

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 2, No. 41

October 13, 1983

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State of Kansas
**SOCIAL AND REHABILITATION SERVICES
 ADVISORY COMMISSION ON
 JUVENILE OFFENDER PROGRAMS**

NOTICE OF MEETING

The Advisory Commission on Juvenile Offender Programs will meet on Friday, October 21, 1983, at the Villages, 2209 West 29th Street, Topeka, Kansas, beginning at 10:00 a.m.

ROBERT C. BARNUM
 Commissioner, Youth Services

Doc. No. 001544

State of Kansas
**DEPARTMENT OF ADMINISTRATION
 DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT
 OF NEGOTIATIONS
 FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement for contracts for surveying services for the following project:

Rock Cliff Repair
 Rainbow Mental Health Facility
 Kansas City, Kansas

Interested parties must be licensed to provide surveying services in the State of Kansas.

Questions or expressions of interest should be directed to Jack Nelson, Division of Architectural Services, 625 Polk, Topeka, Kansas 66603, (913) 233-9367, prior to October 28, 1983.

JOHN B. HIPPI, AIA
 Director
 Division of Architectural Services

Doc. No. 001542

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 Friday, October 14, 1983, beginning at 1:30 p.m. in the Old Supreme Court Room, 3rd Floor of the Statehouse, Topeka, Kansas.

For further information, contact Mr. Ron Miles, Director, 503 Kansas Avenue, Suite 536, Topeka, Kansas 66603 (913) 296-4505.

RONALD E. MILES
 Director

Doc. No. 001537

State of Kansas
KANSAS WATER AUTHORITY

OPEN MEETING NOTICE

The October meeting of the Kansas Water Authority is scheduled to commence at 10:00 a.m., October 20, 1983, in the City Commission Room, City-County Government Building, 300 West Ash, Salina, Kansas. The meeting will conclude by mid-afternoon on October 21, 1983. Primary items of consideration include finalization of policy statements to form the foundation of the State Water Plan, action on proposed administrative regulations, budget discussions, and general business matters. An agenda may be obtained by writing or calling Bruce W. Janssen, Kansas Water Authority, Box D, Larned, Kansas 67550, (316) 285-6514.

H. PHILIP MARTIN
 Chairman

Doc. No. 001538

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(page 1)

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 October 17 through October 28, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Oct. 17	123-S	10:00 A.M.	Joint Committee on State	Hearings on SRS and
Oct. 18	123-S	9:00 A.M.	Building Construction	Regents Capital Improvement Requests.
Oct. 18	514-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Review of regulations filed by SRS, Corrections Ombudsman Board, Kansas Corporation Commission, Health and Environment, and the Board of Hearing Aid Examiners.
Oct. 18	519-S	10:00 A.M.	Special Committee on Conflict of Interest and Ethics	Agenda unavailable.
Oct. 19	519-S	9:00 A.M.		
Oct. 19	527-S	9:30 A.M.	Special Committee on Commercial and Financial Institutions	Committee discussion on Proposal 6—UCCC.
Oct. 20	527-S	9:00 A.M.		
Oct. 20	531-N	10:00 A.M.	Special Committee on Special Care Services	Agenda unavailable.
Oct. 21	531-N	9:00 A.M.		
Oct. 21	519-S	10:00 A.M.	Special Committee on Furley and Strother Field	Presentations on health effects of environmental pollution and review of changes recommended by KDHE and EPA to the Hazardous Waste Statutes.
Oct. 24	519-S	9:00 A.M.	Special Committee on Judiciary	Review of Bill Drafts and Committee Reports for Proposals 27, 28, 29, 30, and 31.
Oct. 24	313-S	10:00 A.M.	Special Committee on Efficiency in State Government	Conferees on Proposal 19; staff reports.
Oct. 25	313-S	9:00 A.M.		
Oct. 24	526-S	10:00 A.M.	Special Committee on Infrastructure	24th: Subcommittee meetings in a.m.—Subcommittee reports in p.m.
Oct. 25	526-S	9:00 A.M.		25th: Staff reports and committee deliberations.
Oct. 25	527-S	10:00 A.M.	Legislative Educational Planning Committee	Agenda to be announced.
Oct. 26	527-S	9:00 A.M.		
Oct. 25	514-S	10:00 A.M.	Special Committee on Ways and Means	Additional Review of Proposals 45, 46, and 50.
Oct. 26	514-S	9:00 A.M.		Draft Reports on Proposals 47, 48, and 49.
Oct. 27	527-S	10:00 A.M.	Task Force on High Technology (Advisory Committee to Legislative Educational Planning Committee)	Agenda unavailable.
Oct. 27	531-N	10:30 A.M.	Health Planning Review Commission	Agenda unavailable.
Oct. 28	531-N	9:00 A.M.		

(continued)

Oct. 27	519-S	10:00 A.M.	Communication, Computers, and Technology (House Committee)	Agenda unavailable.
Oct. 28	519-S	9:00 A.M.		
Oct. 27	526-S	10:00 A.M.	Special Committee on Corrections	1st Day: Hearings on Proposals 12 and 13.
Oct. 28	526-S	9:00 A.M.		2nd Day: Committee deliberations on Proposals 12 and 13.

WILLIAM R. BACHMAN
 Director of Legislative Administrative Services

Doc. No. 001543

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-148

Cities, Third Class—General Provisions—Incorporation of Cities. Representative James D. Braden, Sixty-Fourth District, Clay Center, September 29, 1983.

An improvement district is a public corporation organized to perform governmental functions, and is not a "nonprofit corporation," as said term is used in K.S.A. 15-116. Cited herein: K.S.A. 15-116, 19-2756, 17-6002, 17-6805, 17-7002, 17-7504, 17-7513, K.S.A. 1982 Supp. 82a-902(b). TRH

OPINION NO. 83-149

Counties and County Officers—County Clerks—Records and Accounts. Honorable Mike Meacham, State Representative, Eighty-Third District, Wichita, October 3, 1983.

The duties of the county clerk are statutorily prescribed and require access to such records and accounting information as is necessary in order to carry out such duties. Cited herein: K.S.A. 10-801, 10-1101, 10-1117, 12-105a, 19-305, 19-306, 19-311, 19-318, 19-507, 19-6a02, 19-6a03. MWB

OPINION NO. 83-150

Cities and Municipalities—Cemeteries—Establishment or Acquisition in Cities or Townships.

Cities and Municipalities—Interlocal Cooperation—Interlocal Agreements by Public Agencies. James B. McKay, Jr., City Attorney, El Dorado, October 3, 1983.

No statutory provision prescribes administrative procedures for managing a city-township cemetery acquired under K.S.A. 12-1401, or procedures whereby control of such a cemetery may be transferred. In the absence of a statute governing the subject, a city and township may enter into an interlocal agreement for joint action relating to such cemetery, and such an agreement may provide a method whereby control of the cemetery may be transferred to one of the contracting parties, or to a third party. Cited herein: K.S.A. 12-1401, 12-1402, 12-1403, 12-1404, 12-1441, 12-2901, 12-2904. TRH

OPINION NO. 83-151

Waters and Water Courses—Water Plan Storage—Receipt of Applications to Contract for Withdrawals; Consideration in Chronological Order. Joseph F. Harkins, Director, Kansas Water Office, Topeka, October 5, 1983.

Prior to the 1983 session of the Kansas Legislature, K.S.A. 82a-1311 set forth the procedure for processing applications to contract for withdrawal of water held by the state in conservation storage. Each application was dated when received, with the Kansas Water Office required to negotiate contracts in the chronological order the applications were received. However, this duty was a limited one, and was to be observed to the extent consistent with efficient management. K.S.A. 82a-1311 was replaced by Section 10 of 1983 Senate Bill No. 61, which continues the requirement that applications be dated when received. However, the requirement that contracts be negotiated in chronological order has been deleted, with the date of receipt of the application only one factor to be considered by the Kansas Water Authority in its review and approval of the contracts negotiated by the Water Office. In that the change made by the 1983 amendment affects only a matter of procedure as to the handling of applications to begin negotiations, no vested right is affected, and the change may be retroactively applied to those applications on file before the effective date of the new act. Cited herein: K.S.A. 1982 Supp. 74-2615, K.S.A. 77-201, First, 82a-707, 82a-1305, 82a-1307, 82a-1311, L. 1983, ch. 343, § 10. JSS

ROBERT T. STEPHAN
 Attorney General

Doc. No. 001532

State of Kansas

PUBLIC DISCLOSURE COMMISSION

NOTICE OF COMMISSION MEETING

The Kansas Public Disclosure Commission will hold its monthly meeting on Wednesday, October 19, 1983, at 109 West 9th, Room 504, Topeka, Kansas, at 10:00 a.m. For a copy of the meeting agenda call 913/296-4219.

CAROL E. WILLIAMS
Administrative Assistant

Doc. No. 001531

(Published in the KANSAS REGISTER, October 13, 1983.)

**NOTICE OF BOND SALE
CITY OF HOISINGTON, KANSAS
\$333,000 GENERAL OBLIGATION BONDS
SERIES 1983**

The City of Hoisington, Kansas will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 109 EAST FIRST, HOISINGTON, KANSAS, until 8:00 o'clock p.m., C.D.S.T., on

MONDAY, OCTOBER 24, 1983

for the purchase of Three Hundred Thirty-Three Thousand Dollars (\$333,000) par value General Obligation Bonds (the "Bonds") of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series 1983 Bonds initially issued will be dated as of November 1, 1983 and shall mature on December 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except one Bond in the denomination of \$3,000.00, not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1984, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding May 15 and November 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$23,000	December 1, 1984
\$25,000	December 1, 1985
\$25,000	December 1, 1986
\$30,000	December 1, 1987

\$30,000	December 1, 1988
\$35,000	December 1, 1989
\$35,000	December 1, 1990
\$40,000	December 1, 1991
\$45,000	December 1, 1992
\$45,000	December 1, 1993

The Series 1983 Bonds maturing December 1, 1992 and thereafter, are subject to call for redemption and payment prior to their respective maturities, at the option of the City on and/or after December 1, 1991, in whole at any time or in part in inverse numerical order, and by lot within maturities, on any interest payment date, at 102% of the principal amount thereof plus accrued interest to the redemption date.

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 rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being two percent (2%) above the "Bond Buyer's 20 Bond Index," published in the *Weekly Bond Buyer* on Monday, October 17, 1983, and no bid of less than par and accrued interest will 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 CITY OF HOISINGTON, KANSAS, CITY HALL, 109 E. 1st, P.O. Box 418, HOISINGTON, KANSAS 67544, 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 the CITY CLERK OF THE CITY OF HOISINGTON, 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 NICHOLS AND WOLFE CHARTERED, Bond Counsel of Topeka, Kansas, whose opinion will be paid for by the City.

The number, denomination of Bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the Bond Registrar not later than November 10, 1983.

The purchaser will be furnished with a complete

(continued)

Transcript of Proceedings evidencing 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. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before November 18, 1983, 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 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 Series 1983 Bonds are being issued for the purpose of permanently financing the costs of constructing certain sanitary sewerage and water supply system and curb and gutter 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. 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 any 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 of the City of Hoisington, Kansas, for the year 1983, are as follows:

Equalized assessed valuation of taxable, tangible property	\$5,118,192
Assessed tangible valuation of motor vehicles	1,792,354
Equalized tangible valuation for computation of bonded indebtedness limitations	\$6,910,546

CUSIP identification numbers will be printed on the Bonds. All expenses incurred in connection with the printing of CUSIP numbers on the Bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be paid for by the City.

The total general obligation bonded indebtedness of the City of Hoisington, Kansas, at the date hereof, including this proposed issue of Bonds in the amount of \$333,000, is in the amount of \$920,000.00. The City of Hoisington, Kansas has Temporary Notes outstanding in the total amount of \$330,000.00 which will be redeemed and paid from the proceeds of this proposed issue of Bonds and from other funds available to the City.

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the City or from George K. Baum & Company, 1004 Baltimore Avenue, Kansas City, Missouri, the City's financial advisor.

DATED October 13, 1983.

CITY OF HOISINGTON, KANSAS
By MARY JOAN RAY, City Clerk

Doc. No. 001533

State of Kansas

**BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES**

**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on Tuesday, November 1, 1983, at 2:00 p.m., in Conference Room B of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed rules and regulations promulgated under authority of Section 6, Chapter 341, 1983 *Session Laws of Kansas*, as permanent rules and regulations of the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture. These regulations will become effective on May 1, 1984, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

The Chief Engineer proposes to adopt the following regulations:

- 5-50-1. Definition.
- 5-50-2. Requirements for an application to transfer water to be acceptable for filing.
- 5-50-3. Power and authority of hearing panel.
- 5-50-4. Emergency use transfer of water.
- 5-50-5. Extension of emergency transfer of water.
- 5-50-6. Authority of chief engineer.

Copies of the proposed regulations and the Fiscal Impact Statement may be obtained by writing to David L. Pope, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

DAVID L. POPE
Chief Engineer-Director
Division of Water Resources
HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 001539

State of Kansas

**BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES**

**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on Tuesday, November 1, 1983, at 10:00 a.m., in Conference Room B of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of a proposed rule and regulation promulgated under authority of K.S.A. 1982 Supp. 82a-303a as a permanent rule and regulation of the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture. This regulation will become effective on May 1, 1984, as a permanent regulation.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

The Chief Engineer proposes to adopt the following regulation:

5-40-10. Adopts Engineering Guide -2, EG-2, relating to administrative requirements and criteria for the design of earth dams as adopted by the Kansas State Board of Agriculture, Division of Water Resources on September 19, 1983, by reference.

Copies of the proposed regulation and the Fiscal Impact Statement may be obtained by writing to David L. Pope, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

DAVID L. POPE
Chief Engineer-Director
Division of Water Resources

HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 001540

State of Kansas

**BOARD OF AGRICULTURE
STATE DAIRY COMMISSIONER**

**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on November 1, 1983, at 11:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed permanent rules and regulations of the State Dairy Commissioner and the Kansas State Board of Agriculture. These regulations will become effective on May 1, 1984, as permanent regulations. In addition, existing regulations which are inconsistent with the new regulations being adopted will be repealed.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the State Dairy Commissioner, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

A summary of the proposed regulations is as follows:

4-7-510. Adopts by reference federal standards for frozen desserts.

4-7-507. This regulation is amended to remove any portions inconsistent with the material being adopted by reference in K.A.R. 4-7-510.

4-7-500 through 4-7-506, inclusive, and 4-7-508 will be repealed.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to Brace Rowley, State Dairy Commissioner, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

BRACE ROWLEY
State Dairy Commissioner

HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 001536

State of Kansas

**BOARD OF AGRICULTURE
WEED AND PESTICIDE DIVISION****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on November 1, 1983, at 10:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed amendments which will be adopted as permanent rules and regulations of the Weed and Pesticide Division and the Kansas State Board of Agriculture. These amended regulations will become effective as permanent regulations on May 1, 1984.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Director of the Weed and Pesticide Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

A summary of the proposed regulations is as follows:

4-8-14. Adds oust to the definitions section of the noxious weed regulations.

4-8-17. Amends the existing regulation to include oust as an approved chemical for use in the control and eradication of johnson grass.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to either Freeman Biery, Director, Weed and Pesticide Division, or William L. Greenwood, Noxious Weed Law Administrator, Weed and Pesticide Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

FREEMAN BIERY
Director, Weed and Pesticide Division
HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 001534

State of Kansas

**BOARD OF AGRICULTURE
CONTROL DIVISION****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that a public hearing will be held on November 1, 1983, at 9:00 a.m., in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed permanent rules and regulations of the Control Division of the Kansas State Board of Agriculture. These regulations will become effective on May 1, 1984, as permanent regulations.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments orally, in writing, or both. If it is not possible for any person to be present, he or she may submit comments in writing to be received in the office of the Director of the Control Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612, on or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to not more than five (5) minutes.

A summary of the proposed regulations is as follows:

K.A.R. 4-3-47. Updates the edition of the American Feed Control Association publication adopted by reference.

K.A.R. 4-3-48. Amends the existing regulation to conform to the newly updated edition adopted in K.A.R. 4-3-47.

K.A.R. 4-4-2. Increases fertilizer inspection fee from \$.25 per ton to \$.30 per ton.

Copies of these regulations and of the Fiscal Impact Statement may be obtained by writing to Robert H. Guntert, Director, Control Division, Kansas State Board of Agriculture, 109 S.W. 9th Street, Topeka, Kansas 66612.

ROBERT H. GUNTERT
Director, Control Division
HARLAND E. PRIDDLE, Secretary
State Board of Agriculture

Doc. No. 001535

State of Kansas

REAL ESTATE COMMISSION**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

You are hereby notified that the Kansas Real Estate Commission will hold a public hearing at 10 a.m. on November 4, 1983, in Room 201, Federal Building, 444 S.E. Quincy, Topeka, Kansas, to consider the adoption of permanent regulations of the commission.

All interested persons may submit written comments at any time prior to the hearing by addressing them to the Kansas Real Estate Commission, 217 E. 4th, Topeka, Kansas 66603. All interested persons will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations.

Following the hearing on November 4, 1983, all written and oral comments submitted by interested persons will be considered by the Kansas Real Estate Commission.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Kansas Real Estate Commission, 217 E. 4th, Topeka, Kansas 66603.

The following is a brief summary of the proposed regulations:

86-3-15. An amendment is proposed to require the supervising broker to report certain information as it pertains to salespersons and associate brokers supervised by the broker.

86-1-10. Amendments are proposed to instructor-approval requirements, minimum instruction time of courses approved for continuing education, notification by the commission of approval or disapproval of a course or an instructor, and changes to be reported to the commission. Subsection (j) of the present regulation is deleted.

J. PAUL FLOWER
Director

Doc. No. 001529

State of Kansas

SOCIAL AND REHABILITATION SERVICES**OPEN MEETING NOTICE AND
NOTICE TO ALL PERSONS HAVING AN
INTEREST IN THE
ADMINISTRATIVE REGULATIONS
PROMULGATED BY THE
SECRETARY OF SOCIAL AND
REHABILITATION SERVICES**

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on November 1, 1983, at 9:00 a.m., in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

—Final suggestions regarding 1984 Legislative proposals.

—Other items, as appropriate.

—Public hearing concerning certain administrative regulations to become effective as permanent regulations on May 1, 1984. A summary of the proposed regulations is set forth below.

A. Public Assistance Program

1. 30-4-34. Program. This regulation is being amended to specifically note the transitional general assistance (TGA) and the general assistance-unrestricted (GAU) programs in place of the more generic term of general assistance. In addition, reference to the burial assistance (BA) program has been added.

2. 30-4-35. Application process. This regulation is being amended to allow the agency the maximum 45 days allowed by federal regulation to approve or deny an application for assistance.

3. 30-4-38. Rights of applicants and recipients. This regulation is being amended to reflect technical changes.

4. 30-4-39. Responsibilities of applicants and recipients. This regulation is being amended to reflect technical changes.

5. 30-4-41. Assistance planning. This regulation is being amended to adopt the provision in K.A.R. 30-4-90(d) which requires the parents and children to be in the same assistance plan in order to be eligible for GAU.

6. 30-4-52. Act in own behalf. This regulation is being amended to include the marriage of a 16 or 17 year old person as another condition of emancipation.

7. 30-4-53. Financial Eligibility. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation.

8. 30-4-54. Citizenship, alienage, and residence. This regulation is being amended to revise the current wording of the definition of a resident for the purpose of conciseness.

9. 30-4-55. Cooperation. This regulation is being amended to apply the potential resource penalty to all persons for whom the applicant or recipient has legal responsibility.

10. 30-4-56. Assignment or transfer of property. This regulation is being amended to permit reducing the amount of the uncompensated value by the paid or incurred medical expenses accumulated from the date of the transfer to the month of application in determining the period of ineligibility.

11. 30-4-57. Job search requirements. The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) The exemption related to the care of a child under age six with only brief or infrequent absences has been expanded to exempt the parent or other caretaker relative for the purpose of holding employment or participating in an agency-approved work related activity;

(b) the exemption related to full-time employment has been expanded to include a mentally or physically impaired person who is working to his or her full capacity and the definition of full-time is further restricted to mean at least 30 hours per week with gross

(continued)

earnings, or adjusted gross earnings for the self-employed, that are equal to or in excess of the federal minimum wage;

(c) a new provision has been added to exempt a person who is on probation or parole and who is attending a vocational technical school on a full-time basis; and

(d) the penalty provision has been clarified to state the penalty is applied to all persons for whom there is legal responsibility only when the principal wage earner in an ADC-UP case fails to meet the job search requirements. In addition, the penalty will not be delayed or waived because the person becomes exempt during the penalty period.

12. 30-4-58. Potential employment. This regulation is being amended to clarify that the WIN penalty in ADC-UP situations is applied to all persons for whom there is legal responsibility only when the principal wage earner in the ADC-UP case fails to meet the WIN requirements. In addition, the penalty will not be delayed or waived because the person becomes exempt during the penalty period.

13. 30-4-59. Strikes. This regulation is being amended to reflect technical changes.

14. 30-4-60. Living in public institution. This regulation is being amended to reflect technical changes.

15. 30-4-62. Community work experience program requirements. This regulation is being amended to make the following changes to the list of exemptions:

(a) The exemption related to the care of a child under six with only brief or infrequent absences has been expanded to exempt the parent or caretaker relative for the purpose of holding employment;

(b) a person who has a physical or mental impairment and is working to the person's capacity is exempt; and

(c) a new provision has been added to exempt a person who is on probation or parole and who is attending a vocational technical school on a full-time basis.

The penalty provision has been clarified to state the penalty is applied to all persons for whom there is legal responsibility only when the principal wage earner in an ADC-UP case fails to meet the work assignment. In addition, the penalty will not be delayed or waived because the person becomes exempt during the penalty period.

16. 30-4-72. ADC child. This regulation is being amended to reflect technical changes.

17. 30-4-85a. Eligibility factors specific to the EA program. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation with the following amendment: Expand coverage to disasters beyond natural disasters and to require that the application for EA be filed within 30 days of the disaster or the eviction or potential eviction.

18. 30-4-90. Eligibility factors specific to the GA unrestricted (GAU) program. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) The GAU provision for parents with children is being limited to those instances in which the parents

have not voluntarily rendered themselves unavailable for employment; and

(b) a person would not be considered voluntarily unavailable for employment if the person is attending high school on a full-time basis or if the person is on probation or parole and attending a vocational technical school on a full-time basis.

19. 30-4-91. Eligibility factors specific to the transitional GA (TGA) program. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation with the following amendment: The provision related to being available for employment has been extended to permit a person who is on probation or parole to attend a vocational technical school on a full-time basis.

20. 30-4-95. Eligibility factors specific to the GA-FC program. This regulation is being amended to reflect technical changes.

21. 30-4-96. Eligibility factors specific to the burial assistance (BA) program. The secretary is promulgating a new regulation to establish the eligibility requirements for BA as a separate program. The eligibility requirements that are currently contained in K.A.R. 30-4-121 have been adopted except for the following changes:

(a) The cost of an outside container has been changed from a cemetery expense to a funeral expense;

(b) The provision for out-of-trade area transportation has been deleted as a funeral expense; and

(c) The provisions related to the living arrangement of the decedent at the time of death have been amended to require that the income and resources of a legally responsible person must be considered in situations where the decedent was not living with a legal dependent or a legally responsible person because of the need for institutional care. The cost of institutional care shall not be considered in determining the countable income.

22. 30-4-97. Eligibility factors specific to the TA program. This regulation is being revoked.

23. 30-4-100. Payment standards for budgetary requirements in the ADC, ADC-FC, APW, GA, and GA-FC programs. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation.

24. 30-4-102. Standards for persons in room, board, specialized living or care. The temporary regulation effective July 1, 1983 is being promulgated as a permanent regulation.

25. 30-4-106. General rules for consideration of resources including real property, personal property, and income. This regulation is being amended to:

(a) Require the use of an adjustment factor to be applied to the uniform appraisal value to establish real property values;

(b) require the value of personal property to be established by an estimate of one reputable dealer in the absence of a reputable trade publication;

(c) count contributions made by a nonlegally responsible person (other than a stepparent) in the home that is above the assistance standard for one person; and

(continued)

(d) consider the resources of an SSI person in determining eligibility for burial assistance.

26. **30-4-107. Property exemption.** The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation.

27. **30-4-108. Real property.** This regulation is being amended to clarify that the home continues to be exempt if the client is only temporarily absent for a period not to exceed 12 months.

28. **30-4-109. Personal property.** This regulation is being amended to shorten the period of time that conserved proceeds from the sale of a home can be considered exempt to the month received or the following month.

29. **30-4-110. Income.** The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) Permit the continuation of retrospective budgeting following a one month suspension due to either a prospective or retrospective determination of ineligibility for payment; and

(b) permit the use of more than three months' income in averaging self-employment income.

30. **30-4-111. Applicable income.** This regulation is being amended to reflect technical changes.

31. **30-4-112. Income exempt from consideration as income and as a cash asset.** This regulation is being amended to:

(a) Clarify that the exemption of a one-time payment specifically for an intended purpose is limited to cash settlements and to shorten the time period of exemption to the month received or the following month;

(b) delete reference to settlements based on court decisions as an example of income that is exempt as a special government program benefit;

(c) move the exemptions related to assistance payments received and assigned support payments to K.A.R. 30-4-113;

(d) add an exemption of assistance provided by another agency or organization that complements but does not duplicate assistance provided by the agency if the assistance is used for the intended purpose; and

(e) extend all exemptions to applicants as well as recipients.

32. **30-4-113. Income exempt as applicable income.** The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) The reference to CETA has been dropped from the exemption of work incentive payments;

(b) the exemption of earned income from the youth demonstration program has been deleted; and

(c) new exemptions have been added to exempt housing assistance from federal housing programs, assistance payments in the month received and assigned support.

33. **30-4-120. Special allowances and requirements for applicants and recipients of ADC, ADC-FC, APW, GAU, and GA-FC.** The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendment: The work

expense allowance for GWEP and job search have been restricted to transportation expenses.

34. **30-4-121. Special allowances for burial expenses.** This regulation is being amended to:

(a) Move the eligibility requirements to K.A.R. 30-4-96; and

(b) increase the maximum allowances for funeral and cemetery expenses as noted below.

<i>Casket Size</i>	<i>Allowance</i>
Oversize casket	\$850
Adult casket	750
Casket, 5'	650
Casket, 4' to 4' 6"	450
Casket, 3' to 3' 6"	350
Casket, 2' to 2' 6"	250
Infant casket, 1' 9"	150

If an outside container is required, an additional \$150 will be added to the above amounts.

Cemetery expenses will not exceed \$250.

35. **30-4-122a. Special allowances for EA.** The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation.

36. **30-4-123. Special allowances for recipients of transient assistance.** This regulation is being revoked.

37. **30-4-130. Types of payments.** This regulation is being amended to reflect technical changes.

38. **30-4-140. Payments.** This regulation is being amended to require that action to recover an overpayment be initiated no later than the end of the quarter following the quarter in which the overpayment was first identified.

B. Medicaid/Medikan Program—Client Eligibility

1. **30-6-34. Program.** This regulation is being amended to reflect technical changes.

2. **30-6-35. Application process.** This regulation is being amended to delete as an exception to the 45 day time limit for the application process the request for a postponement of thirty days by the applicant.

3. **30-6-36. Redetermination of eligibility process.** This regulation is being amended to reflect technical changes.

4. **30-6-38. Rights of applicants and recipients.** This regulation is being amended to reflect technical changes.

5. **30-6-39. Responsibilities of applicants and recipients.** This regulation is being amended to reflect technical changes.

6. **30-6-41. Assistance planning.** This regulation is being amended to delete the provision which excludes the needs of an unborn child from the protected income standard.

7. **30-6-50. Determined eligibles; general eligibility factors.** This regulation is being amended to reflect technical changes.

8. **30-6-51. Assistance eligibility, general.** This regulation is being amended to reflect technical changes.

9. **30-6-52. Act in own behalf.** This regulation is being amended to include the marriage of a 16 or 17 year old person as another condition of emancipation.

10. **30-6-53. Financial eligibility.** This regulation is being amended to allow the cost of social services

(continued)

designated as medical services under the Home and Community Based Service (HCBS) program to reduce the spenddown requirement.

11. 30-6-54. Citizenship, alienage, and residence. This regulation is being amended to revise the current wording of the provision for the purpose of clarity.

12. 30-6-55. Cooperation. This regulation is being amended to apply the potential resource penalty to all persons for whom the applicant or recipient has legal responsibility.

13. 30-6-56. Assignment or transfer of property. This regulation is being amended to clarify that paid or incurred medical expenses accumulated from the date of the property transfer to the beginning of the initial eligibility base period are allowable to reduce the amount of the uncompensated value when determining the special spenddown.

14. 30-6-57. Job search requirements. The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) The exemption related to the care of a child under age six with only brief or infrequent absences has been expanded to exempt the parent or other caretaker relative for the purpose of holding employment or participating in an agency-approved work related activity;

(b) the exemption related to full-time employment has been expanded to include a mentally or physically impaired person who is working to his or her full capacity and the definition of full time is further restricted to mean at least 30 hours per week with gross earnings, or adjusted gross earnings for the self-employed, that are equal to or in excess of the federal minimum wage;

(c) a new provision is added to exempt a person who is on probation or parole and attending a vocational or technical school on a full-time basis; and

(d) The penalty provision has been clarified to state the penalty is applied to all persons for whom there is legal responsibility only when the principal wage earner in an ADC-UP case fails to meet the job search requirements. In addition, the penalty will not be delayed or waived because the person becomes exempt during the penalty period.

15. 30-6-58. Potential employment. This regulation is being amended to clarify that the penalty in ADC-UP situations is applied to all persons for whom there is legal responsibility only when the principal wage earner in the ADC-UP case fails to meet the potential employment requirements. In addition, the penalty will not be waived because the person becomes exempt during the penalty period.

16. 30-6-59. Strikes. This regulation is being amended to reflect technical changes.

17. 30-6-60. Living in a public institution. This regulation is being amended to reflect technical changes.

18. 30-6-65. Automatic eligibles. The temporary regulation effective May 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) Provide automatic MA eligibility for recipients

not receiving a grant because the agency is recovering an overpayment; the grant is less than \$10; or there is prospective eligibility but no grant due to retrospective budgeting; and

(b) delete the provision that excluded EITC as earned income for purposes of receiving the four-month extended medical benefit.

19. 30-6-70. ADC determined eligibles. This regulation is being amended to reflect technical changes.

20. 30-6-72. ADC child. This regulation is being amended to reflect technical changes.

21. 30-6-74. Persons whose needs are to be considered with the needs of the ADC child. This regulation is being amended to reflect technical changes.

22. 30-6-78. APW determined eligibles. This regulation is being amended to reflect technical changes.

23. 30-6-80. FFP-FC determined eligibles. This regulation is being amended to reflect technical changes.

24. 30-6-81. Child in a state institution-determined eligible. This regulation is being amended to reflect technical changes.

25. 30-6-85. SSI determined eligibles. This regulation is being amended to reflect technical changes.

26. 30-6-95. Non-FFP-FC determined eligibles. This regulation is being amended to reflect technical changes.

27. 30-6-103. Determined eligibles; protected income levels. This regulation is being amended to increase the one person protected income level for persons in independent living to \$315 a month.

28. 30-6-105. Determined eligibles; resources. This regulation is being amended to reflect technical changes.

29. 30-6-106. General rules for consideration of resources including real property, personal property, and income. This regulation is being amended to:

(a) Require the use of an adjustment factor to be applied to the uniform appraisal value to establish real property values; and

(b) require the value of personal property to be established by an estimate by one reputable dealer in the absence of a reputable trade publication.

30. 30-6-107. Property exemption. The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments:

(a) For SSI, determine the value of resources using the value of the resources as of the first moment of the first day of the month; and

(b) establish a disposal period of six months for real property and three months for personal property.

31. 30-6-108. Real property. This regulation is being amended to clarify that:

(a) For both non-SSI and SSI, the home continues to be exempt if the client is only temporarily absent for a period not to exceed 12 months; and

(b) for SSI, the home continues to be exempt if a disabled dependent relative remains in the home when the recipient enters an institutional living arrangement.

(continued)

32. 30-6-109. Personal property. This regulation is being amended to:

(a) Reformat the listing of property exemptions that apply to the SSI and non-SSI coverage groups; and

(b) for non-SSI, shorten the period of time that conserved proceeds from the sale of a home can be considered exempt to the month received or the following month.

33. 30-6-110. Income. This regulation is being amended to reflect technical changes.

34. 30-6-111. Applicable income. This regulation is being amended to include the provision for the earned income disregard in long-term care of seventy-five dollars, if employed full time, and fifty dollars, if employed part time.

35. 30-6-112. Income exempt from consideration as income and as a cash asset. This regulation is being amended to reformat the listing of exemptions. In addition, the following exemptions have been added or revised:

(a) For non-SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs or other required obligations to a third party if the payment is expended or committed to be expended in the month received or the following month;

(b) for non-SSI, assistance provided by another agency or organization that complements but does not duplicate assistance provided by the agency, if the assistance is used for the intended purpose;

(c) for SSI, housing assistance from Federal housing programs run by State and local sub-divisions;

(d) for SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within nine months of its receipt. This time period may be extended for good cause;

(e) For SSI, in kind support, vouchers, or cash assistance for food, clothing, or shelter provided by public or private organizations or agencies, if the assistance is based on need;

(f) for SSI, income necessary for fulfillment of an approved plan to achieve self support established for a blind or disabled person;

(g) for SSI, assistance furnished in connection with a presidentially declared disaster and any interest earned on the assistance for the first nine months;

(h) for SSI, interest which is paid on excluded burial funds and left to accumulate; and

(i) for SSI, proceeds from a bona fide and legal loan requiring repayment for a time period not to exceed three months beginning with the month of receipt.

It is further proposed to delete reference to settlements based on court decisions as an example of income that is exempt as a special government program benefit. In addition, for non-SSI the exemption related to assistance payments received and assigned support payments be moved to K.A.R. 30-6-113. The

regulation is further amended to extend all exemptions to applicants as well as recipients.

36. 30-6-113. Income exempt as applicable income. The temporary regulation effective October 1, 1983 is being promulgated as a permanent regulation with the following amendments: To reformat the listing of exemptions and the following exemptions are being added:

(a) Assistance payments in the month received;

(b) for non-SSI, housing assistance from federal housing programs;

(c) for non-SSI, support payments covered by an assignment of support rights related to ADC and ADC-FC and forwarded to the agency, except when the agency disburses a support refund to the client;

(d) for SSI, refund of taxes paid on real property or on food purchases;

(e) for SSI, irregular or infrequent earned income if it totals no more than ten dollars a month or thirty dollars a quarter;

(f) for SSI, irregular or infrequent unearned income if it totals no more than twenty dollars a month or sixty dollars a quarter;

(g) for SSI, one third of child support payments received by an eligible child from an absent parent;

(h) for SSI, earnings (up to \$400 a month, but not more than \$1,620 a year) of an unmarried child who is a student under 22 years of age;

(i) for SSI, work expenses of a blind recipient;

(j) for SSI, impairment related work expenses of a disabled recipient; and

(k) for SSI, incentive allowances and reimbursements for individuals in training to provide support services under the JTPA programs. In addition, the exemptions for tax refunds and rebates and irregular occasional or unpredictable gifts have been restricted to non-SSI.

37. 30-6-140. Payment amounts. This regulation is being amended to delete the penalty provision related to the GA medically needy program.

A copy of the proposed regulations and fiscal impact statement may be obtained prior to November 1, 1983 by contacting the Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612, (913) 296-3969. Written comments may be submitted prior to such date. Such comments should be forwarded to Dr. Harder, Secretary of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulations. Depending on the number of persons wanting to speak, the department may require that each participant limit his or her oral presentation to no more than three (3) minutes.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson,

(continued)

Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (Area Office and State Office Building), Wichita, and Winfield.

ROBERT C. HARDER
Secretary

Doc. No. 001546

State of Kansas

**BEHAVIORAL SCIENCES
REGULATORY BOARD**

**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Tuesday, November 1, 1983, commencing at 10:00 a.m., in the Auditorium, 2nd Floor, Kansas Historical Society Memorial Building, 120 West 10th Street, Topeka, Kansas, to consider the adoption of proposed permanent rules and regulations of the Behavioral Sciences Regulatory Board.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Behavioral Sciences Regulatory Board, 535 Kansas Avenue, Room 1102, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearing to express their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five (5) minutes.

Following the hearing on November 1, 1983, all written and oral comments submitted by interested parties will be considered by the Behavioral Sciences Regulatory Board as the basis for making changes to the proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Behavioral Sciences Regulatory Board, 535 Kansas Avenue, Room 1102, Topeka, Kansas 66603.

The following is a brief summary of the board's proposed regulations:

K.A.R. 1982 Supp. 102-1-1 through 102-1-14 are sections of Article 1 of the Kansas Administrative Regulations relating to certification of psychologists. Revisions of these sections are in response to concerns raised by the Joint Committee on Administrative Rules and Regulations.

K.A.R. 102-1-15 is a proposed new regulation establishing continuing education requirements for psychologists.

MARY ANN GABEL
Executive Secretary

Doc. No. 001548

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:

MONDAY, OCTOBER 24, 1983

#25769

Various Kansas Small Hospitals and Institutions—**PHARMACEUTICALS (ITEMS NOT ON FORMULARY)**

#25774

Department of Social and Rehabilitation Services, Topeka—**MICROFICHE, LASOR PRINTING AND MAILING SERVICES**

#55516

Larned State Hospital, Larned—**CLEANING SUPPLIES**

#55517

University of Kansas, Lawrence—**ELECTRICAL EQUIPMENT**

#55519

Topeka State Hospital, Topeka—**INSTITUTIONAL LOUNGE CHAIRS**

#55520

Pittsburg State University, Pittsburg—**MICROPROCESSOR SYSTEM**

#55546

Pittsburg State University, Pittsburg—**WORD PROCESSING SYSTEM**

#55568

Kansas Technical Institute, Salina—**COMPUTERIZED PHOTOTYPESETTING EQUIPMENT**

#55569

Kansas State Penitentiary, Lansing—**REBUILT ENGINE**

TUESDAY, OCTOBER 25, 1983

#A-4423(a)

University of Kansas School of Medicine, Wichita—**DEMOLITION AND REMOVAL OF SMOKE STACK**

#25757

University of Kansas Medical Center, Kansas City and Statewide—**CATHETERS (CLASS 07)**

#25776

University of Kansas, Lawrence—**FLOOR CARE PRODUCTS**

#55524

University of Kansas, Lawrence—**HIGH SPEED PRINTERS**

#55527

Department of Administration, Division of Printing, Topeka—**BROWN KRAFT ENVELOPES**

#55528

University of Kansas Medical Center, Kansas City—**FLOOR SCRUBBERS**

#55529

Department of Transportation, various locations—**MAINTENANCE COLD WEATHER PATCHING MATERIAL**

#55555

University of Kansas, Lawrence—**CPU AND ALLIED ADP EQUIPMENT**

(continued)

#55560

Kansas Correctional Industries, Lansing—PICKUP AND STATION WAGON

#55561

Kansas State University, Southeast Kansas Experiment Station, Parsons—PICKUP

WEDNESDAY, OCTOBER 26, 1983

#A-4677(b)

Department of Administration, Topeka—BASEMENT WALL WATERPROOFING AND DRAINAGE REVISIONS, CEDAR CREST, GOVERNOR'S RESIDENCE

#55523

Pittsburg State University, Pittsburg—TERMINALS

#55539

Kansas State University, Manhattan—RECORDER/DATALOGGER

#55540

Kansas State University, Manhattan—GAS CHROMATOGRAPH/FID DETECTOR

#55541

Department of Social and Rehabilitation Services, Topeka—COTTON DUST MOP YARN

#55542

Department of Transportation, Chanute—EQUIPMENT BOX

#55543

Department of Transportation, Topeka—VEHICULAR RECORDER

#55552

Department of Administration, Topeka—MOVING OFFICES OF STATE TREASURER AND POOLED MONEY INVESTMENT BOARD

#55562

Wichita State University, Wichita—CRT CONTROL UNITS

THURSDAY, OCTOBER 27, 1983

#55518

Department of Health and Environment, Topeka—ELECTRONIC TYPEWRITERS

#55549

Department of Social and Rehabilitation Services, Topeka—CONTINUOUS MAILERS-FORM PA-3114

#55550

Kansas Fish and Game Commission, various locations—OUTBOARD MOTORS

#55551

Kansas Fish and Game Commission, various locations—CHANNEL CATFISH

#55556

Kansas State University, Manhattan—HYDRAULIC PUMP AND VALVE CONTROL

#55566

University of Kansas Medical Center, Kansas City—INVERTED RESEARCH PHOTOMICROSCOPE

#55570

Department of Administration, Division of Printing, Topeka—GRAINED OFFSET PLATES FOR PYRO-FAX SYSTEM

#55571

Kansas State Board of Agriculture, Topeka—MICROFILM SERVICE

FRIDAY, OCTOBER 28, 1983

#55545

Wichita State University, Wichita—CRT DISPLAY TERMINALS

#55557

Pittsburg State University, Pittsburg—STEAM TRAPS AND VALVES

#55558

Kansas State University, Manhattan—AUTOMATED ANALYTICAL CHEMISTRY SYSTEM

#55563

Winfield State Hospital and Training Center, Winfield—HOSPITAL BEDS

#55564

University of Kansas Medical Center, Kansas City—CARVED WOOD PANELS AND MATERIALS

MONDAY, OCTOBER 31, 1983

#25758

University of Kansas Medical Center, Kansas City and Statewide—MISCELLANEOUS HOSPITAL SUPPLIES (CLASS 09)

TUESDAY, NOVEMBER 1, 1983

#A-4514 and #A-4742

Youth Center at Topeka, Topeka—CONSTRUCT NEW HEATING PLANT WITH STEAM HEAT AND HOT WATER DISTRIBUTION SYSTEMS

TUESDAY, NOVEMBER 15, 1983

#25773

Kansas Technical Institute, Salina—AIRCRAFT INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 001541

State of Kansas

CORRECTIONS OMBUDSMAN BOARD

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board September 19, 1983. Will expire May 1, 1984.)

Article 1.—ADMINISTERING OATHS

43-1-1. Administering oaths. (a) The ombudsman or designated ombudsman associates may take sworn statements from a person, if that person is likely to have information deemed by the ombudsman or designated ombudsman associates to be relevant to any matter under inquiry and if that person is or has been at any time:

- (1) Within any premises under the control of the secretary of corrections;
- (2) Committed to the custody of the secretary of corrections; or
- (3) Employed by or under contract with the secretary of corrections.

(b) Whenever possible, oaths shall be administered at a time and location convenient to the person making the statement.

(c) Under no circumstances shall anyone be compelled to submit a sworn statement. (Authorized by and implementing section 3, 1983 HB 2184; effective T-84-24, Sept. 19, 1983.)

CAROL L. KEITH
Acting Ombudsman

Doc. No. 001530

State of Kansas

SOCIAL AND REHABILITATION SERVICES**SUMMARY OF TEMPORARY
ADMINISTRATIVE REGULATIONS**

(Effective October 1, 1983. Will expire May 1, 1984.)

I. Public Assistance Program

1. **30-4-57. Job search requirements.** This regulation is being amended to:

(a) Require recipients, unless exempted, to participate (if assigned) in an agency approved job club or related activity.

(b) Allow volunteers to participate in an agency approved job club or related activity and be reimbursed for expenses in the same manner as mandatory participants.

2. **30-4-107. Property exemption.** This regulation is being amended to:

(a) Standardize the exempt resource limitation for single and multiple member assistance families and set such limitation at \$1,000.00.

(b) Delete the provision that permits the granting of assistance pending a recipient's bona fide efforts to dispose of excess property at a reasonable market value.

3. **30-4-110. Income.** This regulation is being amended to disregard the portion of a child's income which is received from a youth program funded by the Job Training Partnership Act of 1982 from the 150% income limitation.

4. **30-4-113. Income exempt as applicable income.** This regulation is being amended to disregard the portion of a child's income which is received from a youth program funded by the Job Training Act of 1982 as applicable income except that the disregard of earned income would only be applied for a six month period.

5. **30-4-120. Special allowances and requirements for applicants and recipients of ADC, ADC-FC, APW, GAU and GA-FC.** This regulation is being amended to authorize job seeking expenses for any volunteers participating in an agency approved job club or related activity.

II. Provider Participation, Scope of Services, and Reimbursement for the Medicaid/Medikan Program

1. **30-5-111. Screening, evaluation, and referral services for persons ineligible to participate in the medical (medical assistance) program.** This is a new regulation concerning screening, evaluation, and referral services for persons ineligible to participate in the medical (medical assistance) program. Applicants for such services would make application on forms prescribed by the Secretary. Further, the fee for this service would be the contract rate negotiated between the Division of Medical Programs and the performing provider. The fee would be payable at the time an application for services was approved.

III. Medicaid (Medical Assistance)—Client Eligibility

1. **30-6-57. Job search requirements.** This regulation is being amended to:

(a) Require recipients, unless exempted, to participate (if assigned) in an agency approved job club or related activity.

(b) Allow volunteers to participate in an agency approved job club or related activity.

2. **30-6-107. Property exemption.** This regulation is being amended to make the provision that permits the granting of assistance pending a recipient's bona fide efforts to dispose of excess property at a reasonable market value only applicable to SSI related cases.

3. **30-6-113. Income exempt as applicable income.** This regulation is being amended to disregard the portion of a child's income which is received from a youth program funded by the Job Training Act of 1982 as applicable income except that the disregard of earned income would only be applied for a six month period.

The full text of the above-mentioned temporary administrative regulations have not been published because of their length and the expense of publication. Copies of the full text may be obtained by contacting the Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612, (913) 296-3969.

ROBERT C. HARDER
Secretary

Doc. No. 001545

State of Kansas

OFFICE OF THE GOVERNOR**EXECUTIVE ORDER NO. 83-66****ESTABLISHING THE KANSAS TAX
REVIEW COMMISSION**

WHEREAS, a fundamental principle of efficient government is that its power of taxation and expenditures of tax revenues be used in such a manner so as to best serve the needs of its people; and

WHEREAS, the sources of taxation and expenditures of revenue must be primarily responsive to the state's constitutional mandates, and responsive to the changing needs of the public; and

WHEREAS, in order to further the purpose of maintaining an efficient, equitable and responsive system of taxation within the State of Kansas, it is essential to undertake a comprehensive review and analysis of the structure of taxation within the State of Kansas; and

WHEREAS, such review and analysis should include observations concerning the responsiveness of the structure of taxation within the State of Kansas and recommendations for changes and modifications to this structure which will enhance the ability of the State to best serve the long-range needs of its people; and

WHEREAS, the best manner in which to effectuate such a review and analysis is to form a group of experts from throughout the State to conduct such a project

(continued)

and make recommendations which are consistent with the above-stated principles.

NOW, THEREFORE, pursuant to the authority vested in me as Governor and chief executive of the State of Kansas, I hereby establish the Kansas Tax Review Commission. Pursuant to Article 1, Section 12 of the Constitution of the State of Kansas, I hereby designate the Lieutenant Governor to organize, direct and chair the Kansas Tax Review Commission. Members of the Commission shall be selected by the Lieutenant Governor and appointed by the Governor. They shall serve without compensation at the pleasure of the Lieutenant Governor. The Commission shall meet on call of the Chairperson. The Commission shall be charged with the following:

- (1) Study all aspects of the Kansas tax structure;
- (2) Solicit opinions from all interested parties, including experts in the field of taxation, regarding the structure of taxation within the State of Kansas;
- (3) Solicit public input within the State of Kansas; and
- (4) Render conclusions concerning, and make recommendations for, changes and modifications which would maintain and improve the efficiency and responsiveness of our system of taxation.

Staff support shall be provided by the Lieutenant Governor, the Department of Revenue and such other agencies as may be designated by the Governor. Expenses of the Commission may be paid for by the individual organizations employing the members of the Commission; or may be paid for by the Lieutenant Governor, the Department of Revenue, or other agencies as may be designated by the Governor, only upon vouchers approved by the head of the particular State agency or designee and the Governor or his designee.

The Commission shall compile and present to the Governor its Study, Report and Recommendations not later than June 30, 1985.

From and after October 1, 1985, the Kansas Tax Review Commission created and established by this Executive Order is hereby abolished; and the force and effect of this Executive Order is thereafter rescinded.

This document shall be filed with the Secretary of State as Executive Order No. 83-66 and shall become effective immediately.

Dated October 7, 1983.

JOHN CARLIN
Governor

Attest: JACK H. BRIER
Secretary of State

Doc. No. 001547

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