

KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

Vol. 7, No. 27

July 7, 1988

Pages 1243-1266

IN THIS ISSUE . . .	Page
State Banking Board	
Notice of Meeting	1244
Secretary of State	
Usury Rate for July	1244
Kansas Water Authority	
Notice of Meeting	1244
Pooled Money Investment Board	
Notice to Banks and Trust Companies	1244
Kansas Wildlife and Parks Commission	
Notice of Meeting	1245
Shawnee County	
Notice to Contractors	1245
Attorney General	
Opinions No. 88-83 through 88-85	1245
State Conservation Commission	
Notice to Contractors	1246
University of Kansas	
Notice to Bidders	1246
Notice to Bidders for State Purchases	1246
State Records Board	
Notice of Meeting	1247
Office of the Governor	
Executive Order No. 88-110	1247
Department of Transportation	
Notice to Contractors	1247
Department of Administration	
Notice of Commencement of Negotiations for Architectural Services	1248
State Corporation Commission	
Notice of Motor Carrier Hearings	1248
Notice of Bond Sale	
City of Parsons	1250
Legislative Interim Committee Schedule	1253
Court of Appeals Docket	1254
Social and Rehabilitation Services	
Request for Proposals for Secure Care Centers	1258
Temporary Administrative Regulations	
Behavioral Sciences Regulatory Board	1258
State Board of Veterinary Medical Examiners	1264
Department of Administration	1264

State of Kansas
STATE BANK COMMISSIONER
STATE BANKING BOARD

NOTICE OF MEETING

The State Banking Board will meet at 9:30 a.m. Monday, July 18, in the conference room of the State Banking Department, Suite 300, 700 Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

W. NEWTON MALE
 State Bank Commissioner

Doc. No. 006776

State of Kansas
SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL
 COME, GREETINGS:

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1987 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of July 1, 1988 through July 31, 1988 shall be 11.80 percent.

In testimony whereof: I have hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 30th day of June, A.D. 1988.

BILL GRAVES
 Secretary of State

Doc. No. 006789

State of Kansas
KANSAS WATER AUTHORITY

NOTICE OF MEETING

The Kansas Water Authority will meet Wednesday, July 20, in Wichita. A copy of the agenda and further information may be obtained by contacting Dotty Kester, Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

JOHN L. BALDWIN
 Chairman

Doc. No. 006794

State of Kansas
POOLED MONEY INVESTMENT BOARD

NOTICE TO BANKS AND TRUST COMPANIES

Notice is hereby given pursuant to K.S.A. 75-4208 that sealed proposals will be received and opened at 1:30 p.m. Wednesday, July 13, by the Pooled Money Investment Board for the deposit of state moneys in active and inactive accounts. Such proposals may be made by any eligible bank or trust company on forms prepared by the board and approved by the attorney general. Forms may be obtained from the office of the Pooled Money Investment Board, Suite 304-N, Landon State Office Building, 900 S.W. Jackson, Topeka 66612.

Proposals should be addressed to the Pooled Money Investment Board at the address above. The following should be designated on the envelope: "Proposal for State Deposit."

POOLED MONEY INVESTMENT BOARD
 Joan Finney, Chairman
 Clayton C. McMurray, Member
 Harland E. Priddle, Member

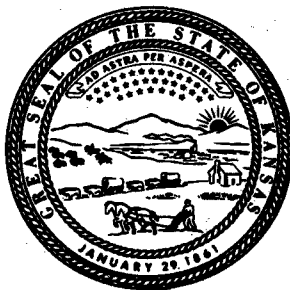
Doc. No. 006784

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$55. Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS. ISSN No. 0744-2254.

Postmaster. Send change of address form to *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

© Kansas Secretary of State 1988. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
 BILL GRAVES
 Secretary of State
 2nd Floor, State Capitol
 Topeka, KS 66612-1594



Phone: (913) 296-3489

State of Kansas

WILDLIFE AND PARKS COMMISSION**NOTICE OF MEETING**

A meeting of the Kansas Wildlife and Parks Commission is scheduled for Tuesday, July 19, and Wednesday, July 20, in the Salina Room of the Mid America Motel, 1846 N. 9th, Salina. The meeting will begin at 7:30 p.m. July 19 with a public hearing to establish the 1988 early migratory bird seasons (dove, snipe, rail, woodcock and teal) and will be followed by a general business meeting.

The commission will reconvene at 9 a.m. July 20 at the same location to conclude any unfinished business.

GERALD W. TOMANEK
Chairman

Doc. No. 006793

(Published in the *Kansas Register*, July 7, 1988.)

SHAWNEE COUNTY, KANSAS**NOTICE TO CONTRACTORS**

Sealed bids for the demolition and removal of existing jail equipment on the second and third floors of the Shawnee County Courthouse, Topeka, will be received by the county commission in its chambers until 2 p.m. C.D.T. on Tuesday, July 19. Plans may be secured from OSS-MANN & Associates, 921 Topeka Blvd., Topeka 66612, upon deposit of \$50.

Board of Commissioners
Shawnee County, Kansas

Doc. No. 006737

State of Kansas

ATTORNEY GENERAL**Opinion No. 88-83**

Cities of the Second Class—Miscellaneous Provisions—Natural Gas Production and Sale; Acquisition of Drilling Sites; Contracts.

Cities and Municipalities—Public Utilities—Acquisition and Operation of City Plants.

Constitution of the State of Kansas—Corporations—Cities' Powers of Home rule. Erick E. Nordling, Hugoton City Attorney, Hugoton, June 20, 1988.

A city of the second class may, pursuant to K.S.A. 14-1041 *et seq.*, contract with an individual for the drilling of natural gas wells whereby the wells become the property of the city and the individual is fully reimbursed from any proceeds therefrom. While K.S.A. 14-1042 prescribes that the drilling of the well, in the first instance, shall be without cost to the city, that statute is part of an enactment which is not uniformly applicable to all cities. Accordingly, where a city of the second class seeks to secure additional natural gas sources to provide fuel for its power and light plant, it may adopt a charter ordinance exempting itself from the restriction upon bearing the cost of drilling and equipping a well.

Pursuant to the provisions of K.S.A. 12-842, a city of

the second or third class may purchase natural gas at the wellhead from wells located outside the city limits, and construct, operate, and maintain a pipeline necessary to transport the gas either directly to the city power plant, or to a pipeline system which would transport the natural gas for the city.

Under home rule powers granted by Article 12, Section 5 of the Kansas Constitution, a city which acquires an interest in a producing gas well outside the city limits may take production from the well "in kind" rather than receiving a cash royalty. Additionally, a city may purchase spot market gas for its power plant several months in advance of its use. Cited herein: K.S.A. 12-842, 14-1041, 14-1042; Kan. Const., Art. 12, § 5. TRH

Opinion No. 88-84

Counties and County Officers—Hospitals and Relation Facilities—County Hospitals, Procedure to Establish; Dissolution of Certain Districts. Theodore J. Nichols, Harper County Attorney, Anthony, June 24, 1988.

K.S.A. 1987 Supp. 19-4603 sets forth procedures whereby qualified electors of a county may establish a county hospital. The statute provides that qualified county voters residing in an existing hospital district may vote on whether or not to dissolve or detach from the hospital district in order to become part of a county hospital. The prior or continued existence of one or more hospital districts within the county does not automatically defeat the organization of a county hospital. Cited herein: K.S.A. 1987 Supp. 19-4603; 19-4604; K.S.A. 80-2501 to 80-2533. TMN

Opinion No. 88-85

Public Health Service Act—Community Mental Health Services—Requirement of Provision of Matching Funds.

Mentally Ill, Incapacitated, Dependent Persons—Social Welfare—Social Welfare Fund; Disbursements. Thomas C. Owens, General Counsel, Department of Social and Rehabilitation Services, Topeka, June 24, 1988.

42 U.S.C. 290aa, Part C, Sec. 523b(1) prohibits the use of federally provided amounts as a non-federal match contribution. Once a recipient provider has properly received Medicaid reimbursement funds and is free to expend them in any legally permissible manner, those funds become the freely alienable property of that recipient. Thus, such a recipient and not the federal government provides the funds which may thereafter be used to match a grant pursuant to 42 U.S.C. 290aa, Part C, Sec. 523(a). Cited herein: 42 U.S.C. 290aa, Part C, Sec. 523; 42 U.S.C.A. 1396; 42 C.F.R. 74.53; 42 C.F.R. 433.45; K.S.A. 39-701, 39-717, 75-3301, 75-5301; K.A.R. 30-5-58. TMN

ROBERT T. STEPHAN
Attorney General

Doc. No. 006791

State of Kansas

STATE CONSERVATION COMMISSION**NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 57,200 cubic yard detention dam, Site I-10 in Labette County, will be received by the Labette-Hackberry Watershed Joint District No. 96 at the district office, 1013 5th St., P.O. Box 381, Altamont 67330, until 8 p.m. on August 4. Bids will be opened at 8:30 p.m. on August 4 at the district office. A copy of the invitation for bids and plans and specifications can be obtained from the district office, (316) 784-5517.

KENNETH F. KERN
Executive Director

Doc. No. 006774

State of Kansas

UNIVERSITY OF KANSAS**NOTICE TO BIDDERS**

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Monday, July 18, 1988

RFQ #89 0028

Preparative ultracentrifuge, water-cooled drive.

GENE PUCKETT, L.C.P.M.
Director of Purchasing

Doc. No. 006785

State of Kansas

DEPARTMENT OF ADMINISTRATION**DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, July 18, 1988

#A-5992

University of Kansas—TEMPORARY PARKING LOT BETWEEN ROBINSON GYM AND COMPUTING CENTER (LOT 34)

#26559

Various agencies—LOW LEVEL RADIOACTIVE WASTE DISPOSAL SERVICE

#27280

University of Kansas Medical Center—ANTI-5-HETE ANTISERA

#75014

University of Kansas Medical Center—OPERATING MICROSCOPE

#75021

University of Kansas—GAS PURIFIERS

#75048
Kansas State University—FURNISH ALL LABOR AND MATERIALS FOR ASPHALT OVERLAY

#75054

Kansas State University—DRAFTING FURNITURE

Tuesday, July 19, 1988

#A-5953

Kansas State University—ANDERSON HALL IRRIGATION

#27675-A

University of Kansas Medical Center—FLOOR CARE PRODUCTS

#75039

Kansas State Fair—DECORATION RENTAL

#75053

Kansas State University—GRAIN

Wednesday, July 20, 1988

#27152

Statewide—BLUEPRINTING SERVICES

#27840

Kansas State University—SOFT DRINK POURING RIGHTS

#75047

University of Kansas Medical Center—COMPUTED TOMOGRAPHY SCANNER UPDATE

Thursday, July 21, 1988

#75052

University of Kansas Medical Center—X-RAY SYSTEM

#75065

Department of Health and Environment—RADIOACTIVE COUNTING SYSTEM

Friday, July 22, 1988

#27186

Statewide—COARSE AND INDUSTRIAL PAPER

Monday, July 25, 1988

#75080

Kansas Bureau of Investigation—VEHICLES

Wednesday, July 27, 1988

#26116

Statewide—INTRAVENOUS SOLUTIONS AND EQUIPMENT

Monday, August 1, 1988

#75079

Department of Administration, Division of Information Systems and Communications—IBM MAG TAPE CONTROLLERS AND DRIVES

Friday, August 5, 1988

#27839

Department of Corrections—COMPREHENSIVE HEALTH CARE SERVICES FOR RESIDENTS

NICHOLAS B. ROACH
Division of Purchases

Doc. No. 006787

State of Kansas

STATE HISTORICAL SOCIETY
STATE RECORDS BOARD

NOTICE OF MEETING

The Kansas State Records Board will meet at 10 a.m. Thursday, July 14, in the conference room on the fourth floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for disposition of noncurrent government records.

In addition, general administrative matters and other business will be discussed.

EUGENE D. DECKER
State Archivist

Doc. No. 006775

State of Kansas

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 88-110

ESTABLISHING THE GOVERNOR'S COMMISSION
ON CHILDREN AND FAMILIES

On June 23, 1988, the last paragraph on page 1 of Executive Order No. 88-109 is hereby amended to read as follows:

The commission shall be composed of the Secretary of Health and Environment, the Secretary of Human Resources, the Secretary of Social and Rehabilitation Services, Commissioner of Education, as ex officio members, and such other members as are designated by the Governor. Members of the Commission shall serve without compensation and at the pleasure of the Governor, but shall be deemed advisory personnel for purposes of paying travel allowances pursuant to K.A.R. 1-16-1b.

On June 23, 1988, the last paragraph on page 1 of Executive Order No. 88-109 is superseded by the above paragraph of this Order and the force and effect of said paragraph is hereby rescinded. On and after May 23, 1988, the last paragraph of Executive Order No. 88-109 is hereby superseded by the above paragraph of this Order and the force and effect of said section is hereby rescinded.

This document shall be filed with the Secretary of State as Executive Order No. 88-110.

Dated June 27, 1988.

MIKE HAYDEN
Governor

Attest: BILL GRAVES
Secretary of State

Doc. No. 006777

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. August 4, 1988, and then publicly opened:

DISTRICT ONE—Northeast

Shawnee—70-89 K-2445-01—I-70, from the east end of the Polk-Quincy viaduct in Topeka to the Kansas Turnpike Authority, 3.9 miles, pavement reconstruction. (Federal Funds)

Shawnee—70-89 K-3603-01—I-70, from the west junction of U.S. 75 (Wanamaker Road) and I-70 and from 10th Street north to I-70, grading and surfacing. (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 because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 006788

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR ARCHITECTURAL SERVICES

Notice is hereby given of the commencement of negotiations for architectural services for the preparation of a master plan for recreational development of Hillsdale State Park in northern Miami County.

The project shall include an analysis of anticipated visitation to the area, analysis of available land and water, development of a site plan, prioritizing phased development and attendance at public meetings.

Additional information regarding the project and expressions of interest should be directed to Jack Nelson, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to July 22.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 006795

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF MOTOR
CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. before the State Corporation Commission, Docking State Office Building, fourth floor, Topeka, unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, Docking State Office Building, Topeka 66612, (913) 296-3808 or 296-3364.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for July 19, 1988

Application for Abandonment of Certificate of Convenience and Necessity:

Robert W. Burris) Docket No. 147,573 M
601 West St.)
Emporia, KS 66801) MC ID No. 119126

Applicant's Attorney: None

Application for Abandonment of Certificate of Convenience and Necessity:

Clifford Lane) Docket No. 83,380 M
716 S. Oklahoma)
Box 307)
Liberal, KS 67905) MC ID No. 101004

Applicant's Attorney: None

Applications set for July 26, 1988

Application for Certificate of Convenience and Necessity:

Patrick Connon, dba) Docket No. 161,656 M
Townmaster Towing &)
Recovery)
911 Zerr Road)
Garden City, KS 67846)

Applicant's Attorney: None

Towing, repair, recovery or transporting of wrecked, disabled, repossessed and replacement motor vehicles, trailers, parts thereof and any other equipment incidental to a towing operation,

Between points and places in Finney County, Kansas. Also,

Between points and places in Finney County, Kansas, on the one hand, and points and places in Hamilton, Kearny, Wichita, Scott, Lane, Finney, Hodgeman, Ford, Gray, Haskell and Grant counties, Kansas, on the other hand.

Application for Name Change of Certificate of Convenience and Necessity:

Capital City Moving &) Docket No. 19,824 M
Storage, Inc.)
Forbes Industrial Park)
P.O. Box 19027)
Topeka, KS 66619) MC ID No. 100069

TO:

Capital City Distribution, Inc., dba
Capital City Moving & Storage and dba
Capital City Distribution Center)
Forbes Industrial Park)
P.O. Box 19027) MC ID No. 100069
Topeka, KS 66619

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

Household goods,

Between points and places in Kansas.

Application for Sale of Corporate Stock of a Certificate of Convenience and Necessity:

C & H Nationwide, Inc.,) Docket No. 17,010 M
Stockholder of)
IU Truckload, Inc.)
1500 Walnut St.)
Suite 1800)
Philadelphia, PA 19102) MC ID No. 106941
TO:
MaxPharma, Inc.
200 Crescent Court
Suite 1375
Dallas, TX 75201

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Application for Certificate of Convenience and Necessity:

Marvin L. Cross, dba) Docket No. 161,659 M
Cross Roads Cartage)
10504 Bond)
Overland Park, KS 66214) MC ID No. 130584

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods, classes A and B explosives, articles of unusual value, articles injurious or contaminating to other lading and bulk commodities) and heavy and cumbersome commodities,

Between points and places on and east of U.S. 77 and Sedgwick County. Also,

Between points and places in the above-described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Dynasty Transportation, Inc.) Docket No. 161,656 M
3721 Hwy. 90 East)
Broussard, LA 70518) MC ID No. 127449

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

General commodities (except household goods, classes A and B explosives and commodities in bulk),

Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Grain Express, Inc.) Docket No. 8,588 M
2302 Mava Ave.)
Emporia, KS 66801) MC ID No. 127357

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

General commodities (except those of unusual value, classes A and B explosives, household goods as defined

by the commission and those injurious or contaminating to other lading), livestock, grain, unprocessed hay, feeds, dry fertilizer, fertilizer ingredients, seeds, processed mill feeds, machinery, building and construction materials and fencing materials,

Between all points and places on and east of K-14 and Phillips County.

Between points and places in the above-described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Paul D. Hamilton, dba) Docket No. 161,658 M
Midwest Movers)
Route 2, Box 186AA)
Pleasanton, KS 66075)

Applicant's Attorney: Jesse Randall, Box 301, Mound City, KS 66056

Moving residential houses and related structures,

Between all points and places in Johnson, Miami, Linn, Bourbon and Crawford counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Nick's Transport, Inc.) Docket No. 160,029 M
1150 E. Industrial Drive)
Mt. Vernon, MO 65712) MC ID No. 123355

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

Asphalt,

Between all points and places in Kansas east of K-14 and Phillips County

Also,

Between points and places in the above-described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

James E. Spencer, dba) Docket No. 149,813 M
Spencer Trucking)
P.O. Box 6, Route 3)
Ulysses, KS 67880) MC ID No. 124073

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, hay, feed, feed ingredients, dry fertilizer and building materials,

Between points in Kansas on and west of U.S. 81, on the one hand, and on the other, territory on and north of U.S. 81 and all points and places in Kansas.

Also,

Between points and places in the above-described territory, on the one hand, and all points and places in Kansas, on the other hand.

(continued)

Application for Abandonment of Contract Carrier Permit:

St. Francis Mercantile Equity) Docket No. 158,356 M
Exchange, Inc.)
123 N. River St.)
St. Francis, KS 67756) MC ID No. 115815

Applicant's Attorney: Arthur Cerra, 6824 Cherokee Lane,
Mission Hills, KS 66208

Application for Certificate of Convenience and Necessity:

Stucky & Sons, Inc.) Docket No. 160,667 M
Route 2, Box 179)
Moundridge, KS 67107)

Applicant's Attorney: Joseph Weiler, 1610 S.W. Topeka
Blvd., P.O. Box 237, Topeka, KS 66612

Livestock, grain, fertilizer, feed and feed ingredients,
Between points and places in the state of Kansas.

Petroleum products, building materials and machinery,
Between points and places in the Kansas counties of
Harvey, McPherson, Marion, Rice and Reno, on the one
hand.

Also,

Between points and places in the above-described ter-
ritories, on the one hand, and points and places in the
state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Leland R. Tinkler, dba) Docket No. 161,657 M
Tink's Auto Repair)
729 N. Santa Fe)
Salina, KS 67401)

Applicant's Attorney: None

Wrecked, disabled and/or repossessed motor vehicles,

Between all points and places in Saline, Dickinson,
Ottawa, Ellsworth and McPherson counties.

Also,

Between all points and places in the state of Kansas.

Application set for August 9, 1988

Application for Certificate of Convenience and Necessity:

Henry Mattucks, dba) Docket No. 161,660 M
Hanks Auto Repair)
1310 W. 39th)
Kansas City, MO 64111) MC ID No. 131083

Applicant's Attorney: None

Wrecked and disabled vehicles,

Between all points and places in the state of Kansas.

ALFONZO A. MAXWELL
Administrator
Transportation Division

(Published in the Kansas Register, July 7, 1988.)

NOTICE OF BOND SALE

\$630,000 *

**General Obligation Bonds
Series 1988
of the**

**City of Parsons, Kansas
(general obligation bonds payable
from unlimited ad valorem taxes)**

Sealed Bids

Sealed bids will be received by the undersigned, city clerk of the city of Parsons, Kansas, on behalf of the governing body at the City Hall, Municipal Building, Parsons, until 11 a.m. C.D.T. on July 14, 1988, for the purchase of \$630,000 * principal amount of general obligation bonds, Series 1988, of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at its meeting to be held at noon on the date of sale. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1988, and will become due serially on August 1 in the years as follows:

Year	Principal Amount
1989	\$65,000
1990	65,000
1991	65,000
1992	65,000
1993	70,000
1994	70,000
1995	70,000
1996	70,000
1997	50,000
1998	40,000

* Subject to change

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on February 1, 1989.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the city and the Kansas Attorney General.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondowners.

Redemption of Bonds Prior to Maturity

The bonds will mature without option of prior payment.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-6101 *et seq.*, inclusive, as amended, for the purpose of paying the cost of certain street, sanitary sewer, storm sewer, and water distribution improvements. The bonds and the interest thereon will constitute general obligations of the city, payable in part from special assessments levied upon the property benefited by the construction of the improvements and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate may exceed a rate equal to the index of treasury bonds published by the weekly *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified cannot exceed 2 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be considered. Each bid must specify the total interest cost to the city during the term of the bond on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid—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 also specify the average annual net interest rate to the city on the basis of such bid.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$12,600 (2 percent of the principal amount of the bonds), payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. Good faith checks submitted by unsuccessful bidders will be returned. If a bid is accepted, the check or the proceeds thereof will be held by the city until the bidder has complied with all of the terms and conditions of this notice. If a bid is accepted but the city fails to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, the check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the city as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

Basis of Award

The award of the bonds will be made on the basis of

the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body will determine which bid, if will be accepted, and its determination shall be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid. Any bid received after 11 a.m. on the date of sale will be returned to the bidder unopened.

Bid Forms

All bids must be made on forms which may be procured from the city clerk or the financial adviser. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the City Hall and must be received by the undersigned prior to 11 a.m. C.D.T. on July 14, 1988.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on or assigned to the bonds, but neither the failure to print such number on or assign such number to any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days after the date of sale at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be made at the expense of the successful bidder. The successful bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including 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 must be made in Federal Reserve funds, immediately subject to use by the city.

The number and denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners must be submitted in writing by the successful bidder to the city and bond registrar at least two weeks prior to the closing date. In the absence of such information, the city will deliver one bond per maturity registered in the name of the manager of the successful bidder.

(continued)

The reoffering prices to the public by the original purchaser must be furnished to the city at least one week prior to the closing date. A certificate stating that at least 10 percent of the bonds of each maturity has been sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at such reoffering prices must be furnished to the city by the original purchaser at closing.

Official Statement

The city has prepared a preliminary official statement dated July 1, 1988, copies of which may be obtained from the city clerk or from the financial adviser. Upon the sale of the bonds, the city will adopt the final official statement and will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered at the successful bidder's expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city, for the year 1987, is as follows:

Equalized assessed valuation of taxable tangible property	\$27,336,168
Tangible valuation of motor vehicles	<u>258,952</u>
Equalized assessed tangible valuation for computation of bonded debt limitations	\$27,595,120

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,892,000. Temporary notes in the principal amount of \$702,000 will be retired out of proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Opinion of Bond Counsel

In the opinion of bond counsel, assuming continued compliance by the city with the terms of the bond ordinance, under existing law, the interest on the bonds: (a) is excludable from gross income for federal income tax purposes; and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that with respect to corporations (as defined for federal income tax purposes), such interest is taken into account in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31, 1989) for the purpose of computing the alternative minimum tax imposed on such corporations. The opinion set forth in clause (a) above is subject to the condition that the city comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the bonds in order that interest thereon be excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements could cause the interest on the bonds to be so included in federal gross income retroactive to the date of issuance of the bonds. The city has covenanted to comply with all such requirements.

The bonds are "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the code), a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds.

Bond counsel expresses no opinion regarding other federal tax consequences arising with respect to the bonds.

Interest on the bonds is excluded from computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987, and the bonds are exempt from intangible personal property taxes levied by Kansas counties, cities or townships.

Related Federal Tax Matters

Prospective purchasers of the bonds should be aware that: (i) Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the bonds, except with respect to certain financial institutions (within the meaning of Section 265(b)(5) of the code; (ii) with respect to insurance companies subject to the tax imposed by Section 831 of the code, for taxable years beginning after December 31, 1986, Section 832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the bonds; (iii) for taxable years beginning after December 31, 1986, and before January 1, 1992, interest on the bonds earned by some corporations could be subject to the environmental tax imposed by Section 59A of the code; (iv) for taxable years beginning after December 31, 1986, interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Section 884 of the code; (v) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year if greater than 25 percent of the gross receipts of such Subchapter S corporations is passive investment income; and (vi) Section 86 of the code requires recipients of certain Social Security and certain railroad retirement benefits to take into account in determining gross income, receipts or accruals of interest on the bonds. These categories of bondowners should consult their own tax advisers as to the applicability of these consequences.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk or from the financial adviser, Bingham & Company Capital Markets Inc., 1044 Main, Suite 500, Kansas City, MO 64105, Attention: Will B. Tschudy, (816) 474-8833.

Dated June 20, 1988.

CITY OF PARSONS, KANSAS
 Mary E. Reed, City Clerk
 City Hall
 Municipal Building
 P.O. Box 1037
 Parsons, KS 67357
 (316) 421-5500

Doc. No. 006790

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of July 11 through July 24:

Date	Room	Time	Committee	Agenda
July 11	514-S	10:00 a.m.	Joint Committee on	Agenda unavailable.
July 12	514-S	9:00 a.m.	Administrative Rules and Regulations	
July 11	519-S	10:00 a.m.	Special Committee on Ways and Means—Appropriations	11th: Staff background on Proposals No. 51—Distribution of Certain State Publications, and No. 46—Presidential Preference Primary.
July 12	519-S	9:00 a.m.		12th: Agency presentation on Proposal No. 50—KUMC Health Care Provider Insurance.
July 12	526-S	10:00 a.m.	Special Committee on	12th: Hearing on Proposal No. 15—Monitor the
July 13	526-S	9:00 a.m.	Energy and Natural Resources	Consolidation of the Fish and Game Commission and the Kansas Park Authority.
July 13	531-N	10:00 a.m.	Special Committee on Local	13th: Hearing on Proposal No. 15 continued.
July 14	531-N	9:00 a.m.	Government	Hearings on Proposal No. 35—City Franchise Fees—Natural Gas Purchases.
July 14	Garden City (SRS Area Office Conference Room)	10:00 a.m.	Commission on Access to Services for Medically Indigent and the Homeless	Hearings and visits to various providers of services for the homeless and medically indigent.
July 15	Wichita (Wichita Branch of KU Medical School)	9:00 a.m.		
July 14	519-S	10:00 a.m.	Joint Committee on	14th: Overview of tourism activities with a focus on alternative methods of financing.
July 15	519-S	9:00 a.m.	Economic Development	15th: Overview of tourism activities continued. Overview of S.B. 470 (which defines "Kansas basic enterprise and industry"), with a focus on enterprise zones.
July 14	529-S	10:00 a.m.	Joint Committee on Special	Agenda unavailable.
July 15	529-S	9:00 a.m.	Claims Against the State	
July 18	519-S	10:00 a.m.	Special Committee on	Agenda unavailable.
July 19	519-S	9:00 a.m.	Judiciary	
July 18	514-S	10:00 a.m.	Special Committee on School	18th: Hearings/property reappraisal update.
July 19	514-S	9:00 a.m.	Finance	19th: Continuation of hearings (if needed) and committee discussion.
July 19	527-S	10:00 a.m.	Legislative Educational	Agenda unavailable,
July 20	527-S	9:00 a.m.	Planning Committee	
July 20	519-S	10:00 a.m.	Special Committee on	20th: Staff background on Proposal No. 8—Appraiser Certification; staff background, reappraisal update, and use value presentation by PVD re Proposal No. 5—Monitor
July 21	519-S	9:00 a.m.	Assessment and Taxation	Reappraisal.
				21st: Background and hearings on Proposal No. 7—Corporation Income Tax (emphasis on Alternative Minimum Tax); background on Proposal No. 6—Partial Property Tax Exemptions.
July 21	527-S	10:00 a.m.	Special Committee on Public	Review and background on all proposals.
July 22	527-S	9:00 a.m.	Health and Welfare	

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION

COURT OF APPEALS DOCKET

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
 Courtroom 11-1, 11th Floor, Sedgwick County Courthouse
 Wichita, Kansas

Before Rulon, P.J.; Larson, J; and
 David F. Brewster, District Judge, assigned.

Tuesday, July 12, 1988

9:30 a.m.

Case No.	Case Name	Attorneys	County
60,616	State of Kansas, Appellee, v. Richard Lee McCarther, Appellant.	Debra Barnett, Assistant District Attorney Attorney General Benjamin C. Wood	Sedgwick
60,990	State of Kansas, Appellee, v. Michael J. Johnson, Appellant.	Mona Furst Debra Barnett, Assistant District Attorney Attorney General Lucille Marino Benjamin C. Wood	Sedgwick
60,861	State of Kansas, Appellee, v. Willis Ray Mollett, Jr., Appellant.	Debra Barnett, Assistant District Attorney Attorney General Benjamin C. Wood	Sedgwick
1:30 p.m.			
61,025	State of Kansas, Appellee, v. Gary L. Lingenfelter, Appellant.	Deborah Wilkinson Debra Barnett, Assistant District Attorney Attorney General Martin E. Updegraff	Sedgwick
61,122	Max S. Palmer and Helen M. Palmer, Appellees, v. HFC Thrift of Kansas, Inc., Appellant.	Craig Schultz Rex G. Beasley	Sedgwick
61,492	Robert Maxedon and Edward A. Maxedon Trust, Appellants, v. George McClellan, Appellee.	John V. Black J. Stanley Hill	Pratt
61,480	In the Interest of K.F.D. and M.D.R., Children under 18 years of age.	Jolene Rooney Randy Barker Pamela Guizlo, Guardian A/L Richard L. Dickson Peter Hagan	Sedgwick

61,109	Randolph Holden, Appellant, v. Garry L. Dick, Appellee.	Dennis J. Molamphy G. Craig Robinson Alma Carter	Sedgwick
--------	---	--	----------

Wednesday, July 13, 1988

9:00 a.m.

Case No.	Case Name	Attorneys	County
61,384	Robert Shepherd, aka Bob Shepherd, Appellee, v. Wichita Inns, Inc., dba The Knight Cap, Appellant.	David L. Hiebert Everett C. Fettis	Sedgwick
61,806	Reginald V. Boothe, Appellee, v. American National Insurance Company, Appellant.	Donald C. Tinker, Jr. Ronald M. Gott	Sedgwick
61,688	Alvin C. Trammel and Mary S. Trammel, Appellees, v. Green Tree Acceptance, Inc., Appellant.	Eldon L. Meigs Ross A. Hollander	Pratt

Summary Calendar—No Oral Argument

61,592	In the Interest of F.A.H., L.M.H., M.J.P., and D.K.H.	William R. Griffith Jolene Rooney Ms. Ky Ann Buck, Guardian A/L Mona Furst	Sedgwick
(61,033) (61,034)	State of Kansas, Appellee, v. Robert M. Barnard, Appellant.	Debra Barnett, Assistant District Attorney Attorney General Benjamin C. Wood	Sedgwick
61,777	Jesse Sanchez, Appellant, v. State of Kansas, Appellee.	Leslie A. Phelps Daniel Love, County Attorney E. Leigh Hood Attorney General	Ford
61,700	State of Kansas, Appellee, v. George W. Woodman, Appellant.	Debra Barnett, Assistant District Attorney Attorney General Benjamin C. Wood	Sedgwick

(continued)

Kansas Court of Appeals
 Division No. 3 Courtroom, Wyandotte County Courthouse
 Kansas City, Kansas
 Tuesday, July 12, 1988
 Before Brazil, P.J.; Elliott and Gernon, JJ.
 9:00 a.m.

Case No.	Case Name	Attorneys	County
61,125	State of Kansas, Appellee, v. John L. Harrington, Appellant.	Michael Buser, Assistant District Attorney Attorney General Thomas H. Bornholdt	Johnson
61,810	In the Matter of K.M.R.	Kathleen Stannard Philip R. Sedgwick	Wyandotte
61,352	In the Matter of the Estate of Leonard Mettee, Deceased.	Donald Taylor LaVonne A. Daily Thomas Sutherland Reid F. Holbrook Felix Kancel Lewis A. Heaven, Jr.	Wyandotte
61,960	In the Matter of the Marriage of Julie Ann Marks and John Lawrence Marks.	Micheline Z. Burger Julie Ann Marks, <i>pro se</i> John Lawrence Marks, <i>pro se</i> Donald C. Amrein	Johnson

Before Brazil, P.J.; Gernon, J.; and
 Clarence E. Renner, District Judge, assigned.
 1:30 p.m.

61,223	State of Kansas, Appellee, v. Louis A. Sola, Appellant.	Robin Lewis, Assistant District Attorney Attorney General James F. Vano	Johnson
61,658	Anna Louise Zane, Appellee, v. Colgate-Palmolive Co., Appellant, and Kansas Workers' Compensation Fund.	George E. Mallon James E. Martin J. Paul Maurin III	Wyandotte
61,481	Lisa Freeman, Appellee, v. Donald Philo, Appellant.	Karen L. Shelor Mark J. Sachse George A. Groneman	Wyandotte
61,926 S.C.	In the Matter of the Marriage of Sandra Brewer and Terry Brewer.	H. Reed Walker Karen L. Shelor	Wyandotte

Kansas Court of Appeals
Division No. 3 Courtroom, Wyandotte County Courthouse
Kansas City, Kansas

Wednesday, July 13, 1988

Before Elliott, P.J.; Gernon, J.; and
Clarence E. Renner, District Judge, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
60,748	Blaine McKinley, Appellant, v. Vaughn High, <i>et al.</i> , Appellees.	George F. Farrell, Jr. David W. Hauber Steve R. Fabert Terry Fitzgerald	Wyandotte
61,359	Claudine Gallagher, Appellant, v. Michael W. Calovich, <i>et al.</i> , Appellees.	Louis A. Silks, Jr. Paul Hasty	Wyandotte
61,557	Trudy L. Byron, Appellant, v. W. Robert Hiatt, D.D.S., Appellee.	Bruce A. Roby Stephen A. Murphy Robert J. Harrop	Johnson
61,580	Arthur Fuller, Jr., Appellant, v. C & D Builders, v. Coronado Federal Savings and Loan and Felipa C. Fuller, Appellees.	Rosie M. Quinn J. Donald Lysaught, Jr.	Wyandotte

Before Brazil, P.J.; Elliott, J.; and
Clarence E. Renner, District Judge, assigned.

1:30 p.m.

61,342	State of Kansas, Appellee, v. John R. Kilbride, aka Rocky, Appellant.	Richard Guinn, Assistant District Attorney Attorney General Benjamin C. Wood Steven R. Zinn	Johnson
61,433	State of Kansas, Appellee, v. James Harry Eden, Appellant.	Peggy Carr Nick A. Tomasic Attorney General Benjamin C. Wood	Wyandotte

LEWIS C. CARTER
Clerk of the Appellate Courts

State of Kansas

SOCIAL AND REHABILITATION SERVICES**REQUEST FOR PROPOSALS FOR
SECURE CARE CENTERS**

The Department of Social and Rehabilitation Services is soliciting proposals from community-based organizations (private or public) for the development and operation of three five-bed secure care centers to provide services to chronic runaways as defined in Senate Bill 557.

Secure care centers are sought in the eastern, central, and western regions of the state to provide services over a 60-day period to youths who are found to be chronic runners (four or more times).

The start-up period and first three months of operation will be on a grant basis; subsequent funding will be through purchase of service.

The request for proposal is available from David O'Brien, (913) 296-4649, or SRS/Youth Services, Smith/Wilson Building, 300 S.W. Oakley, Topeka 66606. Responses to the request for proposal are due no later than 5 p.m. August 3.

ROBERT C. BARNUM
Commissioner, Youth Services

Doc. No. 006792

State of Kansas

**BEHAVIORAL SCIENCES
REGULATORY BOARD****TEMPORARY ADMINISTRATIVE
REGULATIONS****Article 3.—REGISTRATION OF
PROFESSIONAL COUNSELORS**

102-3-1. Definitions. (a) A "year of supervised experience" means a minimum of 2,000 supervised clock hours as described in K.A.R. 102-3-6. The 2,000 hours shall not commence until all requirements for the graduate degree have been completed.

(b) "Full-time employment" means at least 2,000 hours during a 12-month period.

(c) In the case of academic employment, "year" means the period normally associated with full-time employment at the employing institution.

(d) "Part-time employment experience credit" means supervised work experience of at least six consecutive months which shall be credited on a prorated basis.

(e) A "client" means a person who is a direct recipient of counseling services.

(f) A "professional counselor supervisor," for training purposes means an individual registered, licensed, certified, registerable, licensable, or certifiable at the graduate level in that person's state to engage in the practice of counseling, and who has or had, in full or in part, legal, administrative or professional authority over and responsibility for the professional functioning of the applicant.

(g) "Consultant" means an individual who provides professional guidance, information, or advice, but who

has no legal, administrative, or professional authority over or responsibility for the professional functioning of the applicant.

(h) "Residency" means an applicant who is a legal resident of or providing services in the state of Kansas.

(i) "Continuing education" means programs or activities that are designed to enhance the professional counselor's level of knowledge, skill, and ability to practice as a professional counselor. Such programs shall have content clearly related to the enhancement of counseling practice, values, and knowledge. Continuing education credits shall not be used as a substitute for basic professional education preparation as defined in K.A.R. 102-3-3.

(j) For purposes of registration, other than for registration without examination, a "graduate degree" means an applicant who has completed 60 graduate semester hours including a graduate degree in counseling approved by the board pursuant to K.A.R. 102-3-3, and during which the applicant completed two contiguous semesters consisting of a minimum of 12 academic hours.

(k) "Specialty" means the area and type of professional services provided or to be provided by the applicant or registered professional counselor. (Authorized by and implementing K.S.A. 1987 Supp. 74-7507; effective, T-102-6-13-88.)

102-3-3. Educational requirements. (a) To comply with the requirement that the person has received a graduate degree as outlined in K.S.A. 1987 Supp. 65-5804, the program shall include:

(1) Training in graduate studies offered by an institution of higher education regionally accredited by an accrediting agency substantially equivalent to the accrediting agencies that accredit the universities in Kansas;

(2) clear identification and specification in pertinent institutional catalogs and transcripts of the intent to educate and train professional counselors;

(3) standing recognition as a coherent entity within the university;

(4) clear authority and primary responsibility for the core and specialty areas of professional counseling;

(5) wherever administratively housed, an organized sequence of study that is planned by responsible administrators to provide an integrated educational experience in professional counseling;

(6) an identifiable full-time faculty; a person responsible for the program who is licensed, certified, registered, licensable, certifiable or registerable at the graduate level to engage in the practice of professional counseling; and the student's major advisor who is a member of the counseling faculty;

(7) an identifiable body of students enrolled in the program for a degree, with residency requirements substantially equivalent to the requirements at the state universities in Kansas;

(8) appropriate practicum, internship, field or laboratory training;

(9) a curriculum encompassing a minimum of two academic years of graduate study, including at least

one academic year with at least 12 semester hours at the university granting the degree;

(10) a requirement that each student successfully complete one course with a minimum of two credit hours in each of the following substantive content areas:

(A) Counseling theory and practice that includes studies in basic theories, principles and techniques of counseling and their applications to professional counseling settings;

(B) the helping relationship that includes studies in philosophic bases of helping relationships, application of the helping relationship to counseling practice, and an emphasis on development of counselor and client self-awareness;

(C) group dynamics, processing and counseling that includes studies in theories and types of groups, as well as descriptions of group practices, methods, dynamics, and facilitative skills;

(D) human growth and development that includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, with emphasis on psychological, sociological, and physiological approaches. Also included are such areas as human behavior both normal and abnormal, personality theory and learning theory;

(E) lifestyle and career development that includes studies in such areas as vocational choice theory, the relationship between career choice and lifestyle, sources of occupational and educational information, approaches to career decision-making processes and career development exploration techniques;

(F) appraisal of individuals that includes studies in the development of a framework for understanding the individual including methods of data gathering and interpretation, individual and group testing, and the study of individual differences. Also included are studies in ethnic, cultural and sex factors;

(G) social and cultural foundations that includes studies in change, ethnic groups, subcultures, changing roles of women, sexism, urban and rural societies, population patterns, cultural mores, use of leisure time and differing life patterns. These studies include such disciplines as the behavioral sciences, economics, and political science;

(H) research and evaluation that includes studies in the areas of statistics, research design, development of research, understanding legislation relating to program development, development of program goals and objectives, and evaluation of program goals and objectives;

(I) professional orientation that includes studies in the goals and objectives of professional organizations, codes of ethics, legal considerations, standards of preparation, certification, licensing, and role identities of counselors and others in the helping professions; and

(J) supervised practical experience that includes studies in the application in actual practice of the theories and concepts presented in formal study. Each practice shall be performed under the close supervision of the instructor with the use of direct observation

through one-way mirrors in a counseling laboratory, through the use of video taped sessions, with audio-tapes or with written case notes.

(11) documentation in official publications that includes course catalogues and announcements of program standards and descriptions and admission requirements that are in part or in full based on objective, standardized achievement tests and measures that are substantially equivalent to those of the state universities in Kansas;

(12) an ongoing objective review and evaluation of student learning and progress and a report of this evaluation in the official transcript; and

(13) suitable scientific and practical facilities and a library. The equipment, resources, and library shall be adequate for the size of the student body and the scope of the program offered and shall be substantially equivalent to the state universities of Kansas.

(b) Each graduate program shall be housed in an academic setting. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5804; effective, T-102-6-13-88.)

102-3-4. Applications. (a) An applicant shall not be given a tentative judgment on the applicant's eligibility for registration until all credentials are received and procedures are completed unless it is apparent that the applicant does not qualify for registration on the basis of educational as defined in K.A.R. 102-3-3.

(b) Each request for registration application forms shall be forwarded to the board's executive secretary. Application shall be made on forms provided by the board. In addition to the application forms, the application shall include:

(1) The applicant's transcript or transcripts of all college or university training provided directly to the board by the academic institution; and

(2) full payment of the appropriate application and examination fees. The fees shall be submitted prior to the deadlines established by the board.

(c) Each applicant shall provide three written references from professional counselors to provide proof of professional conduct and competence as defined in K.A.R. 102-3-6. Under extenuating circumstances the board may accept references from persons other than professional counselors.

(d) Each application shall be held through two consecutive examinations. If an applicant has not been registered after the second examination through failure to pass the examination or failure to be seated for the examination, the application shall expire and the applicant may not reapply for registration for two years from the date of the last examination. Under extenuating circumstances, the board may waive the two-year delay in reapplying for registration.

(e) Transcripts from outside the United States. All applicants who are graduates of colleges and universities from outside the United States shall submit their official transcripts, an officially translated English copy of those transcripts, supporting documents, and, where necessary, the graduate thesis or doctoral dissertation. The transcript shall be translated by a source

(continued)

or in a manner that is acceptable to the board. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5805; effective, T-102-6-13-88.)

102-3-5. Examinations. (a) Each applicant for registration shall take an examination. The pass criterion score shall be one-half a standard deviation below the national mean for each examination. Each applicant shall be notified of the results in writing.

(b) The standard examination shall be a written examination. A written examination may be waived and an oral examination procedure substituted when:

(1) A registration has been revoked or suspended and re-registration is requested; or

(2) an applicant is unable to take the written examination because one or more physical handicaps preclude completion of the written examination, or may severely affect the applicant's performance.

(c) For oral examinations, the board may contract collectively or individually with a panel of registered professional counselors to conduct the oral examination and make recommendations to the board, based on the performance evaluation of the applicant.

(d) Oral examinations shall include assessment of:

(1) Effectiveness and clarity of expression;

(2) knowledge and skills in the area in which the applicant is otherwise qualified to offer professional counseling services;

(3) knowledge and awareness of ethical issues and problems in the professional area of emphasis and for professional counselors in general; and

(4) knowledge of general counseling.

(e) All oral examinations shall be recorded verbatim.

(f) The decision as to whether an applicant passed or failed an examination may be based on a review of the recommendation of the oral examining panel and review of the verbatim recordings, when necessary.

(g) Any applicant, other than an applicant for reinstatement of a revoked or suspended registration, may be exempt from taking the written examination if:

(1) The applicant successfully passed the written portion of an examination deemed by the board to be substantially equivalent to that used in this state at a level equal to or greater than the criterion pass score; or

(2) the applicant:

(A) has been continuously registered, licensed or certified at the graduate level since implementation of, or under the registration without examination provisions of the registration, certification, or licensure law in the applicant's state other than Kansas;

(B) has been employed as a professional counselor full-time at least by five years; and

(C) has never taken the examination.

(h) Each applicant for registration who fails the examination shall submit the fee required by K.A.R. 102-3-2 for each subsequent examination which the applicant attempts to pass. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5804; effective, T-102-6-13-88.)

102-3-6. Professional references and supervision.

(a) References. As a part of the application process, each applicant shall submit the names of three persons who are registered, licensed, certified, registerable, licensable, or certifiable at the graduate level, in that persons' home state, to engage in the practice of professional counseling and who can attest to the applicant's previous supervised experience, previous and current professional work, and compliance with the ethical standards. The applicant shall submit the name of at least one professional counselor who is able to attest to the applicant's post-graduate experience. The board may request the submission of names of additional references. Under extenuating circumstances the board may accept references from individuals other than professional counselors. The attesting persons shall use forms supplied by the board. Members of the board shall not serve as references unless they supervised the applicant.

(b) Supervision and professional experience requirements:

(1) Only professional practice in an organized public or private setting, institution or organization which provided the applicant an opportunity for contact with other disciplines, and an opportunity to utilize a variety of theories and to work with a broad range of populations and techniques shall be recognized by the board as supervised professional experience. Involvement in practicums shall not constitute "professional experience."

(2) After July 1, 1992, each applicant shall have been directly supervised by and under the guidance of a person who is registered, licensed, certified, registerable, licensable, or certifiable at the graduate level in that person's state to engage in the practice of professional counseling and who has had two years of experience beyond the supervisor's registration, certification or licensure date or eligibility date.

(3) Each applicant's supervised experience in professional counseling shall have been consistent with the applicant's educational background and with the specialty in which the applicant intends to offer services to the public. At least half of the applicant's supervised experience shall have been relevant to the applicant's specialty.

(4) The supervisor shall have provided a minimum of one hour of individual supervision for every 40 hours of professional experience of the applicant.

(5) The supervisor shall be available to the applicant at the points of decision-making regarding the professional service that is or services that are being provided. The supervisor's relationship with the applicant shall be clearly differentiated from that of consultant.

(6) The supervisor shall not have a familial relationship with the applicant.

(7) The supervisor shall not be under a supervisory agreement with the board. This provision may be waived by the board upon application by the supervisor for review.

(c) The supervisor shall submit information which will enable the board to evaluate the extent and quality of the candidate's supervised practice and to assign credit for that practice.

(d)(1) The supervised practice time during which the applicant has received an unsatisfactory rating from the supervisor shall not be credited toward the required supervised practice hours as required by K.S.A. 1987 Supp. 65-5804.

(2) Professional experience gained before the completion of all academic requirements for the graduate degree shall not fulfill requirements for registration pursuant to K.S.A. 1987 Supp. 65-5804.

(3) Professional experiences which are part of the required preparation for the graduate degree shall be applicable only to the "graduate degree requirements" and shall not be simultaneously offered to satisfy the "experience" requirement.

(e) Professional experience required of the applicant between the time the applicant fulfilled all of the requirements for the applicant's terminal degree and the time of the actual conferral of the degree may be credited towards the experience requirements for registration, if the date of completion of all degree requirements is verified in writing by the responsible academic or administrative official, and if other requirements necessary for professional experience are met. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5803; effective, T-102-6-13-88.)

102-3-7. Registration action by the board. (a) Each applicant shall be registered when the applicant has met all qualifications for registration.

(b) Registration of an applicant shall require a majority vote of a quorum.

(c) Each member of the board who has a conflict of interest shall disqualify himself or herself from voting. This disqualification shall not affect the existence of a quorum.

(d) Registration action by the board shall be reported in the board minutes with a listing of the relevant sections of the law under which the candidate qualified. If the board denies an application, the reasons for the denial shall be reported.

(e) Each denied applicant shall be informed in writing of the reasons for the applicant's denial and of the applicant's right to request the board to reconsider its decision. Action of the board shall be considered completed when the applicant receives notification. Any applicant may request the board to reconsider the applicant's application by submitting a written statement detailing the basis for the request with the executive secretary within 30 days of receipt of the notification. The applicant may submit additional material in the request for reconsideration. If a request for reconsideration is not made within the 30-day period, the application shall expire. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5806; effective, T-102-6-13-88.)

102-3-8. Registrations. (a) Those who meet standards for registration shall receive a certificate of registration appropriate for display.

(b) In the case of a revocation of registration, the registrant shall be informed of the board's action by certified mail, and the registrant shall return the registration to the board within 30 days. (Authorized by

K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5806; effective, T-102-6-13-88.)

102-3-9. Renewal. (a) Each registered professional counselor shall renew the counselor's registration by submitting a renewal form to the executive secretary, together with the renewal fee as defined in K.A.R. 102-3-2.

(b) At the time of renewal, each registered professional counselor shall submit evidence of satisfactory completion of 50 continuing education hours as defined in K.A.R. 102-3-11. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5806; effective, T-102-6-13-88.)

102-3-10. Unprofessional conduct. (a) Any registration may be denied, suspended, or revoked upon a finding of unprofessional conduct by the board.

(b) The following acts shall be evidence of unprofessional conduct:

(1) misrepresenting professional competency by offering to perform services that are clearly unwarranted on the basis of education, training, or supervised experience;

(2) performing professional services that are inconsistent with the registrant's specialty or specialties recognized by the board based on a review of training, education, and experience;

(3) being convicted of a crime resulting from or relating to the registrant's professional practice of counseling;

(4) reporting distorted, erroneous, or misleading counseling information;

(5) taking credit for work not personally performed;

(6) failing to obtain written, informed consent from a client or the client's legal representative or representatives before electronically recording sessions with the client, or before releasing information to a third party concerning the client except as required by law;

(7) making sexual advances or engaging in sexual activities with clients or students of that professional counselor;

(8) failing to provide clients with a description of what the client may expect in the way of tests, consultation, reports, fees, billing, therapeutic regimen, or schedule;

(9) failing to provide clients with a description of possible effects of proposed treatment when there are clear and established risks to the client;

(10) failing to inform the client of any financial interest that might accrue to the registered professional counselor for referral to any other service or for the use of any tests, books, or apparatus;

(11) refusing to cooperate in a timely manner with the board's investigation of complaints lodged against an applicant or a professional counselor registered by the board. Persons taking longer than 30 days to provide requested information shall have the burden of demonstrating that they have acted in a timely manner;

(12) failing to notify the board of having a professional counseling license, certificate, permit or regis-

(continued)

tration or other certificate, registration or license in the field of behavioral sciences granted by any state that has been limited, restricted, suspended or revoked, or of having been subject to any other disciplinary action by a licensing or certifying authority or professional association or of having employment terminated or suspended for some form of misfeasance, malfeasance, or nonfeasance.

(13) failing to inform the client that the client is entitled to the same services from a public agency if the professional counselor is employed by that public agency and also offers services privately;

(14) exercising undue influence on the client or student, including the promotion of the sales of services, goods, appliances, or drugs, in such manner as to exploit the client or student for the financial gain or personal gratification of the practitioner or of a third party;

(15) directly or indirectly offering, giving, soliciting, receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a client or in connection with the performance of professional services;

(16) permitting any person to share in the fees for professional services, other than a partner, employee, an associate in a professional firm, or a consultant authorized to practice the same profession;

(17) making claims of professional superiority which cannot be substantiated by the professional counselor;

(18) failing to refer for mental health services those clients whose behavior constitute reason for the counselor to believe the person is suffering from an emotional or psychological problem;

(19) failing to maintain a record for each client which accurately reflects the client contact with the practitioner. Unless otherwise provided by law, each client record shall be retained for at least two years after the date of termination of the contact or contacts;

(20) failing to exercise appropriate supervision over persons with whom the professional counselor has a supervisory relationship;

(21) failing to notify the board within a reasonable time that a registered counselor practicing or teaching counseling is, in the judgment of the registered counselor, practicing or teaching counseling in violation of the laws or regulations regulating professional counseling;

(22) guaranteeing that satisfaction will result from the performance of professional services;

(23) continuing or ordering tests not warranted by the needs and preferences of the client; or

(24) claiming or using any secret or special method of assessment or counseling technique which the registered professional counselor refuses to divulge to the board. (Authorized by and implementing K.S.A. 1987 Supp. 74-7507; effective, T-102-6-13-88.)

102-3-11. Continuing education for registrants. (a) Each registrant shall have completed 50 clock hours of documented and approved continuing education during each two-year renewal period. Continuing education hours completed in excess of the 50-hour re-

quirement shall not be carried over to the subsequent renewal period.

(b) One clock hour shall be a minimum of 50 minutes of classroom instruction between instructor and participant.

(c) One academic credit hour shall be equivalent to 15 clock hours for the purpose of continuing education. Credit for auditing an academic course shall be for actual clock hours attended during which instruction was given and shall not exceed the academic credit allowed.

(d) Acceptable continuing education shall include:

(1) Academic counseling courses taken for credit or audited;

(2) seminars, institutes, workshops, or mini-courses oriented to enhancement of professional counseling, values, skills, and knowledge. At least one-fifth of these hours shall have been earned in activities sponsored by an agency or institution other than where the professional counselor is employed;

(3) cross-disciplinary offerings from medicine, law, and the behavioral sciences or other disciplines, if such offerings are clearly related to the enhancement of professional counseling practice, values, skills, and knowledge;

(4) self-directed learning projects approved by the board;

(5) supervision of undergraduate and graduate practicum students or specialty applicants;

(6) approved-provider programs;

(7) programs presented by approved single program-providers;

(8) first-time preparation and presentation of a counseling work course, seminar, institute or workshop; or

(9) first-time publication of a professional counseling article.

(e) The maximum number of clock hours for which continuing education credit in each of the following categories may be approved during any period shall be:

(1) Ten clock hours credit for each first-time preparation and presentation of a new course, seminar, institute, or workshop which is related to the enhancement of professional counseling practice, values, skills, and knowledge. In addition to the preparation and presentation credit allowed, the number of clock hours approved for participants in the program may be given to the presenter, up to a maximum of 10 additional clock hours. If the presentation was presented by more than one professional counselor or other professional, the continuing education credit shall be prorated among the presenters;

(2) twenty clock hours credit for each preparation of a professional counseling article published for the first time in a recognized professional journal, a book chapter published by a recognized publisher, or a written presentation given for the first time at a statewide or national professional meeting. If such material was authored by more than one professional counselor or other professional, the continuing education credit shall be prorated among the authors;

(3) twenty clock hours credit for self-directed learning projects approved by the board; and

(4) twenty clock hours credit for the supervision of undergraduate and graduate practicum students or specialty registration applicants. Continuing education credit for such supervision shall not exceed five hours each semester.

(f) Approval shall not be granted for identical programs completed within the same license renewal period.

(g) Approval shall not be granted for job orientation or on-the-job training.

(h) The board may accept out-of-state programs if the program or programs from out-of-state providers is sponsored by one of the following:

(1) American association of counseling and development;

(2) American psychological association;

(3) other national, non-profit professional organizations providing offerings with an explicit educational intent related to the enhancement of professional counseling practice, values, skills, and knowledge; or

(4) non-credit or non-academic courses offered by academic institutions.

(i) Each registrant shall maintain individual continuing education records. Continuing education records shall document the registrant's attendance as defined by K.A.R. 102-3-12. These records may be required to be submitted to the board prior to the registration renewal. (Authorized by and implementing K.S.A. 1987 Supp. 65-5807 and K.S.A. 1987 Supp. 74-7507; effective, T-102-6-13-88.)

102-3-12. Documentation for continuing education. Any of the following original, signed forms of documentation shall be accepted as proof of completion of a continuing education program: (a) A course grade for an academic credit course:

(b) a signed statement, by the instructor, of hours attended for an audited academic course.

(c) a signed statement of attendance from the provider of the institute, symposium, workshop, or seminar;

(d) a copy of the article or book chapter, and verification of publication or written presentation at a professional meeting. These materials shall be submitted to the board for evaluation and certification of the number of hours of credit to be allowed;

(e) a copy of the academic course syllabus and verification that the course was presented;

(f) a letter from the board giving approval for retroactive continuing education credit;

(g) written verification from the university practicum instructor that the registrant provided supervision of undergraduate or graduate students; or

(h) a copy of the self-directed project. This copy shall be submitted to the board for evaluation and certification of the number of credit hours to be allowed. (Authorized by and implementing K.S.A. 1987 Supp. 65-5806 and K.S.A. 1987 Supp. 74-7507; effective, T-102-6-13-88.)

102-3-13. Registration without examination. (a) An applicant for registration as a professional counselor

under the provisions of K.S.A. 1987 Supp. 65-5811, shall not be given a tentative judgment on the applicant's eligibility for registration until all credentials are received and procedures are completed unless it is apparent that the applicant does not qualify for registration on the basis of education as defined in K.A.R. 102-3-3 or practice experience.

(b) Applications shall be on forms provided by the board. In addition to the forms, the application shall include:

(1) The applicant's academic counseling transcript or proof of receipt of degree and completion of a counseling program provided directly to the board by the academic institution;

(2) full payment of the application fee as provided in K.A.R. 102-3-2. The fee shall be submitted prior to the deadlines established by the board; and

(3) documentation that the applicant has practiced full time as a professional counselor for a minimum of two years as provided in K.A.R. 102-3-13 (c)(1) or for a minimum of five years as provided in K.A.R. 102-3-13 (c)(2) and that the applicant is currently engaged in the practice of professional counseling.

(c) Practice experience.

(1) Each applicant who is currently practicing as or who has practiced as a professional counselor for a minimum of five years shall have completed a graduate degree in counseling from a college or university counseling program approved by the board.

(2) Each applicant who is currently practicing as and who has practiced as a professional counselor for a minimum of two years shall have completed a graduate degree with a minimum of 60 graduate semester hours in counseling or the equivalent as outlined in K.A.R. 102-3-3 from a college or university counseling program approved by the board.

(d) Three written references shall be required to provide proof that the applicant meets the requirements for professional conduct and competence as required under the professional counseling registration act as defined in K.A.R. 102-3-6. Under extenuating circumstances the board may accept references from individuals other than professional counselors.

(e) Transcripts from outside the United States. All applicants who are graduates of colleges or universities from outside the United States shall submit their official transcripts, an officially translated copy of those transcripts, supporting documents, and where necessary, the graduate thesis or doctoral dissertation. The transcript shall be translated by a source or in a manner acceptable to the board. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 65-5805; effective, T-102-6-13-88.)

MARY ANN GABEL
Executive Secretary

Doc. No. 006782

State of Kansas

**BOARD OF VETERINARY
MEDICAL EXAMINERS**

**TEMPORARY ADMINISTRATIVE
REGULATIONS**

Article 5.—FEES

70-5-1. Amount of fees.

- (a) Veterinary license examination application \$250.00
 - (b) Veterinary license examination application for applicants with acceptable scores on the national board examination and the clinical competency test \$100.00
 - (c) Institutional license application \$50.00
 - (d) Reciprocity license application \$100.00
- (Authorized by K.S.A. 47-821, as amended by L. 1987, Ch. 201, sec. 1; implementing K.S.A. 47-822, as amended by L. 1987, Ch. 201, sec. 2, 47-824, 47-826, 47-827; effective May 1, 1985; amended, T-70-6-13-88.)

EARL E. GATZ, D.V.M.
Secretary-Treasurer

Doc. No. 006780

State of Kansas

DEPARTMENT OF ADMINISTRATION

**TEMPORARY ADMINISTRATIVE
REGULATIONS**

**Article 9.—HOURS; LEAVES; EMPLOYEE-
MANAGEMENT RELATIONS**

1-9-5. Sick leave. (a) Each permanent, probationary, and conditional employee in the classified service, excluding those who are on temporary or emergency appointments, shall be credited and accumulate sick leave as provided in this regulation.

(b) The maximum sick leave credit an employee is entitled to for any payroll period shall be as follows:

- (1) Eight hours for employees paid on a monthly basis;
- (2) Four hours for employees paid on a semi-monthly basis; and
- (3) Three and seven-tenths hours for employees paid on a bi-weekly basis.

Each employee working a fraction of full time shall be credited sick leave in accordance with Tables A or B.

TABLE A
Sick Leave Earnings Schedule
for Employees Paid Monthly and
Semi-Monthly

Hours Worked Per Pay Period*	Hours Earned Per Pay Period
0- 19	0.00
20- 39	1.00
40- 59	2.00
60- 79	3.00
80- 99	4.00

100-119	5.00
120-139	6.00
140-159	7.00
160-	8.00

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

TABLE B
Sick Leave Earnings Schedule
for Employees Paid Biweekly

Hours Worked Per Pay Period*	Hours Earned Per Pay Period
0- 7	0.0
8-15	0.4
16-23	0.8
24-31	1.2
32-39	1.6
40-47	2.0
48-55	2.4
56-63	2.8
64-71	3.2
72-79	3.6
80-	3.7

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

(c) On the first day following each payroll period, the sick leave accrued during the previous payroll period shall be credited to each employee. In no case shall overtime worked be counted in determining sick leave credited. Each eligible employee paid on a monthly or semi-monthly basis shall be credited sick leave credits at the rate of one hour for each 20 hours in pay status, excluding overtime worked and additional payment for holidays worked, up to the maximum set forth in subsection (b).

(d) Each employee wishing to use sick leave shall request its use in the form and at such time as prescribed by the appointing authority, as required by K.A.R. 1-9-3(a). Any employee may be required by the appointing authority or the director of personnel services to provide evidence necessary to establish that the employee is entitled to use sick leave credits under the circumstances of the request. If the employee fails to provide this evidence, the use of requested sick leave may be denied by appointing authority or director. The appointing authority, with the director's approval, may require a physical examination of an employee by a physician designated by the agency at the agency's expense.

(e) Sick leave with pay shall be granted only for the following reasons:

(1) illness or disability of the employee including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom;

(2) illness or disability, including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. "Employee's family" shall be limited to:

(A) persons related to the employee by blood, marriage or adoption; and

(B) minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code;

(3) the employee's personal appointments with a physician, dentist, or other recognized health practitioner; or

(4) legal quarantine of the employee.

(f) If an appointing authority has evidence that an employee cannot perform the employee's duties because of illness or disability, if the employee has accumulated sick leave, and if the employee refuses or fails to apply for sick leave, the appointing authority may require the employee to use sick leave, and upon exhaustion of the employee's sick leave, may require use of any accumulated vacation leave or compensatory credits. An appointing authority may request a written release by a physician before the employee is allowed to return to work. If the employee has exhausted all sick leave, accumulated vacation leave, or compensatory credit, the appointing authority may grant the employee leave without pay as provided in K.A.R. 1-9-6(c).

(g) If an employee taking vacation leave becomes ill, and for all intents and purposes, is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick leave some or all of the time the employee was ill while on vacation.

(h) Each employee who is injured on the job and awarded workers' compensation shall be granted use of accumulated leave. The compensation for accumulated leave used each payroll period shall be that amount which, together with workers' compensation pay, equals the regular salary for the employee. Unless the employee requests otherwise, vacation leave credits and compensatory time credits shall be used only after sick leave credits have been exhausted. Workers' compensation days credited back to the employee shall be in multiples of half days only.

(i) Each former employee who had unused sick leave at time of separation, and who returns to the service to a permanent position within a year, shall have the unused sick leave returned to the employee's credit. This provision shall not apply to a person who has retired from the state service.

(j) Persons retiring from the classified or unclassified service who have completed eight or more years of service and who have accumulated 800 hours or more of sick leave shall be compensated for a portion of the accumulation pursuant to the provisions of K.S.A. 75-5517. (Authorized by K.S.A. 1987 Supp. 75-3747; implementing K.S.A. 75-3707, K.S.A. 1987 Supp. 75-3746; effective May 1, 1979; amended, E-81-23, August 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-1-6-13-88.)

H. EDWARD FLENTJE
Secretary of Administration

Doc. No. 006779

KANSAS REGISTER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594

Second Class
postage paid
at
Topeka, Kansas

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

_____ One-year subscriptions @ \$55 ea.

Total Enclosed _____
(Make checks payable to Kansas Register)

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

Zip code must be included

This space for Register office
use only, please

Code _____	Rec. No. _____
Expires _____	Entered By _____

Mail order, with payment, to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594

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

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

Indicate change or correction of name or address
here:

Mail to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594