County)  
 Grand Rapids, Michigan (Kent County)  
 Harrisburg, Pennsylvania (Dauphin County)  
 Hartford, Connecticut  
 Hilton Head, South Carolina  
 Honolulu, Hawaii  
 Houston, Texas  
 Indianapolis, Indiana  
 Kaunakakai, Molokai, Hawaii  
 King of Prussia, Pennsylvania (Montgomery County)  
 Lake Placid, New York (Essex County)  
 Lake Tahoe, Nevada (all locations within Carson City and Douglas Counties)  
 Las Vegas, Nevada  
 Lexington, Kentucky (all locations within Fayette County)  
 Little Rock, Arkansas  
 Los Angeles, California (all locations within Los Angeles and Orange Counties)  
 Louisville, Kentucky  
 Madison, Wisconsin  
 Manchester, New Hampshire (Hillsborough County)  
 Memphis, Tennessee  
 Miami, Florida (all locations within Dade, Broward and Palm Beach Counties)  
 Milwaukee, Wisconsin  
 Minneapolis-St. Paul, Minnesota (all locations within Anoka, Hennepin and Ramsey Counties)  
 Monterey, California (all locations within Monterey County)  
 Nantucket, Massachusetts (Duke and Nantucket Counties)  
 Nashville, Tennessee  
 New Bedford, Massachusetts (Bristol County)  
 New Haven, Connecticut  
 New Orleans, Louisiana (all locations within Jefferson, Orleans, Plaquemines and St. Bernard Parishes)  
 New York, New York (all locations within the boroughs of the Bronx, Brooklyn, Manhattan and Queens, Staten Island and the counties of Nassau and Suffolk)  
 Newark, New Jersey  
 Newport, Rhode Island (Newport County)  
 Norfolk, Virginia (York County)  
 Oakland, California  
 Ocean City, Maryland  
 Oklahoma City, Oklahoma  
 Omaha, Nebraska  
 Orlando, Florida (all locations within Orange County)  
 Palm Springs, California (all locations within Riverside County)  
 Philadelphia, Pennsylvania  
 Phoenix, Arizona (cities of Mesa, Scottsdale and Tempe)  
 Pittsburgh, Pennsylvania  
 Pontiac, Michigan (Oakland County)  
 Portland, Maine (Cumberland County)  
 Portland, Oregon  
 Princeton, New Jersey (Mercer County)  
 Providence, Rhode Island (Providence County)  
 Raleigh, North Carolina (Wake County)  
 Reno, Nevada

(continued)

Rochester, New York (Monroe County)  
 St. Louis, Missouri  
 St. Paul, Minnesota  
 St. Petersburg, Florida (all locations within Pinellas County)  
 Sacramento, California (all locations within Sacramento County)  
 Salt Lake City, Utah  
 San Antonio, Texas (Bexar County)  
 San Diego, California  
 San Francisco, California (all locations within San Francisco and Alameda Counties)  
 San Jose, California (all locations within Santa Clara County)  
 San Juan, Puerto Rico  
 San Luis Obispo, California (all locations within San Luis Obispo County)  
 San Mateo, California (all locations within San Mateo County)  
 Santa Barbara, California (all locations within Santa Barbara County)  
 Santa Cruz, California (all locations within Santa Cruz County)  
 Santa Fe, New Mexico  
 Seattle, Washington (all locations within King County)  
 South Lake Tahoe, California  
 Spokane, Washington (Spokane County)  
 Stamford, Connecticut (all locations in Fairfield County, and city of Greenwich)  
 Syracuse, New York (Onondaga County)  
 Tampa, Florida (all locations within Hillsborough County)  
 Toledo, Ohio (Lucas County)  
 Tom's River, New Jersey (Ocean County)  
 Trenton, New Jersey (Mercer County)  
 Tucson, Arizona  
 Tulsa, Oklahoma  
 Vail, Colorado  
 Valley Forge, Pennsylvania (Chester County)  
 Virginia Beach, Virginia  
 Warren, Michigan (Macomb County)  
 Washington, D.C. (all locations within the corporate limits of Washington, D.C.; cities of Alexandria, Falls Church and Fairfax; and the counties of Arlington, Loudoun and Fairfax in Virginia; and the counties of Montgomery and Prince Georges in Maryland)  
 White Plains, New York (all locations within Westchester County; cities of New Rochelle and Rye)  
 Williamsburg, Virginia  
 Wilmington, Delaware (all locations within New Castle County)  
 All cities in countries located outside the borders of the United States  
 All areas approved as high cost areas pursuant to subsection (e)  
 (e) State agencies may request the director of accounts and reports to conduct a study of subsistence costs in any area not designated as a high cost area in subsection (d). If the study findings of an area justify such an action, the director of accounts and reports

may recommend to the secretary of administration that the area be added to the list of high cost geographic areas. If the secretary approves the addition of that area, subsistence payments for travel to the area may be made at the rate designated for high cost geographic areas. (Authorized by and implementing K.S.A. 1982 Supp. 75-3207a; effective, E-80-10, July 11, 1979; effective May 1, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended T-84-20, July 26, 1983.)

#### Article 18.—MAXIMUM ALLOWANCE FOR MILEAGE FOR USE OF A PRIVATELY OWNED CONVEYANCE FOR PUBLIC PURPOSES

**18-1a. Mileage rates.** (a) Subject to the provisions of subsection (d), an employee who has been authorized to use a privately-owned conveyance to engage in official business for an agency shall be entitled to reimbursement for use of a privately-owned conveyance at the following rates:

- (1) 10¢ per mile for the use of a privately-owned motorcycle;
- (2) 22¢ per mile for the use of a privately-owned automobile;
- (3) 34¢ per mile for the use of a privately-owned airplane; or
- (4) 34¢ per mile for the use of a specially equipped van for the physically handicapped.

(b) In addition to the mileage allowance authorized under subsection (a) of this regulation, the employee may be reimbursed for:

- (1) parking fees at commercial transportation terminals when on an extended trip;
- (2) toll road and toll bridge costs; and
- (3) airplane landing and tie-down fees.

(c) When an employee travels by privately-owned airplane, reimbursement may be made for one round trip in a privately-owned automobile or taxi fares charged in travel: (1) between the official station or domicile and the airport in the city in which the official station or domicile is located; and

(2) between the airport in the destination city and the place of official business.

(d) Exceptions to the mileage rates prescribed in subsection (a) shall be as follows:

(1) When a mode of transportation is available and is less costly than transportation by privately-owned conveyance, mileage payments for use of a privately-owned conveyance shall be limited to the cost of that other mode of transportation.

(2) An agency may pay a specified mileage rate that is lower than prescribed by subsection (a) when an employee's travel is not required by the agency and the employee is informed of the specified rate in advance of the travel. (Authorized by and implementing K.S.A. 1982 Supp. 75-3203, 75-3203a; effective May 1, 1979; amended, E-80-10, July 11, 1979; amended May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended T-83-19, July 1, 1982; amended May 1, 1983; amended T-84-20, July 26, 1983.)

(continued)

**Article 28.—SOCIAL SECURITY PROGRAM  
IN POLITICAL SUBDIVISIONS**

**1-28-1.** Payment of social security contributions by political subdivisions. (a) Contributions for wages paid during each remitting period shall be in accordance with subsection (b).

(b) Every employer shall remit contributions, and file remittance reports, for all wage payments made within a remitting period. Remitting period means the first 15 calendar days of any month, or the period from the 16th day of any calendar month to and including the last day of any calendar month. Contributions and remittance reports shall be due in the office of the state agency on the third working weekday after the end of the remitting period. Whenever an employer does not make any wage payments in a remitting period, no remittance report shall be required to be filed for that period.

(c) The first contribution payment of any political subdivision which obtains social security coverage shall become due on and shall be paid on the schedule prescribed in subsection (b) for the first remitting period following notice of acceptance as a covered political subdivision.

(d) Contributions received through the mail shall be deemed to have been paid on the date received by the state agency.

(e) When contributions are paid by a check or warrant, all such checks or warrants shall be made payable to the state contribution fund.

(f) As authorized by K.S.A. 40-2305 (d), interest shall be assessed on all delinquent payments from the due date to the date the actual payment is received by the state agency and at the rate prescribed by federal statute or regulation for delinquent social security remittances. Interest shall not be assessed if the amount does not exceed \$5.00. However, any interest assessed by the social security administration shall be charged to the late remitting political subdivision. Upon receipt of a notice of interest assessment, the political subdivision shall remit the amount of the interest assessed within 10 days.

(g) This regulation shall take effect on and after January 1, 1984. (Authorized by K.S.A. 40-2308, implementing K.S.A. 40-2305; effective May 1, 1980; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended T-84-20, July 26, 1983.)

**PATRICK J. HURLEY**  
Secretary

Doc. No. 001410

(Published in the KANSAS REGISTER, August 25, 1983.)

**NOTICE OF CALL FOR REDEMPTION  
TO THE HOLDERS OF  
CITY OF LINDSBORG, KANSAS  
ELECTRIC AND WATERWORKS SYSTEM  
REVENUE BONDS  
SERIES A, 1972  
DATED OCTOBER 1, 1972**

Notice is hereby given that pursuant to the provisions of SECTION 2 of Ordinance No. 2376 of the City of Lindsborg, Kansas that the above mentioned Bonds numbered 49 to 90, inclusive, maturing in the years 1984 to 1987, inclusive, have been called for redemption and payment on October 1, 1983, at the office of the State Treasurer of the State of Kansas, P.O. Box 737, 535 Kansas Avenue, Topeka, Kansas 66603.

On such redemption date there shall become due and payable on each of the above mentioned Bonds the redemption price thereof equal to 103% of the principal amount of each Bond together with interest accrued to the redemption date (upon the presentation and surrender of each such Bond and all appurtenant coupons). Interest shall cease to accrue on the Bonds from and after October 1, 1983 and the interest coupons maturing after October 1, 1983 shall be void.

**CITY OF LINDSBORG, KANSAS**  
By **ANN GOTTBORG**  
City Clerk

Doc. No. 001432

**State of Kansas**

**OFFICE OF THE GOVERNOR**

**CONTINUATION OF  
STATE OF DISASTER  
EMERGENCY PROCLAMATION**

By virtue of the authority vested in me by the Kansas Emergency Preparedness Act, Chapter 48, Article 9, of the Kansas Statutes Annotated, to meet the threat of emergency or disaster to which the State and its citizens are being exposed, and upon advice of the State Adjutant General as the Director of the Division of Emergency Preparedness, I hereby proclaim a thirty (30) day extension of the State of Disaster Emergency signed on August 8, 1983.

**NATURE OF THE IMMINENT THREAT OF  
DISASTER:**

Extreme temperatures and insufficient rainfall resulting in a continuance of the "Fire Danger" to grassland and cropland across Kansas.

**DATE THAT IMMINENT THREAT OF DISASTER  
AFFECTED THE AREAS:**

Commencing August 8, 1983, and still continuing.

**AREAS AFFECTED BY THE IMMINENT  
THREAT:**

Entire State of Kansas; 105 counties.

I hereby proclaim, direct, and order the Adjutant General of the State of Kansas to continue the disaster  
(continued)

response and recovery portions of the State Disaster Emergency Plan, as applicable. Local and interjurisdictional disaster plans applicable to the political subdivisions or areas affected by this Proclamation shall be coordinated by the Adjutant General.

Further, effective immediately, I hereby prohibit, by all citizens and visitors in the State of Kansas, the following:

- 1) Careless use of smoking materials, including cigarettes, cigars and smoking pipes. Discard shall be in a manner to preclude threat from smoldering remains.
- 2) Building, maintaining, attending or using any open fire or camp fire except in permanent stoves or fireplaces or barbeque grills in developed recreational sites or residential lawns.
- 3) Prescribed burning of all fence rows, fields, wildlands, ravines, trash and debris. Prescribed burning may be exempted from this order where such burning is necessary for crop survival and has been specifically approved in writing by the Fire Chief in the jurisdiction where the burning is to take place. Crop survival is defined as stubble burning in preparation for second crop planting.

I hereby direct all law enforcement and fire department agencies in this state to enforce this order.

Any or all of the powers conferred upon the Governor by the Kansas Emergency Preparedness Act shall have the force and effect of law and may be delegated to the Adjutant General as deemed appropriate during this period of proclaimed State of Disaster Emer-

gency. This may be delegated by written orders, or oral orders subsequently reduced to writing with reference to this Proclamation. (K.S.A. 48-925)

The knowing and willful violation of this act shall constitute a class A misdemeanor and any person convicted of such violation shall be punished as provided by law. (K.S.A. 48-939)

This Proclamation shall be in full force and effect for a period not to exceed thirty (30) days from the declared effective date set forth herein below in accordance with the provisions of K.S.A. 48-924. Pursuant to K.S.A. 75-3711, the powers of the State Finance Council under K.S.A. 48-924 devolve upon and shall be exercised by the Governor. The Governor finds that this Declaration is an unforeseeable occurrence and has not been rejected by the preceding session of the Legislature. (K.S.A. 75-3711c)

This Proclamation shall be filed promptly with the Division of Emergency Preparedness, the Office of the Secretary of State and each city clerk or county clerk, as appropriate, in the area to which this Proclamation applies. Further dissemination of this Proclamation shall occur by means calculated to bring its contents to the attention of the general public.

DONE At the Capitol in Topeka Under the Great Seal of the State this 22nd day of August, A.D., 1983.

JOHN CARLIN  
Governor

Attest: JACK H. BRIER  
Secretary of State

Doc. No. 001441

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