

KANSAS REGISTER

BILL GRAVES
Secretary of State

State of Kansas

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IN THIS ISSUE . . .

	Page
Attorney General	
Opinions No. 89-17 through 89-20	276
University of Kansas	
Notice to Bidders	277
Department of Education	
Notice of Available Federal Funding for Adult Basic Education	277
Department of Health and Environment	
Notice of Hearing	277
Notice Concerning Kansas Water Pollution Control Permit	278
Northwest Kansas Groundwater Management District No. 4	
Notice of Meeting	278
Department of Administration	
Notice of Commencement of Negotiations for Technical Services	278
State Conservation Commission	
Notice to Contractors	279
Executive Appointments	279
Social and Rehabilitation Services	
Notice of Meeting	280
Solicitation for Juvenile Policy Conference	281
Kansas Racing Commission	
Notice Concerning Administrative Regulations	280
Notice of Hearing on Proposed Administrative Regulations	281
Kansas Commission on Civil Rights	
Statement of Guidelines on Age Discrimination in Employment	282
Notice to Bidders for State Purchases	284
Legislative Bills Introduced February 16-22	285
Court of Appeals Docket	289
Board of Adult Care Home Administrators	
Notice of Meeting	297
Temporary Administrative Regulations	
State Corporation Commission	297
The Kansas Lottery	299
State Corporation Commission	
Notice of Motor Carrier Hearings	302
Kansas Public Disclosure Commission	
Advisory Opinions No. 88-19 through 88-23	303
Notice of Bond Redemption	
Riley County (corrected)	305
Notice of Bond Sale	
U.S.D. 465, Cowley County	305
U.S.D. 229, Johnson County	306
City of Paola	308
Secretary of State	
Notice of Corporations Forfeited	310
Index to Administrative Regulations	312

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-17

Fees and Salaries—Fees in All Counties and Salaries in Certain Counties—Court Fees in Criminal Actions. Howard Schwartz, Judicial Administrator, Topeka, February 21, 1989.

Whether a traffic related offense that is classified as a misdemeanor should be considered a "misdemeanor" or a "law regulating traffic" for purposes of assessing the correct docket fee under K.S.A. 1988 Supp. 28-172a must be determined on a case-by-case basis taking into consideration the amount of time and effort typically required to prosecute such an offense. Cited herein: K.S.A. 20-362; K.S.A. 1988 Supp. 28-172a; L. 1984, ch. 39, § 1; L. 1978, ch. 108, §§ 3, 9; L. 1976, ch. 163, § 28. JLM

Opinion No. 89-18

Schools—Miscellaneous Provisions—Early Retirement Incentive Programs; Incentive Payments Exceeding One Year. David G. Shriver, Attorney for U.S.D. 418, McPherson, February 21, 1989.

The statutes authorizing early retirement incentive programs do not limit an agreement for such benefits to a one-year period. If the program is part of a negotiated contract between a board of education and a professional employees' organization the terms of which exceed a one-year period, then the program is not in conflict with the continuing contract law for teachers. Cited herein: K.S.A. 72-5395; 72-5396; 72-5411; K.S.A. 1988 Supp. 72-5423(d). MWS

Opinion No. 89-19

Contracts and Promises—General Provisions—Credit Agreements; Required Notice. W. Newton Male, Commissioner, Banking Department, Topeka, February 21, 1989.

Promissory notes, security agreements and mortgages are not "credit agreements" within the meaning of L. 1988, ch. 55. However, the document creating the interest may become a credit agreement if, by the terms of the document, there is included a promise to lend or delay repayment of money or make some other financial accommodation. The failure to include the notice prescribed in section 2 of the act does not render a credit agreement unenforceable. However, parol evidence may be used to show that fraudulent misrepresentations were made during contract negotiations. Cited herein: K.S.A. 16-117; 16-118; 84-1-201; 84-3-104; K.S.A. 1988 Supp. 84-9-105. MWS

Opinion No. 89-20

Taxation—Aggregate Tax Levy Limitations—Suspension of Statutory Fund and Levy Limitations. Representative Marvin L. Littlejohn, 119th District, Phillipsburg, February 21, 1989.

County hospitals operated by elected boards of trustees are taxing districts for purposes of K.S.A. 1988 Supp. 79-5021 et seq. As such, these hospitals may levy in 1989 an amount not in excess of the dollar amount levied by them in 1988. Beginning in 1990, such hospitals' levies are exempted from the aggregate tax levy limitation. County hospitals operated by appointed boards of trustees are not taxing districts in and of themselves, but levies for these hospitals must be included in calculating the counties' aggregate tax levy limitations in 1989. Beginning in 1990, levies for county hospitals with appointed boards of trustees will be exempted from the calculation of the counties' aggregate tax levy limitations. Cited herein: K.S.A. 19-4601; 19-4606; 79-5001 et seq.; K.S.A. 1988 Supp. 79-5021; 79-5022; 79-5028; 79-5032; L. 1988, ch. 393, § 2; L. 1985, ch. 314, §12. JLM

ROBERT T. STEPHAN
Attorney General

Doc. No. 007523

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Secretary of State
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Topeka, KS 66612-1594



Phone: (913) 296-3489

State of Kansas

UNIVERSITY OF KANSAS

NOTICE TO BIDDERS

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

Monday, March 13, 1989

RFQ # 89 0887

Heavy-duty, 4-wheel drive, crew cab pickup truck with dual rear wheels.

RFQ # 89 0888

Portable, professional model, wireless microphones, with transmitters, receivers and antennas. Color special effects generators, VCR's with camera and accessory items.

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

Doc. No. 007520

State of Kansas

DEPARTMENT OF EDUCATION

NOTICE OF AVAILABLE FEDERAL FUNDING
FOR ADULT BASIC EDUCATION

Pursuant to assurances as set out in the current Kansas State Plan for Adult Basic Education, notification of available federal funding for this program is announced. These funds are authorized by Section 322 of the Adult Education Act.

The Adult Education Act provides federal financial assistance to states to expand educational opportunities for adults and to encourage the establishment of adult education programs that will enable all adults to acquire basic literacy skills necessary to function in society, enable adults to continue their education to at least the level of completion of secondary school, and make available to adults a means to secure training and education that will enable them to become more employable, productive and responsible citizens. The state will fund local programs of education, based on need and resources available. Applications will be accepted until May 12.

For further information and applications contact Phil Thomas, Adult Education Specialist, Kansas State Department of Education, 120 E. 10th, Topeka, KS 66612, (913) 296-3192.

DR. LEE DROEGEMUELLER
Commissioner of Education

Doc. No. 007531

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT

NOTICE OF HEARING

A public hearing will be conducted at 7:30 p.m. Tuesday, March 7, by the Kansas Department of Health and Environment (KDHE), Bureau of Air Quality and Radiation Control (BAQRC), at the Black and Gold Room in the Fort Hays State University Union, Hays, to consider the issuance of a permit under the provisions of Kansas administrative regulations for air pollution control to the Yuasa-Exide Corp. (Exide) for the installation and operation of a lead-acid battery manufacturing facility. This facility will occupy the property formerly owned by Travenol Laboratories, Inc., One Exide Road, Hays.

The BAQRC has evaluated the air emission estimates for this facility and has determined that the facility can be expected to comply with the lead emission limitations of K.A.R. 28-19-129, Standards of Performance for Lead-Acid Battery Manufacturing Plants. The BAQRC has also conducted air pollutant dispersion modeling studies of the lead air emissions estimated to be emitted from the facility. These studies have shown that the national ambient air quality standard (NAAQS) for lead will not be adversely impacted by this facility operating continuously and at the stated battery production rate.

The complete administrative record for this proposed permit is available for public inspection through March 17 by contacting Richard Robinson at the BAQRC office, 2301 E. 13th, Hays; and at the BAQRC office, Building 740, Forbes Field, Topeka. Questions pertaining to this proposed permit should be directed to L. C. Hinthier at the BAQRC office in Topeka, (913) 296-1576.

All interested parties may submit relevant written comments prior to the public hearing by addressing them to the Secretary of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. Interested parties also will be given a reasonable opportunity during the public hearing to present relevant verbal comments. In order to give all parties an opportunity to present their verbal comments, the hearing officer may limit the time period of individual comments.

All written and verbal comments received will be considered by the Secretary of Health and Environment before a final decision on the issuance of the permit is made.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 007490

**State of Kansas
NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 4**

NOTICE OF MEETING

The Northwest Kansas Groundwater Management District No. 4 will meet at 10 a.m. C.S.T. Thursday, March 9, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 007519

water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Riverside Feeders, Inc. P.O. Box 219 Penokee, KS 67659	NE/4 Section 34, Township 8S, Range 24W, Graham County, Kansas	Solomon River Basin

Kansas Permit No. A-SOGH-CO01 Fed. Permit No. KS-0079669

The feedlot has capacity for approximately 7,500 cattle and a contributing drainage area of approximately 35 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 11.6 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Ox Town Cattle Feeders, Inc. Box 248 Tribune, KS 67879	NE/4 Section 20, Township 16S, Range 40W, Greeley County, Kansas	Smoky Hill River Basin

Kansas Permit No. A-SHGL-CO01 Fed. Permit No. KS-0115665

The feedlot has capacity for approximately 12,500 cattle with expansion planned for an additional 12,500 cattle and a contributing drainage area of approximately 155 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities will be provided in excess of 48 acre-feet.

Compliance Schedule: 32.5 acre feet of storage will be constructed in addition to the existing 15.5 acre-feet of storage upon approval of the permit and prior to the use of the proposed expansion.

Written comments on the proposed NPDES permits may be submitted to Bethel Spotts, Permit Clerk, Permits and Compliance Section, Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to March 31 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-89-2/3) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 007526

**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 of negotiations for surveying services for the boundary and topographic surveys of two parcels of land in Pratt and Neosho counties for the Department of Wildlife and Parks.

The work includes completing a topographic and boundary survey of the NE Quarter of a section of ground in Pratt County, and a boundary survey of an irregular 270-acre parcel in Neosho County. It is anticipated that the work will be awarded to separate firms for each project.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before March 17.

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

Doc. No. 007524

**State of Kansas
DEPARTMENT OF HEALTH
AND ENVIRONMENT**

**NOTICE CONCERNING KANSAS
WATER POLLUTION CONTROL PERMIT**

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA.

The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state

State of Kansas

STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 37,000 cubic yard detention dam, Site A-6 in Neosho County, will be received by the Tri-Creek Watershed District No. 100 at the district office, 602 Huston (P.O. Box 381), Altamont 67330, or at the Thayer City Building, Thayer, until 7:30 p.m. Thursday, March 23. Bids will be opened at 8 p.m. March 23 at the Thayer City Building.

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. 007514

State of Kansas

SECRETARY OF STATE

EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed February 13 through February 24:

District Judge, 6th Judicial District

Richard M. Smith, 312 Locust, Mound City 66056. Effective January 17, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Leighton Fossey, retired.

District Judge, 18th Judicial District, Division 7

David W. Dewey, 1010 N. Main, Box 635, Wichita 67201. Effective February 14, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Tom Raum, resigned.

Bourbon County Commissioner, 2nd District

Joseph J. Chambers, Route 4, Fort Scott 66701. Effective February 13, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Walter G. Campbell, deceased.

Johnson County Commissioner, 1st District

Sue Weltner, 7916 Granada, Prairie Village 66208. Effective January 18, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Bill Franklin, resigned.

Morris County Commissioner, 1st District

Robert Mark, Jr., Route 3, Box 188, Council Grove 66846. Effective January 30, 1989. Term expires when a

successor is elected and qualifies according to law. Succeeds Charlene McRae, resigned.

Russell County Sheriff

Robert L. Balloun, P.O. Box 214, Russell 67665. Effective February 16, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Tom Keys, resigned.

Board of Barber Examiners

Robert McCurdy, P.O. Box 173, Russell 67665. Effective January 25, 1989. Term expires January 31, 1992.

Capitol Area Plaza Authority

Rep. Marvin Smith, 123 N.E. 82nd, Topeka 66617. Effective January 9, 1989. Term expires January 14, 1991. Appointed by the Speaker of the House.

Children and Youth Advisory Committee

Rep. Jo Ann Pottorff, 6321 E. 8th, Wichita 67208. Effective January 9, 1989. Term expires January 14, 1991. Succeeds Elaine Hassler. Appointed by the Speaker of the House.

Kansas Dental Board

Denise Maseman, 7627 E. 37th, #707, Wichita 67226. Effective January 23, 1989. Term expires December 31, 1992. Succeeds Cynthia Barrett.

Kenneth R. Riley, 107 S. 6th, Hiawatha 66434. Effective January 23, 1989. Term expires December 31, 1992. Succeeds Norman Giebler.

State Planning Council on Developmental Disabilities Services

Lewis Hearne, 8837 Glendale Circle, Manhattan 66502. Effective January 25, 1989. Term expires July 1, 1989. Succeeds Gary Blumenthal, resigned.

Employee Award Board

Ben Barrett, Associate Director, Legislative Research Department, Room 545-N, State Capitol, Topeka 66612. Effective January 1, 1989. Term expires January 1, 1990. Reappointed by the President of the Senate.

Sue Bauman, Appointments Assistant to the Governor, Room 226-S, State Capitol, Topeka 66612. Effective January 1, 1989. Term expires January 1, 1990. Reappointed by the President of the Senate.

Kansas Council on Employment and Training

Lloyd Baumwart, 322 N. 8th, Neodesha 66757. Effective January 25, 1989. Term expires October 31, 1990. Succeeds Betty McBride.

Advisory Commission on Juvenile Offender Programs

Rep. Dorothy Flottman, 815 E. 9th, Winfield 67156. Effective January 9, 1989. Term expires January 14, 1991. Appointed by the Speaker of the House.

Kansas Inc.

Thomas Clevenger, 540 Tara, Wichita 67206. Effective February 16, 1989. Subject to Senate confirmation. Term

(continued)

expires June 30, 1989. Succeeds Frank Lowman, resigned.

C. Bill Wohlford, 14215 Brookline Court, Wichita 67230. Effective February 16, 1989. Subject to Senate confirmation. Term expires June 30, 1990. Succeeds Frank Becker, resigned.

Kansas-Nebraska Big Blue River Basin Compact Administration

Lloyd Dale Polson, Route 2, Vermillion 66544. Effective February 15, 1989. Term expires January 31, 1993. Succeeds Otis Hammett.

Kansas Technology Enterprise Corporation

Rep. Rochelle Chronister, Route 2, Box 321A, Neodesha 66757. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

State Library Advisory Commission

Arnita Graber, 910 Grandview, Newton 67114. Effective January 18, 1989. Term expires June 30, 1991. Succeeds Robert W. Richmond.

Bette Jo Roberts, 616 1st St., Garden City 67846. Effective January 18, 1989. Term expires June 30, 1992. Succeeds J. Henry Francis.

Sam Sheldon, 1605 Orchard Drive, Ottawa 66067. Effective January 18, 1989. Term expires June 30, 1992. Succeeds Clifford Holland.

Robert Walter, 515 Hobson Drive, Pittsburg 66762. Effective January 18, 1989. Term expires June 30, 1991. Succeeds James Ranz.

Kansas Library Network Board

Mary Burchill, University of Kansas School of Law Library, Green Hall, Lawrence 66045. Effective January 25, 1989. Term expires June 30, 1991. Succeeds David Ensign.

Diane Leupold, 1346 Indian Trail, Topeka 66604. Effective January 25, 1989. Term expires June 30, 1991. Succeeds Marilyn Goodrich.

James Swan, 1409 Williams, Great Bend 67530. Effective January 25, 1989. Term expires June 30, 1991. Reappointment.

Natural and Scientific Areas Advisory Board

Rep. Martha Jenkins, Route 1, Box 47, Leavenworth 66048. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

Kansas Turnpike Authority

Rep. Rex Crowell, Box 288, Longton 67352. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

BILL GRAVES
Secretary of State

State of Kansas

SOCIAL AND REHABILITATION SERVICES

NOTICE OF MEETING

The Department of Social and Rehabilitation Services will meet at 9 a.m. Tuesday, March 14, in the SRS Staff Development Training Center, 300 S.W. Oakley, Topeka. The scheduled agenda includes:

- Reports by SRS commissioners
- Report on SRS budget and the 1989 Legislature by Chris Stanfield, SRS Budget Director
- Update on social worker and nurse recruitment by Glenda Davis, SRS Personnel Services
- Other items as necessary

The public is invited to attend. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Osawatomie, Parsons, Pittsburg, Pratt, Salina, Topeka (area office and Docking State Office Building), Wichita and Winfield.

WINSTON BARTON
Secretary of Social and
Rehabilitation Services

Doc. No. 007532

State of Kansas

KANSAS RACING COMMISSION

NOTICE CONCERNING ADMINISTRATIVE REGULATIONS

On January 17, 1989, the Kansas Racing Commission conducted a public hearing and considered and approved temporary regulations concerning rules of racing for greyhounds, numbered 112-8-3 through and including 112-8-12, by a unanimous roll call vote with two revisions—one each in proposed temporary regulations numbered 112-8-3 and 112-8-9. The last two proposed regulations were inadvertently proposed to the Rules and Regulations Board without the approved revisions on January 19, 1989, and were approved. The commission, in a public meeting February 17, 1989, directed that the board be requested to accept the commission's revision of these regulations, which have since received current approval from the Secretary of Administration and the office of the Attorney General.

Because these temporary regulations numbered 112-8-3 and 112-8-9 were approved by the Rules and Regulations Board without the previous approval of the Kansas Racing Commission, they are void as to force and effect.

JIMMY D. GRENZ
Executive Director

Doc. No. 007537

State of Kansas
SOCIAL AND REHABILITATION SERVICES
SOLICITATION FOR JUVENILE POLICY
CONFERENCE

The Department of SRS-Youth Services and the Advisory Commission on Juvenile Offender Programs are seeking an agent to organize and implement a single state-wide Juvenile Policy Conference to be held between July 15 and August 15 in Topeka, Wichita, Salina or Hutchinson.

I. The conference is to be a very structured two-day meeting, focused on juvenile offenders, looking at prevention, pre adjudication and post adjudication issues.

Approximately 250 participants will be invited from among the following: juveniles, judges, key legislators, county and district attorneys, SRS, court services, private agencies, education, state and local corrections representatives, law enforcement, county commissioners, and advocacy groups.

The format of the conference will be to divide the participants into working committees by topic, with the assigned task of producing a report and recommendations.

A national consultant(s) will be selected to assist in determining the content of the conference and to assist in managing the substantive aspects of the conference.

A conference steering committee will be named on March 16 to oversee the conference and to work with the national consultant and Kansas provider organization.

II. The Kansas provider organization will be responsible for the general and specific logistics of the conference and, in particular, will provide the following services:

A. Production and mailing of brochures and invitations;
 B. Final selection of site, contracting with the conference facility, and managing all logistical matters concerning the facilities;

C. Provision of conference materials (agenda and packet) to participants;

D. Recruitment and selection of working committee leaders;

E. Provision of staff support to the conference. This will include typing of committee reports and the production of the final conference report;

F. Printing and distribution of 1000 copies of the conference report; and

G. Management of all funds, to include reimbursement of participants and the national consultant, as well as funds to be utilized directly by the provider organization.

III. Fiscal considerations: \$40,000 is available to organize and implement the conference. Of that amount, \$17,000 is to be budgeted for participant room and meal reimbursement and any site costs; \$7,000 is to be budgeted for national consultant(s). The remaining \$16,000 is available to carry out the functions of the Kansas provider organization enumerated in II and any additional activities deemed necessary by the provider.

IV. The respondent must address its experiences and ability to carry out the task of managing a conference of this size. It must also demonstrate an ability to handle the amount of funds involved. It must present a work plan and schedule.

The response should, therefore, consist of: (1) attached

cover sheet; (2) budget page; (3) a detailed budget; (4) a statement of organizational capability; (5) a detailed work plan; and (6) a project schedule.

Please note that the final selection of national consultants, conference content and dates of the meeting will be determined by the conference steering committee.

Questions regarding this notification should be directed to David O'Brien, SRS Youth Services, (913) 296-4649.

ROBERT C. BARNUM
 Commissioner of Youth Services

Doc. No. 007533

State of Kansas
KANSAS RACING COMMISSION

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9 a.m. Friday, April 14, in the training room, 2nd floor, 128 N. Kansas Ave., Topeka, to consider the adoption of proposed permanent regulations of the Kansas Racing Commission. This 30-day notice is to constitute a public comment period for the purpose of receiving written public comments on these proposed regulations.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the commission office, 128 N. Kansas Ave., Topeka. The following is a summary of the regulations.

K.A.R. 112-12-2 and K.A.R. 112-12-13 include the requirements for registration of horses to participate in the Kansas Horse Breeding Development Fund, which is a registry of horses and a system by which the owners of Kansas-bred sires and dams of foals registered who win races in Kansas receive stallion and mare awards from the fund. Owners of Kansas-bred horses winning certain races in Kansas may receive purse supplements from the fund. The purpose of this set of regulations is to enhance and encourage the horse breeding industry in Kansas and to provide monies for equine research through institutions of higher education under the state board of regents.

The economic impact of this set of regulations affects the horse owners who pay a commission-approved fee to the registry that is part of this program and a second fee to certify their stallions and mares as qualified to participate as breeding stock eligible to receive awards from the fund. The fees are used solely to support the administrative costs of the registry and certification service. The development fund is created from the breakage and unclaimed winning tickets of races conducted at Kansas-licensed horse racetracks, estimated nationally at 1.3 percent of the total annual handle, a term earning the total amount of money handled as parimutuel wagers.

JIMMY D. GRENZ
 Executive Director

Doc. No. 007534

State of Kansas

COMMISSION ON CIVIL RIGHTS**STATEMENT OF GUIDELINES ON AGE
DISCRIMINATION IN EMPLOYMENT**

1. Unlawful employment practices based on age. Each employer, employment agency, or labor organization shall not set an arbitrary age limit in relation to employment or membership except as otherwise provided by commission rules or by the Kansas age discrimination in employment act.

2. Job opportunities advertising. Help wanted notices of advertisements shall not contain age-specific terms and phrases, including "young," "boy," "girl," "college student," "recent college graduate," "retired person," or others of a similar nature, unless a bona fide occupational requirement for the position has been established.

3. Age information on job applications and other preemployment inquiries. Any preemployment inquiry in connection with prospective employment which expresses directly or indirectly any limitation, specification, or discrimination as to age shall be unlawful unless based upon a bona fide occupational qualification. The burden shall be on the employer, employment agency or labor organization to demonstrate that the direct or indirect preemployment inquiry is based upon a bona fide occupational qualification.

The following inquiries shall be permissible:

(a) Preemployment inquiries regarding the age of an applicant if the inquiry is made in good faith for a non-discriminatory purpose;

(b) preemployment inquiries to determine that an applicant is over 18 years of age.

4. Bona fide occupational qualifications.

(a) The bona fide occupational qualification exception as to age shall be narrowly construed.

(b) An employer asserting a bona fide occupational qualification defense has the burden of proving that:

(1) the age limit is reasonably necessary to the essence of the business; and

(2)(A) that all or substantially all individuals excluded from the job involved are in fact not qualified; or

(2)(B) that some of the individuals were excluded on the basis of a trait that cannot be ascertained except by reference to age.

(c) If the employer's bona fide occupational qualification defense is based on public safety, the employer shall prove that the challenged practice does effectuate that goal and that there is no acceptable alternative which would better advance it or equally advance it with less discriminatory impact.

5. Differentiations based on necessary factors other than age.

(a) If an employment practice uses age as a limiting criterion, the defense that the practice is justified by a necessary factor other than age is unavailable.

(b) Any employment practice, including a test, which is claimed as a basis for different treatment of employees or applicants for employment on the grounds that it is a "necessary factor other than age," may only be justified on the basis of business necessity or valid business motive, and such a practice has an adverse impact on individuals

within the protected age group. Tests which are asserted as "reasonable factors other than age" will be scrutinized in accordance with the standards set forth at Article 30 of these regulations.

(c) If the exception of a "necessity factor other than age" is raised against an individual claim of discriminatory treatment, the employer shall bear the burden of proving the "necessary factor other than age."

(d) An employment practice based on the average cost of employing older employees as a group shall be unlawful except with respect to employee benefit plans which qualify for the section 1113(b)(2) exception to the Kansas age discrimination in employment act.

6. Bona fide seniority systems.

(a) Each bona fide seniority system shall be based on length of service as the primary criterion for the equitable allocation of available employment opportunities and prerogatives among younger and older workers. Other secondary factors, including merit, capacity, or ability, also may be used.

(b) A seniority system which gives those with longer service lesser rights, and results in discharge or less favored treatment to older workers, may be found to be a "subterfuge to evade the purposes" of the Kansas age discrimination in employment act.

(c) Essential terms and conditions of a seniority system shall be communicated to the affected employees and applied uniformly to all those affected, regardless of age. Any seniority system shall not be considered a bona fide seniority system within the meaning of the Kansas age discrimination in employment act if its terms and conditions are not communicated and applied as required by this subsection.

7. Prohibition of involuntary retirement.

(a) Each seniority system or employee benefit plan shall not require or permit the involuntary retirement of any individual. Accordingly, any system or plan provision requiring or permitting involuntary retirement shall be unlawful, unless the provision is otherwise permitted by state or federal law or by ordinance or resolution which preempts, supersedes or otherwise takes precedence over the Kansas age discrimination in employment act.

(b) Any plan may permit individuals to elect early retirement at a specified age at their own option. Any plan may require early retirement for reasons other than age.

8. Exemption for employees serving under a contract of unlimited tenure.

(a) The exemption for employees serving under a contract of unlimited tenure may be applied to any individual who attains age 70 prior to January 1, 1994, and whose job duties and responsibilities cease prior to January 1, 1994, regardless of the contract expiration date.

(b) The party seeking to invoke the exemption for employees serving under a contract of unlimited tenure shall have the burden of showing that every element of the exemption has been met clearly and unmistakably. This exemption shall be narrowly construed.

(c) Definitions.

(1) "Institution of higher education" means all public and private universities and colleges which grant tenure to employees.

(2) "Any employee" means teachers and other groups

of employees who have tenured status, including academic deans, scientific researchers, professional librarians and counseling staff.

(3) "Tenure" means an arrangement under which certain appointments in an institution of higher education are continued until retirement for age or physical disability, subject to dismissal for adequate cause or under extraordinary circumstances on account of financial exigency or change of institutional program.

(4) "Unlimited" means tenure which is not limited to a specific term. A contract or other similar arrangement which is limited to a specific term shall not meet the requirements of the exemption.

(d) A contract or other similar arrangement which meets the standards in the "1940 Statement of Principles on Academic Freedom and Tenure," jointly developed by the Association of American Colleges and the American Association of University Professors, shall be deemed to satisfy the tenure requirements of the exemption.

(e) Any employee who is not assured of a continuing appointment either by contract of unlimited tenure or other similar arrangement shall not be exempted from the prohibitions against compulsory retirement, even if the employee performs functions identical to those performed by employees with appropriate tenure.

(f) Any employee within the exemption may lawfully be required to retire on account of age at age 70 or above. In the alternative, the employer may retain such an employee either in the same position or status or in a different position or status if the employee voluntarily accepts this new position or status. Each employee who accepts a nontenured position or part-time employment shall not be treated any less favorably, on account of age, than any similarly situated younger employee, unless the less favorable treatment is excused by an exception of the Kansas age discrimination in employment act.

9. Exemption for bona fide executive or high policy-making employees.

(a) The party seeking to invoke the exemption for bona fide executive or high policy-making employees shall have the burden of showing that every element of the exemption has been met clearly and unmistakably. This exemption shall be narrowly construed.

(b) Any employee within the exemption may lawfully be required to retire on account of age at age 65 or above. In the alternative, the employer may retain such an employee either in the same position or status or in a different position or status. Each employee who accepts such a new status or position shall not be treated any less favorably, on account of age, than any similarly situated younger employee.

(c) The bona fide executive exemption shall apply to top-level employees who exercise substantial executive authority over a significant number of employees and a large volume of business.

Any individual in the corporate organizational structure who possesses comparable or greater level of responsibility and authority, as measured by established and recognized criteria, shall also qualify for this exemption.

(d) The phrase "high policymaking position" shall be limited to certain top-level employees:

(1) who are not bona fide executives;

(2) who are individuals who have little or no line authority; and

(3) whose position and responsibility are such that they play a significant role in the development of corporate policy and effectively recommend its implementation.

(e) Each employee qualifying for this exemption shall have been in a "bona fide executive or high policy-making position as those terms are defined in this regulation, for the two-year period immediately before retirement.

(f) The "annual retirement benefit" is the aggregate sum payable during each one-year period. The initial one-year period shall commence from the date the benefits first become receivable by the retiree. Once established, the annual period upon which calculations are based may not be changed from year to year.

(g) The annual retirement benefit shall be immediately available to the employee retiring under the exemption. For purposes of determining compliance, "immediate" means that the payment of plan benefits, in a lump sum or the first of a series of periodic payments, shall occur not later than 60 days after the effective date of the retirement in question. The fact that an employee will receive benefits only after expiration of the 60-day period shall not preclude retirement under the exemption, if the employee could have elected to receive benefits within that period.

(h) To determine whether the aggregate annual retirement benefit equals at least \$44,000, only benefits authorized by and provided under the terms of a pension, profit-sharing, savings, or deferred compensation plan shall be included.

(i)(1) The annual retirement benefit shall be "nonforfeitable." Accordingly, the exemption shall not be applied to any employee subject to plan provisions which could cause the cessation of payments to a retiree or result in the reduction of benefits to less than \$44,000 in any one year. However, retirement benefits shall not be considered forfeitable solely because the benefits are discontinued or suspended for reasons permitted under section 411(a)(3) of the Internal Revenue Code.

(2) An annual retirement benefit shall not be considered forfeitable merely because the minimum statutory benefit level is not guaranteed against the possibility of plan bankruptcy or is subject to benefit restrictions in the event of early termination of the plan in accordance with Treasury Regulation 1.401-4(c). However, there shall be at least a reasonable expectation that the plan will meet its obligations when the retirement in question becomes effective.

10. Firefighters and law enforcement officers. The party seeking to invoke the exemption for firefighters and law enforcement officers shall have the burden of showing that every element of the exemption has been met clearly and unmistakably.

BRANDON L. MYERS
Senior Legal Counsel

Doc. No. 007521

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.S.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, March 13, 1989

#27557

Kansas State University—MARCH (1989) MEAT PRODUCTS

#27051

University of Kansas—CHEMISTRY ANALYZER REAGENTS AND SUPPLIES

#27612

Kansas Correctional Industries—SEASONINGS—MEAT PROCESSING, Oskaloosa

#78119

Kansas State Penitentiary—SHOWER ROOM EQUIPMENT

#78124

Department of Transportation—GENERATORS, various locations

#78126

Department of Wildlife and Parks—GAS FIRED BOILER, Milford

Tuesday, March 14, 1989

#27557

Kansas State University—APRIL (1989) MEAT PRODUCTS

#78136

Department of Corrections—SAWS AND WELDER, El Dorado

Wednesday, March 15, 1989

#A-5961, A-5962

Osawatomie State Hospital—REBUILD DIESEL ENGINE AND GENERATOR, REPLACE PIPING, PUMP AND RELATED EQUIPMENT

#A-5966, #A-5967

Topeka State Hospital—REPLACE NO. 3 FEEDWATER PUMP, PROVIDE DOMESTIC HOT WATER TANK

#A-5974, #A-5975, #A-5977

Kansas Neurological Institute—REPLACE CONDENSATE PUMP, OVERHAUL CHILLER, REPLACE STEAM HEATING COIL

#A-5979

Youth Center at Atchison—REPLACE AIR COOLED CONDENSING UNITS AND AIR COMPRESSORS

#A-5983

Youth Center at Topeka—NEW BACK UP STEAM WATER HEATER IN THE POWER PLANT

#27964

Board of Regents Educational Institutions—MICRO CHANNEL ARCHITECTURE MICROCOMPUTERS

#78161

Kansas State University—PLOT COMBINE, Hays

#78162

Osawatomie State Hospital—BUS

Thursday, March 16, 1989

#78134

Various agencies—USED SURPLUS PROPERTY

#78173

Kansas Correctional Industries—ELECTRIC FORKLIFT, Hutchinson

#78174

University of Kansas—PLAIN PAPER COPIER

#78175

Kansas State University—ALUMINUM WINDOWS

#78184

Kansas State University—GRAIN ELEVATOR LEG

#78185

Kansas State University—PLAIN PAPER COPIER

#78186

Kansas State Industrial Reformatory—FURNISH AND INSTALL BASKETBALL FLOORING

Friday, March 17, 1989

#77754A

Department of Administration, Division of Information Systems and Communications—SOFTWARE

#78197

Wichita State University—SKID STEER LOADER

#78199

Wichita State University—BREATH TESTING EQUIPMENT

#78200

Kansas State University—PHOTOSYNTHESIS EQUIPMENT

#78201

Pittsburg State University—SOFTWARE/PROGRAMMING

Monday, March 27, 1989

#78160

Emporia State University—FUEL OIL

Monday, April 3, 1989

#26973

Department of Administration—AIRCRAFT INSURANCE

REQUEST FOR PROPOSAL

Friday, March 17, 1989

CONSULTING SERVICES—KMMIS FOR THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 007529

State of Kansas

LEGISLATURE

LEGISLATIVE BILLS INTRODUCED

The following number and titles of bills and resolutions have been recently introduced in the 1989 Kansas Legislature.

Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, Topeka 66612, (913) 296-4096.

Bills introduced February 16-22:

House Bills

HB 2431, by Committee on Education (by request): An act enacting the teacher service scholarship act.

HB 2432, by Committee on Local Government: An act concerning taxation; relating to the transfer of property; amending K.S.A. 1988 Supp. 79-2020 and repealing the existing section.

HB 2433, by Committee on Judiciary: An act concerning corporations; relating to the registered office and resident agent; amending K.S.A. 17-7002 and repealing the existing section.

HB 2434, by Committee on Public Health and Welfare: An act concerning the behavioral sciences regulatory board; concerning registration and licensure of certain persons; authorizing certain reports to the board and providing immunity from civil actions as a result of such reporting; amending K.S.A. 1988 Supp. 65-5804, 75-5348, 75-5351, 75-5354 and 75-5359 and repealing the existing sections; also repealing K.S.A. 1988 Supp. 74-5329 and 74-5331.

HB 2435, by Committee on Judiciary: An act concerning corrections; relating to comprehensive plans for correctional services; amending K.S.A. 75-5296, as amended by section 306 of chapter 356 of the 1988 Kansas Session Laws; and repealing the existing section.

HB 2436, by Committee on Judiciary: An act concerning the verification of documents; relating to the penalty of perjury; amending K.S.A. 17-2718, 17-7503, 17-7504, 17-7505, 25-1124, 46-265 and 56-1a607 and K.S.A. 1988 Supp. 56-1a606 and repealing the existing sections.

HB 2437, by Committee on Appropriations: An act concerning workers compensation; relating to permanent partial general disabilities and medical, physical and vocational rehabilitation; amending K.S.A. 1988 Supp. 44-510e and 44-510g and repealing the existing sections.

HB 2438, by Committee on Local Government: An act concerning certain cities; relating to the governing body thereof; amending K.S.A. 14-1304 and repealing the existing section.

HB 2439, by Committee on Judiciary: An act concerning civil procedure for limited actions; amending K.S.A. 20-302b, 20-362, 61-1603, 61-1709, 61-1714, 61-1717, 61-2501 and 61-2705 and K.S.A. 1988 Supp. 61-2102 and 61-2713 and repealing the existing sections.

HB 2440, by Committee on Economic Development: An act concerning the department of commerce; prohibiting grants of federal community development block grant moneys for purposes relating to horse or dog racing or parimutuel wagering thereon.

HB 2441, by Committee on Public Health and Welfare: An act concerning the state medical assistance program; establishing a program authorizing certain persons to purchase coverage under the state medical assistance program; granting authority to and imposing duties upon the secretary of social and rehabilitation services.

HB 2442, by Committee on Public Health and Welfare: An act requiring the preparation by each county of a survey of the provision of basic health services for residents who are medically indigent; requiring submission of the results of such survey to the secretary of health and environment; directing the secretary of health and environment to perform certain duties.

HB 2443, by Committee on Public Health and Welfare: An act authorizing the providing of outreach services; relating to public health services and social services; amending K.S.A. 65-101 and 75-5321 and repealing the existing sections.

HB 2444, by Committee on Public Health and Welfare: An act concerning the commission on access to services for the medically indigent and the homeless; amending K.S.A. 1988 Supp. 74-8501 and 74-8505 and repealing the existing sections.

HB 2445, by Committee on Public Health and Welfare: An act concerning scholarships for certain students of the healing arts; concerning agreements for the awarding of such scholarships; amending K.S.A. 1988 Supp. 74-3266 and 76-375 and repealing the existing sections.

HB 2446, by Committee on Public Health and Welfare (by request): An act concerning children; providing that a child born as a result of an attempted abortion is a child in need of care under the Kansas code for care of children.

HB 2447, by Committee on Governmental Organization: An act concerning the legislature; authorizing members thereof to acquire certain supplies in the commercial market and providing for an allowance to defray certain expenses.

HB 2448, by Committee on Insurance: An act relating to prepaid legal and dental service plans; authorizing such plans to present letters of credit in lieu of depositing securities to guarantee performance; amending K.S.A. 1988 Supp. 40-4211 and repealing the existing section.

HB 2449, by Committee on Insurance: An act relating to soliciting business for purposes of making motor vehicle tort claims or claims for personal injury protection benefits; declaring certain acts unlawful and providing for violations.

HB 2450, by Committee on Taxation: An act relating to property taxation; concerning the valuation of severed mineral interests; amending K.S.A. 79-420 and repealing the existing section.

HB 2451, by Committee on Federal and State Affairs: An act providing for the implementation of a pilot project establishing a child care center for state officers' and employees' children and dependents.

HB 2452, by Committee on Federal and State Affairs: An act concerning the Kansas consumer protection act; declaring certain acts by health spas and buying clubs to be deceptive acts or practices; amending K.S.A. 50-640 and repealing the existing section.

HB 2453, by Committee on Energy and Natural Resources: An act enacting the Kansas underground utility damage prevention act; concerning prevention of damage to certain underground utility facilities.

HB 2454, by Committee on Energy and Natural Resources: An act concerning natural gas; relating to transportation or conduct; amending K.S.A. 55-112 and repealing the existing section.

HB 2455, by Committee on Energy and Natural Resources: An act concerning oil and gas; relating to fees for operators of certain wells; amending K.S.A. 1988 Supp. 55-155 and repealing the existing section.

HB 2456, by Committee on Energy and Natural Resources: An act relating to natural gas; concerning investigation of certain accidents.

HB 2457, by Committee on Energy and Natural Resources: An act concerning gas pipeline safety; relating to civil penalties for certain violations; making certain acts crimes and providing penalties for violations; amending K.S.A. 66-1,151 and repealing the existing section.

HB 2458, by Committee on Insurance: An act concerning basic coverage required to be maintained by resident health care providers; amending K.S.A. 40-3402 and repealing the existing section.

HB 2459, by Committee on Judiciary: An act concerning the probate code; relating to hearings tried before a jury; amending K.S.A. 1988 Supp. 59-2408 and repealing the existing section.

HB 2460, by Committee on Judiciary: An act concerning driving under the influence; relating to the administration of the test; amending K.S.A. 1988 Supp. 8-1001 and repealing the existing section.

HB 2461, by Committee on Judiciary: An act concerning the probate code; relating to inter vivos trusts; amending K.S.A. 59-3004 and K.S.A. 1988 Supp. 59-3014 and repealing the existing sections.

HB 2462, by Committee on Judiciary: An act concerning trusts; relating to the construction and interpretation thereof; amending K.S.A. 59-103, 59-2203, 59-2210 and 59-2214 and K.S.A. 1988 Supp. 59-212, 59-2401 and 59-2402a and repealing the existing sections.

HB 2463, by Committee on Judiciary: An act concerning trusts; relating to the distribution of trust assets.

HB 2464, by Committee on Education: An act concerning school districts; authorizing participation thereby in certain disaster relief programs by way of gift or donation of certain personal property.

HB 2465, by Committee on Insurance: An act relating to insurance; concerning mutual insurance companies organized to provide professional liability insurance for certain health care providers; prohibiting membership in the association or associations organizing such companies as a condition of coverage; amending K.S.A. 1988 Supp. 40-12a02 and repealing the existing section.

HB 2466, by Committee on Governmental Organization: An act relating to the practice of barbering; changing the official designation of the board of barber examiners to the Kansas board of barbering; increasing license fees; amending K.S.A. 39-938, 65-1809, 65-1812, 65-1813, 65-1815, 65-1817, 65-1817a, 65-1818, 65-1819, 65-1820, 65-1821, as amended by section 200 of chapter 356 of the 1988 Session Laws of Kansas, 65-1822, 65-1823, 65-1824, 65-1826, 65-1831, 65-1832, 74-1805,

(continued)

74-1806 and 74-1807 and K.S.A. 1988 Supp. 65-1810 and 65-1825, and repealing the existing sections.

HB 2467, by Committee on Public Health and Welfare: An act concerning the KanWork interagency coordinating committee; relating to the membership thereof; amending K.S.A. 1988 Supp. 39-7,108 and repealing the existing section.

HB 2468, by Committee on Public Health and Welfare: An act concerning social welfare; relating to eligibility requirements for assistance; amending K.S.A. 39-702 and K.S.A. 1988 Supp. 39-709 and repealing the existing sections.

HB 2469, by Committee on Public Health and Welfare: An act concerning enforcement of support; relating to income withholding; amending K.S.A. 23-4,106, 23-4,107, 23-4,110, 23-4,113, 23-4,114 and 23-4,130 and repealing the existing sections.

HB 2470, by Committee on Public Health and Welfare: An act concerning revivor of dormant judgments; amending K.S.A. 1988 Supp. 60-2404 and repealing the existing section.

HB 2471, by Committee on Public Health and Welfare: An act relating to interlocutory orders of support in actions for divorce, annulment or separate maintenance; amending K.S.A. 60-1607 and repealing the existing section.

HB 2472, by Committee on Public Health and Welfare: An act placing certain dentists in the unclassified service under the Kansas civil service act; amending K.S.A. 1988 Supp. 75-2935 and repealing the existing section.

HB 2473, by Committee on Taxation: An act relating to property taxation; providing property tax relief to certain owners of commercial real estate; prescribing authorities and duties for the department of revenue relating thereto.

HB 2474, by Committee on Labor and Industry: An act concerning the employment security law; relating to the definition of employment; services performed by free lance pilots; amending K.S.A. 1988 Supp. 44-703 and repealing the existing section.

HB 2475, by Committee on Local Government: An act concerning cities; relating to the recovery of certain costs incurred thereby; amending K.S.A. 1988 Supp. 12-1617e, 12-1617f and 12-1755 and repealing the existing sections.

HB 2476, by Committee on Local Government: An act concerning cities and counties; requiring an audit of certain grant or loan money.

HB 2477, by Committee on Local Government: An act concerning the distribution of the local ad valorem tax reduction fund moneys; amending K.S.A. 79-2961 and repealing the existing section.

HB 2478, by Committee on Judiciary: An act concerning liens; relating to personal property; amending K.S.A. 1988 Supp. 58-202 and repealing the existing section.

HB 2479, by Committee on Judiciary: An act concerning pawnbrokers; relating to the fingerprinting of persons dealing with pawnbrokers.

HB 2480, by Committee on Agriculture and Small Business: An act creating the agricultural value added processing center fund; providing for the transfer of certain moneys to such fund.

HB 2481, by Committee on Insurance (by request): An act relating to insurance; concerning professional liability insurance for health care providers; relating to the determination of rates therefor and health care stabilization fund surcharges; amending K.S.A. 1988 Supp. 40-3404 and repealing the existing section.

HB 2482, by Committee on Insurance: An act relating to motor vehicle liability insurance; increasing the minimum coverage required for bodily injury, death and property damage; amending K.S.A. 40-3107 and repealing the existing section.

HB 2483, by Committee on Transportation: An act relating to drivers' licenses; concerning standards for vision examinations.

HB 2484, by Committee on Transportation: An act relating to the motorcycle safety fund; providing funds for motorcycle safety courses at community colleges; amending K.S.A. 8-272 and 71-614 and K.S.A. 1988 Supp. 8-267 and repealing the existing sections.

HB 2485, by Committee on Economic Development: An act concerning trade shows; relating to promoting the participation of Kansas small business concerns therein; authorizing certain financial assistance; prescribing certain guidelines and powers, duties and functions for the secretary of commerce.

HB 2486, by Committee on Commercial and Financial Institutions: An act relating to taxation; concerning the sale of personal property for taxes; amending K.S.A. 79-2111 and repealing the existing section.

HB 2487, by Committee on Commercial and Financial Institutions: An act providing for certificates of title for vessels.

HB 2488, by Committee on Public Health and Welfare: An act con-

cerning the state board of healing arts; requiring certain information to be reported thereto by health insurance carriers; providing for confidentiality and immunity from liability; providing civil fines for failure to report.

HB 2489, by Committee on Agriculture and Small Business: An act concerning agricultural seed; establishing certain unlawful acts; providing for registration of seed dealers; amending K.S.A. 1988 Supp. 2-1421 and repealing the existing section.

HB 2490, by Committee on Education (by request): An act enacting the Kansas student community service act.

HB 2491, by Committee on Governmental Organization: An act concerning polygraphists; relating to regulation and licensure; prohibiting certain acts and providing penalties for violations; amending K.S.A. 75-7b03 and K.S.A. 1988 Supp. 75-740, 75-741, 75-744, 75-745 and 75-748 and repealing the existing sections.

HB 2492, by Committee on Legislative, Judicial and Congressional Apportionment: An act concerning state representative districts; providing for the apportionment thereof; and repealing K.S.A. 4-3,201 to 4-3,327, inclusive.

HB 2493, by Committee on Appropriations: An act concerning the Kansas all-sports hall of fame; relating to the operations and financing thereof; amending K.S.A. 74-2909 and 74-2912 and K.S.A. 1988 Supp. 74-2906a and repealing the existing sections; also repealing K.S.A. 74-2914 and K.S.A. 1988 Supp. 74-2913 and 74-2915.

HB 2494, by Committee on Insurance: An act supplementing the health care provider insurance availability act; relating to the selection of attorneys by insurance companies.

HB 2495, by Committee on Insurance: An act relating to insurance; providing for the designation of beneficiaries to receive wrongful death benefits under uninsured or underinsured motorist provisions of automobile liability insurance policies; amending K.S.A. 60-1905 and K.S.A. 1988 Supp. 40-284 and repealing the existing sections.

HB 2496, by Committee on Insurance (by request): An act relating to income taxation; authorizing an income tax credit for the payment of a portion of the cost of professional liability insurance by certain physicians; providing for certain duties of the commissioner of insurance.

HB 2497, by Committee on Insurance: An act relating to title insurance; concerning rate filings therefor and other services in connection with certain real estate transactions; providing for violations; amending K.S.A. 40-1111 as amended by section 19 of chapter 156 of the laws of 1988 and repealing the existing section.

HB 2498, by Committee on Insurance (by request): An act relating to insurance; enacting the physicians' premium reduction act; establishing the physicians' premium reduction fund; authorizing reductions for premium surcharges paid by certain physicians under the health care provider insurance availability act; establishing criteria to determine eligibility; providing for the levy of a surcharge on inpatient health care by certain medical care facilities to provide for the funding thereof; providing for administration by the commissioner of insurance; providing transfers of moneys between funds; amending K.S.A. 1988 Supp. 40-3404 and repealing the existing section.

HB 2499, by Committee on Insurance: An act amending the health care provider insurance availability act; relating to the defense of claims; amending K.S.A. 40-3411 and repealing the existing section.

HB 2500, by Committee on Insurance: An act enacting the medical accident compensation act.

HB 2501, by Committee on Insurance: An act relating to medical malpractice claims; amending and supplementing the health care provider insurance availability act; providing for reduced levels of coverage by the health care stabilization fund and providing for the eventual termination of the fund; repealing certain statutes limiting awards in medical malpractice actions; amending the Kansas tort claims act with respect to claims against governmental entities or employees thereof; amending K.S.A. 40-3402, 40-3415, 40-3416 and 75-6115, K.S.A. 1987 Supp. 40-3413 as amended by section 124 of chapter 356 of the laws of 1988, and K.S.A. 1988 Supp. 40-3401, 40-3403, 40-3404, 40-3414 and 60-3410 and repealing the existing sections; also repealing K.S.A. 40-3405 and 40-3414 as amended by section 125 of chapter 356 of the laws of 1988, K.S.A. 1987 Supp. 40-3403 as amended by section 123 of chapter 356 of the laws of 1988 and K.S.A. 1988 Supp. 60-3407, 60-3409 and 60-3411.

HB 2502, by Committee on Insurance: An act relating to title insurance; prohibiting transactions thereof under certain circumstances; amending K.S.A. 1988 Supp. 40-2404 and repealing the existing section.

HB 2503, by Committee on Insurance: An act relating to automobile liability insurance; concerning the cancellation thereof; concerning records of the division of vehicles relating to diversion agreements; elim-

inating the confidentiality provision therefor; amending K.S.A. 40-277 and 74-2012 and repealing the existing sections.

HB 2504, by Committee on Insurance: An act concerning medical malpractice liability claims; relating to the health care stabilization fund; liability thereof; amending K.S.A. 1988 Supp. 40-3403 and 40-3404 and K.S.A. 1988 Supp. 40-3403, as amended by section 1 of this act, and repealing the existing sections; also repealing K.S.A. 1987 Supp. 40-3403, as amended by section 123 of chapter 356 of the 1988 Session Laws of Kansas.

HB 2505, by Representatives King and Shallenburger: An act amending and supplementing the Kansas consumer protection act; providing for the regulation of health spas; establishing certain requirements and prohibitions; prescribing certain penalties; amending K.S.A. 50-624 and repealing the existing section.

HB 2506, by Committee on Labor and Industry: An act concerning workers compensation; relating to payment of compensation pending appellate review and requiring reimbursement in certain cases; amending K.S.A. 1988 Supp. 44-556 and repealing the existing section.

HB 2507, by Committee on Judiciary: An act concerning civil procedure; relating to garnishment; amending K.S.A. 1988 Supp. 60-718 and repealing the existing section; also amending form No. 8a in the appendix of forms following K.S.A. 1988 Supp. 61-2605 and repealing the existing form.

HB 2508, by Committee on Judiciary: An act concerning house arrest; amending K.S.A. 22-2802 and K.S.A. 1988 Supp. 8-2117 and 38-1663 and repealing the existing sections.

HB 2509, by Committee on Judiciary: An act concerning secured transactions; relating to consumer goods; concerning automatic perfection thereof; assignment of accounts; amending K.S.A. 84-9-307 and K.S.A. 1988 Supp. 84-9-302 and repealing the existing sections.

HB 2510, by Committee on Taxation: An act concerning contracts to maintain stock of farm equipment; amending K.S.A. 16-1003 and repealing the existing section.

HB 2511, by Committee on Insurance: An act concerning medical malpractice liability claims; relating to the health care stabilization fund's liability for attorney fees; amending K.S.A. 1988 Supp. 40-3403 and repealing the existing section; also repealing K.S.A. 1987 Supp. 40-3403, as amended by section 123 of chapter 356 of the 1988 Session Laws of Kansas.

Senate Bills

SB 277, by Committee on Agriculture: An act concerning grain storage; relating to warehouses; amending K.S.A. 34-102, 34-231, 34-234, 34-236 and 34-2104 and K.S.A. 1988 Supp. 34-103a, 34-228 and 34-229 and repealing the existing sections.

SB 278, by Committee on Agriculture: An act concerning economic development; relating to the pooled money investment board; authorizing certain investments for the purpose of financing loans to certain farmers and small businesses in Kansas; prescribing certain guidelines, powers, duties and functions; imposing certain limitations.

SB 279, by Committee on Local Government: An act concerning the investment of public moneys; creating the municipal investment pool fund; amending K.S.A. 1988 Supp. 12-1675 and repealing the existing section.

SB 280, by Committee on Public Health and Welfare: An act establishing the council on indigent health care; providing for the powers, duties and functions thereof.

SB 281, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal years ending June 30, 1989, and June 30, 1990, for Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, Kansas college of technology, state board of regents and department of education; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 282, by Committee on Financial Institutions and Insurance: An act relating to insurance; amending and repealing certain insurance statutes to eliminate provisions therein conflicting with Kansas antitrust provisions and making remedies contained in the antitrust statutes applicable to the insurance industry; amending K.S.A. 40-1111 as amended by section 19 of chapter 156 of the laws of 1988, 40-1114 as amended by section 91 of chapter 356 of the laws of 1988, 40-1117 as amended by section 94 of chapter 356 of the laws of 1988, 40-1125 as amended by section 96 of chapter 356 of the laws of 1988, 40-2102 as amended

by section 103 of chapter 356 of the laws of 1988, 40-2109 as amended by section 105 of chapter 356 of the laws of 1988, 40-2111, 40-2112, 40-2113 as amended by section 106 of chapter 356 of the laws of 1988, 40-2401 and 40-2412 and K.S.A. 1988 Supp. 40-1112, 40-1113, 40-1118 and 40-2404 and repealing the existing sections; also repealing K.S.A. 40-1113 as amended by section 90 of chapter 356 of the laws of 1988, 40-1114a as amended by section 92 of chapter 356 of the laws of 1988, 40-1115, 40-1116 as amended by section 93 of chapter 356 of the laws of 1988, and 40-1122.

SB 283, by Committee on Public Health and Welfare: An act relating to income taxation; concerning the credit for renovation of certain property for accessibility to handicapped persons; amending K.S.A. 79-32, 176 and repealing the existing section.

SB 284, by Committee on Judiciary: An act concerning theft; providing certain civil remedies therefor.

SB 285, by Committee on Judiciary: An act concerning medical malpractice screening panels; amending K.S.A. 65-4903 and repealing the existing section.

SB 286, by Committee on Public Health and Welfare: An act concerning medical care facilities; requiring notification of certain persons of possible exposure to certain reportable diseases; providing confidentiality of information and penalties for violations.

SB 287, by Committee on Public Health and Welfare: An act concerning the Kansas healing arts act; creating a temporary education license.

SB 288, by Committee on Local Government: An act concerning cemeteries; relating to the revestment of title to lots; amending K.S.A. 12-1440 and repealing the existing section.

SB 289, by Committee on Local Government (by request): An act concerning civil liability; relating to the duties and liabilities of roller skating center operators and persons who utilize roller skating centers; providing for the acceptance of certain risks by persons who utilize roller skating centers.

SB 290, by Committee on Assessment and Taxation: An act relating to income taxation; providing for an income tax refund or donation check-off for the Kansans for Kids program.

SB 291, by Committee on Assessment and Taxation: An act amending and supplementing the homestead property tax refund act; providing for the assignment of refund claims made thereunder; amending K.S.A. 79-4504 and K.S.A. 1988 Supp. 79-2004 and repealing the existing sections.

SB 292, by Committee on Judiciary: An act concerning adoption; enacting the Kansas adoption and relinquishment act; amending K.S.A. 38-1206 and 59-2203 and K.S.A. 1988 Supp. 65-504 and repealing the existing sections; also repealing K.S.A. 38-113, 38-114, 38-124, 38-125, 38-126, 38-127, 38-128, 59-2101, 59-2103, 59-2104, 59-2277, 59-2279, 59-2280 and 65-509 and K.S.A. 1988 Supp. 38-1129, 59-2102, 59-2278, 59-2278a, 59-2278b and 59-2278c.

SB 293, by Committee on Judiciary: An act concerning the uniform controlled substances act; relating to scheduling of certain substances; amending K.S.A. 65-4109 and K.S.A. 1988 Supp. 65-4105, 65-4107 and 65-4111 and repealing the existing sections.

SB 294, by Committee on Elections: An act concerning certain elective offices; filling vacancies; resignation from office; amending K.S.A. 19-203, 19-2606, 25-3801, 25-3902, 25-3902a, 25-3904, 25-3904a, 25-3905, 25-3906 and 46-160 and repealing the existing sections.

SB 295, by Committee on Labor, Industry and Small Business: An act concerning the employment security law; relating to certain disqualifications for benefits; amending K.S.A. 1988 Supp. 44-706 and repealing the existing section.

SB 296, by Committee on Judiciary: An act concerning certain alcohol and drug related offenses; relating to breath tests; evidentiary foundation necessary for admissibility.

SB 297, by Committee on Judiciary: An act concerning children; providing that false reporting of allegation of child abuse and neglect to be a crime; amending K.S.A. 1988 Supp. 38-1522 and repealing the existing section.

SB 298, by Committee on Judiciary: An act concerning crimes and punishment; relating to aggravated juvenile delinquency; amending K.S.A. 21-3611 and repealing the existing section.

SB 299, by Committee on Judiciary: An act concerning the residential landlord and tenant act; relating to disposition of personal property of tenant; amending K.S.A. 58-2565 and repealing the existing section.

SB 300, by Committee on Judiciary: An act concerning collection agencies; relating to assignment of claims.

(continued)

SB 301, by Committee on Public Health and Welfare: An act concerning the discharge of voluntary patients under the treatment act for mentally ill persons; amending K.S.A. 1988 Supp. 59-2907 and repealing the existing section.

SB 302, by Committee on Public Health and Welfare: An act concerning payment of claims to medical vendors by the secretary of social and rehabilitation services; amending K.S.A. 39-708a and repealing the existing section.

SB 303, by Committee on Public Health and Welfare: An act authorizing the secretary of social and rehabilitation services to sell and convey certain property currently being used as a workshop for the blind.

SB 304, by Committee on Public Health and Welfare: An act concerning patients in certain state institutions; relating to payment for the maintenance, care and treatment thereof; amending K.S.A. 1988 Supp. 59-2006 and repealing the existing section.

SB 305, by Committee on Public Health and Welfare: An act concerning care of children; relating to certain persons prohibited from maintaining homes for children; concerning validation of abuse or neglect; amending K.S.A. 1988 Supp. 65-516 and repealing the existing section.

SB 306, by Committee on Public Health and Welfare: An act concerning records and reports of child abuse or neglect; amending K.S.A. 1988 Supp. 38-1507 and repealing the existing section.

SB 307, by Committee on Election: An act concerning elections; relating to becoming a candidate; amending K.S.A. 19-826, 19-3424, 25-209, 25-311, 25-613, 25-2410, 25-2412, 25-2421, 25-2429, 25-3205, 25-4004, 25-4005 and 80-1116 and K.S.A. 1988 Supp. 15-123 and repealing the existing sections.

SB 308, by Committee on Elections: An act concerning elections; elections by mail; school district bond elections; amending K.S.A. 25-432 and repealing the existing section.

SB 309, by Committee on Local Government: An act concerning property tax; relating to the computation of tax levy rates; amending K.S.A. 79-1803 and repealing the existing section.

SB 310, by Committee on Energy and Natural Resources: An act concerning vehicle tires; relating to disposal thereof; imposing taxes on retail sales of new vehicle tires and providing for disposition thereof; prohibiting certain acts and providing penalties for violations.

SB 311, by Committee on Agriculture: An act enacting the uniform marital property act; amending K.S.A. 23-201, 23-202, 23-204 through 23-207 and K.S.A. 1988 Supp. 60-1610 and repealing the existing sections.

SB 312, by Committee on Federal and State Affairs: An act concerning firearms; relating to regulation thereof.

SB 313, by Committee on Governmental Organization (by request): An act concerning domestic relations; relating to property considered to be marital property; amending K.S.A. 23-201 and repealing the existing section.

SB 314, by Committee on Assessment and Taxation: An act relating to property taxation; providing property tax relief to certain owners of commercial real estate; prescribing authorities and duties for the department of revenue relating thereto.

SB 315, by Committee on Assessment and Taxation: An act relating to the financing of public schools; authorizing the levy of individual income taxes by school districts; providing duties for certain state officers relating to the administration thereof.

SB 316, by Committee on Federal and State Affairs: An act concerning alcoholic beverages; relating to food sales requirements for certain licenses; amending K.S.A. 1988 Supp. 41-2601 and repealing the existing section.

SB 317, by Committee on Financial Institutions and Insurance: An act relating to rental companies that provide certain rental motor vehicles to the public; prohibiting certain acts and providing penalties for violations; repealing K.S.A. 1988 Supp. 50-654 to 50-658, inclusive.

SB 318, by Committee on Public Health and Welfare: An act enacting the controlled substances reporting act; providing for the reporting to the state board of healing arts certain information concerning schedule II controlled substances; establishing a controlled substances reporting commission and providing the duties and functions thereof; amending K.S.A. 47-830 and K.S.A. 1988 Supp. 45-221, 65-1436, 65-2006 and 65-2836 and K.S.A. 1987 Supp. 65-1627, as amended by section 195 of chapter 356 of the 1988 Session Laws of Kansas, and repealing the existing sections.

SB 319, by Committee on Ways and Means: An act concerning the state fair capital improvements fund; directing certain transfers to the

fund; amending K.S.A. 1988 Supp. 2-223 and repealing the existing section.

SB 320, by Committee on Governmental Organization: An act creating the division of surveys, mapping and geodetic control.

SB 321, by Committee on Judiciary: An act concerning civil procedure for limited actions; relating to service of process; amending K.S.A. 1988 Supp. 61-1805 and 61-1806 and repealing the existing sections.

House Concurrent Resolutions

HCR 5011, by Representatives Braden and Barkis: A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from United States Representative Jim Slattery.

HCR 5012: A proposition to amend section 2 of article 2 of the constitution of the state of Kansas, relating to terms of legislators.

HCR 5013, by Representative Schauf: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

House Resolutions

HR 6023, by Representative Campbell: A resolution congratulating and commending the Concordia High School Debate Team for winning the 1989 Class 4A State Debate Tournament.

HR 6024, by Representatives Smith, Barr and Brown: A resolution honoring Vernon E. Evans on his retirement after 52 years of service in Soldier Township.

HR 6025, by Representative Shallenburger: A resolution honoring Theda Correll on her retirement after 42 years of service to the Cherokee County District Court.

HR 6026, by Representative Guldner: A resolution congratulating and commending the Scott Community High School football team and Coach Dave Dunham for winning the 1988 Class 4A State Football Championship in Kansas.

HR 6027, by Representatives Branson, Charlton, D. Miller and Solbach: A resolution congratulating and commending the University of Kansas Marching Band on being named the recipient of the 1989 Louis Sudler National Intercollegiate Marching Band Trophy.

HR 6028, by Representative Wilbert: A resolution congratulating and commending the Pittsburg High School football team and Coach Larry Garman for winning the 1988 Class 5A State Football Championship in Kansas.

HR 6029, by Representative Wilbert: A resolution congratulating and commending the Pittsburg State University football team and its coach, Dennis Franchione, on outstanding 1985, 1986, 1987 and 1988 seasons.

HR 6030, by Representative Fry: A resolution congratulating Rickabaugh Motors for over 60 years of continuous family ownership and on their 50th anniversary as a Dodge Dealer in Rice County, Lyons, Kansas.

HR 6031, by Representative Russell: A resolution recognizing the contributions of Coffeyville Community College and February, 1989, as National Community College Month.

HR 6032, by Representative Snowbarger: A resolution congratulating and commending Dr. Paul G. Cunningham for 25 years of service as pastor of the College Church of the Nazarene, Olathe, Kansas.

Senate Concurrent Resolutions

SCR 1615, by Committee on Ways and Means: A concurrent resolution revoking 1978 Senate Concurrent Resolution No. 1661 concerning a request to the United States Congress to call a constitutional convention relating to balancing federal financing.

Senate Resolutions

SR 1814, by Senator Parrish: A resolution honoring Vernon E. Evans on his retirement after 52 years of service in Soldier Township.

SR 1815, by Senator Martin: A resolution honoring Theda Correll on her retirement after 42 years of service to the Cherokee County District Court.

SR 1816, by Senator Martin: A resolution congratulating and commending the Pittsburg High School football team and Coach Larry Garman for winning the 1988 Class 5A State Football Championship in Kansas.

SR 1817, by Senator Martin: A resolution congratulating and commending the Pittsburg State University football team and its coach, Dennis Franchione, on outstanding 1985, 1986, 1987 and 1988 seasons.

SR 1818, by Senator Ehrlich: A resolution congratulating Rickabaugh Motors for over 60 years of continuous family ownership and on their 50th anniversary as a Dodge Dealer in Rice County, Lyons, Kansas.

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
Court of Appeals Courtroom, 2nd Floor, Judicial Center
Topeka, Kansas

Before Abbott, C.J.; Brazil, J.; and Harry G. Miller,
District Judge Retired, assigned.

Tuesday, March 7, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,093	State of Kansas, Appellee,	Sue Carpenter Gene Olander Attorney General	Shawnee
	v. Clifford H. Blount, Jr., Appellant.	Shannon Crane	
61,992	State of Kansas, Appellee,	Randy Hendershot Gene Olander Attorney General	Shawnee
	v. Sherman E. Ishman, Appellant.	Jessica R. Kunen	
62,385	State of Kansas, Appellee,	David B. Debenham Kenneth R. Smith Attorney General	Shawnee
	v. Scott Michael Hale, Appellant.	Joel W. Meinecke	

10:00 a.m.

62,288	State of Kansas, Appellee,	Julia McKenna Mickey Mosier Attorney General	Saline
	v. Beauregard Daniel III, Appellant.	Reid T. Nelson	
62,771	Orville and Ruth McQuay, Appellants,	Charles S. Scott Richard E. Jones	Geary
	v. Montgomery Publications, Inc., dba Daily Union, Appellee.	Peter C. Rombold	

1:30 p.m.

62,429	State of Kansas, Appellee,	Keith D. Hoffman John McNish Attorney General	Dickinson
	v. Margo Wilson, Appellant.	J. Richard Lake	

(continued)

62,444 Elk State Bank, Appellee, Clay
 v.
 Isabel Mellies, Federal Land Bank of John D. Conderman
 Wichita, and Commodity Credit Corp., David L. Stutzman
 Appellees,
 and
 Dwaine L. Mellies and Glenda L. Dwaine L. Mellies, *pro se*
 Mellies, Appellants. Glenda L. Mellies, *pro se*

62,661 E. L. Hopkins, Appellant, Lyon
 v.
 John Waechter, Appellee. Thomas A. Krueger
 Don C. Krueger

2:30 p.m.

62,356 State of Kansas, Appellee, Riley
 v.
 Randy W. Siebold, Appellant. Gabrielle M. Thompson
 Attorney General
 Steven R. Zinn

Summary Calendar—No Oral Argument

62,563 State of Kansas, Appellee, Riley
 v.
 Randy Wick Siebold, Appellant. Michael J. Bartee
 Attorney General
 Steven R. Zinn

Wednesday, March 8, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,884	Deborah Martinez, Appellant, v. Frito Lay, Inc., and National Union Fire Insurance Co., Appellees.	Judy A. Pope Steven J. Pigg	Shawnee
62,529	In the Interest of J.M.M.	Amy McGowan George Gomez Douglas E. Wells Frank J. Yeoman, Jr. Scott McKenzie	Shawnee
62,744	Volume Shoe Corp., Appellee, v. Richard A. Jolosky and The Trump Group, Ltd., Appellants.	Gary Sebelius Thomas E. Wright Thomas C. Walsh Arthur E. Palmer Mark V. Beshears Mark Abramowitz	Shawnee

10:00 a.m.

62,818 In the Matter of the Marriage of Sherril I. Gragg and David L. Gragg. Joseph G. Herold
 Steven R. Wiechman Osage

62,647 Ernest Davison, Appellee, Brock R. Snyder Shawnee
 v.
 Anthony Tangari and The Menninger Gerald L. Goodell
 Foundation, Appellants.

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

Before Rulon, P.J.; Davis and Larson, JJ.

Tuesday, March 7, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,323	State of Kansas, Appellee, v. Michael L. Donovan, Appellant.	Mona Furst Attorney General Douglas C. Cranmer	Sedgwick
62,461	Boeing Military Airplane Co. and Aetna Casualty & Surety, Appellees. v. Gary L. Powell, Appellant.	Vaughn Burkholder Dale V. Slape	Sedgwick
62,697	Brenda R. Burton, Appellant, v. Dold Foods, Inc., Workers' Compensation Fund, and Liberty Mutual Insurance, Appellees.	Artie E. Vaughn Douglas Johnson Michael O'Neal	Sedgwick

10:00 a.m.

62,668	Jerry R. C. Cooper, Appellant, v. State of Kansas, Appellee.	Michael J. Waite Tim Chambers Attorney General	Reno
62,807	Valentine Roofing & Waterproofing, Inc., Appellant, v. Allied Mutual Insurance Co. and Parker Construction, Inc., Appellees.	Orlin L. Wagner Craig Kennedy	Sedgwick

Before Rulon, P.J.; Rees and Davis, JJ.

Tuesday, March 7, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,224	In the Matter of the Marriage of Ina L. Totten and Lowell Totten.	James Wilson Sean C. McEnulty	Sumner
62,287	In the Matter of the Marriage of James F. Breitenbach and Barbara J. Breitenbach.	Ronald K. Badger Edward Dwire	Sedgwick

(continued)

62,230	In the Matter of the Care and Treatment of John E. Stanga.	Patricia H. Jenkins Ruth Ritthaller Debra Barnett	Sedgwick
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2:00 p.m.

62,641	Fidelity Savings Association of Kansas, Appellee, v. Michael W. Hoffner, and Redemption Managers of Kansas, Inc., Appellants.	James L. Hargrove Mark A. Corder	Butler
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62,727	Bank of Kansas, Appellee, v. Hutchinson Health Serv., Inc.; Kansas Dept. of SRS; The Central State Bank, now known as Central Bank & Trust, Trustee; and Kansas Dept. of Human Resources, Appellants.	David E. Roberts Dennis O. Smith Ken Peirce Bruce A. Roby H. Dean Cotton	Reno
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Before Rees, P.J.; Davis and Larson, JJ.

Wednesday, March 8, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,747	Sharron L. Thomas, Appellant, v. HCA Health Serv. of Kansas, Inc., dba HCA Wesley Medical Center, Appellee.	Phillip F. Fields Patricia G. Griffith James R. Hanson	Sedgwick
62,522	In the Matter of the Marriage of Sylvia K. O'Brien, formerly Sylvia K. Ross, and Robert Lewis Ross and Robert Allan Ross, a minor child, Appellants, v. Charles Allan Austin, Appellee.	Peter John Orsi N. Trip Shawver Lois A. Lynn, guardian ad litem Peter C. Hagan	Sedgwick
62,394	Kenneth E. Wilson, Appellant, v. State of Kansas, Appellee.	Thomas Jacquinet Debra Barnett Attorney General	Sedgwick
10:00 a.m.			
62,464	State of Kansas, Appellee, v. Michael W. Hamilton, Appellant.	Debra Barnett Attorney General Karen E. Mayberry	Sedgwick
62,649	Home Life Insurance Co., Appellee, v. Dean C. Clay, et al., and James Woody Woodall, et al., Appellants.	Kenneth M. Clark William Shull Michael E. McMahon Keith Witten Thomas L. Theis	Sedgwick

Before Rulon, P.J.; Rees and Larson, JJ.

Wednesday, March 8, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,299	State of Kansas, Appellee, v. Murel Amador, Appellant.	Gene Porter Attorney General Reid T. Nelson	Barton
62,134	State of Kansas, Appellee, v. Billy D. Jackson, Appellant.	Mona Furst Attorney General Shannon Crane	Sedgwick
62,434	State of Kansas, Appellee, v. Danell J. Magness, Appellant.	Debra Barnett Attorney General Jessica R. Kunen	Sedgwick

2:00 p.m.

62,338	State of Kansas, Appellee, v. Charles A. DeVries, Appellant.	Mona Furst Attorney General Reid T. Nelson	Sedgwick
62,202	State of Kansas, Appellee, v. Scott M. James, Appellant.	John E. Cowles Attorney General Jessica R. Kunen	Sedgwick

**Kansas Court of Appeals
Division 3 Courtroom, Wyandotte County Courthouse
Kansas City, Kansas**

**Before Elliott, P.J.; Lewis, J.; and James P. Buchele,
District Judge, assigned.**

Tuesday, March 7, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
59,583 60,262 61,072 61,488 61,500 (Cons.)	Barbara G. Barton and Edward Lawrence Winn III, as co-executors of the Estate of E.L. Winn II, Appellees, v. Marian Finnell, aka Marian Winn, Appellant.	James R. Orr John H. Fields	Johnson
62,155	K.F.B. Insurance Co. and Shelter Insurance Co., Appellants, v. Michael Caswell, <i>et al.</i> , Appellees.	Paul Hasty, Jr. Gordon M. Rock, Jr. Daniel M. Zimmerman Robert M. Numrich	Johnson

(continued)

10:00 a.m.

62,600 62,601 (Cons.)	Delora J. Beal, Appellant, v. Rent-a-Center of America, Inc., Appellee.	Ken Seck Donald W. Vasos	Wyandotte
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Summary Calendar—No Oral Argument

63,015	Craig Johnson, Appellant, v. State of Kansas, Appellee.	Craig Johnson, <i>pro se</i> Nick Tomasic Attorney General	Wyandotte
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62,586	Kenneth Stauch, Appellant, v. Unified School District 500 and Intercontinental Insurance Managers, Appellees.	James M. Sheeley David M. Druten	Wyandotte
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1:00 p.m.

61,739	State of Kansas, Appellee, v. Eddie Brunson, Jr., Appellant.	Bradley Watson Attorney General James C. Trickey Thomas Jacquinet	Johnson
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62,728	In the Matter of the Marriage of Sherryl Ellis and J.D. Ellis.	Richard Senecal James G. Chappas	Atchison
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62,244	State of Kansas, Appellee, v. Jody D. Scott, Appellant.	Gunnar A. Sundby Attorney General Joan E. Adams J. David Farris	Atchison
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2:00 p.m.

62,523	Hardy Property Management, Inc., Appellant, v. Bill F. Renzenberger, <i>et al.</i> , Appellees.	William M. Modrcin Joe L. Norton	Johnson
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62,637	Alyce M. Hicks, Appellee, v. Joseph E. Mason, Appellant.	Felix Kancel Gerald N. Jeserich	Wyandotte
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Before Gernon, P.J.; Briscoe, J.; and James P. Buchele,
District Judge, assigned.

Wednesday, March 8, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,310	William Langford, Appellant, v. State of Kansas, Appellee.	Zygmunt J. Jarczyk Nick Tomasic Attorney General	Wyandotte

62,696	Don Kranker and Denise Kranker, Appellants, v. Alma J. Short, dba A.J. Short Trash Service, Appellee.	John R. Cunningham Ronald P. Wood	Crawford
62,893	Steven J. Murphy, Appellant, v. Parsons State Hospital and State Self- Insurance Fund, Appellees.	Timothy A. Short Seth G. Valerius David Shufelt	Labette

10:00 a.m.

62,517	Dr. John W. Cain, Appellant, v. Dr. Richard P. Hudson and Dr. Robert F. Triplett, Appellees.	John W. Cain, <i>pro se</i> Leigh C. Hudson	Crawford
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Summary Calendar—No Oral Argument

62,392	State of Kansas, Appellee, v. Curtis Rush, Appellant.	Wes Griffin Nick A. Tomasic Attorney General Jessica R. Kunen	Wyandotte
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Before Gernon, P.J.; Briscoe and Lewis, JJ.

Wednesday, March 8, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,632	State of Kansas, <i>ex rel.</i> , Secretary SRS, Darlene Pahmahmie, and Lonnie D. Shopteese, by and through Darlene Pahmahmie, his natural mother & next friend, Appellee, v. Loren Thomas, Appellant.	Michael K. Schmitt J. R. Russell	Brown
62,532	Masaaki Chigira, <i>et al.</i> , Appellants, v. Dr. Lance Miller, Appellee.	John L. White Richard D. Simpson	Johnson
62,667	Bob J. Settle, Appellant, v. City of Kansas City, Kansas, <i>et al.</i> , Appellees.	Bob J. Settle, <i>pro se</i> R. Wayne Lampson Julie E. Howard James L. Sanders	Wyandotte

2:00 p.m.

62,501	Mark Goodloe and Laura Goodloe, Appellees, v. City of Kansas City, Kansas, Appellant.	J. R. Russell Mary Ann Neath	Wyandotte
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(continued)

Summary Calendar—No Oral Argument

62,380	State of Kansas, Appellee, v. Teresa Anne Jackman, Appellant.	Thomas J. Bath, Jr. Attorney General Robert L. Morse	Johnson
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Before Gernon, P.J.; Briscoe and Elliott, JJ.

Thursday, March 9, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,499	State of Kansas, Appellee, v. Hilton Johnson, Appellant.	Nick A. Tomasic Attorney General Jessica R. Kunen	Wyandotte
60,962	Portia Kidd and Desiree Kidd, by their mother and next friend, Dianne Elliot, Appellants, v. Dr. Robert Harder, Secretary of SRS, and William A. Shellman, Appellees.	Michael Willcott Thomas M. Dawson Donald A. Frigon William A. Shellman Hal Des Jardins David C. VanParys, guardian ad litem	Leavenworth
62,292	State of Kansas, Appellee, v. Sherman Lamar Wright, Appellant.	Jerome A. Gorman Attorney General Michael Redmon	Wyandotte
10:00 a.m.			
62,469	In the Matter of the Guardianship and Conservatorship of Florence M. Young.	Frederick M. Jantz William C. Walker Steven B. Doering	Anderson
62,927	In the Matter of M.O., a minor child.	Craig A. Lubow Terra D. Morehead Kathleen Stannard	Wyandotte

LEWIS C. CARTER
Clerk of the Appellate Courts

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT
BOARD OF ADULT CARE HOME
ADMINISTRATORS**

NOTICE OF MEETING

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, March 10, in Conference Room 106A, Landon State Office Building, 900 S.W. Jackson, Topeka.

JOE KROLL, Director
Adult Care Homes

Doc. No. 007536

State of Kansas

STATE CORPORATION COMMISSION

**TEMPORARY ADMINISTRATIVE
REGULATIONS**

Article 11.—NATURAL GAS PIPELINE SAFETY

82-11-1. Definitions. The following terms as used in these regulations, and in the identified sections of the regulations adopted by reference, are defined as follows:

(a) The term "commission" means the state corporation commission of Kansas.

(b) The term "construction project" means the construction of:

(1) any jurisdictional pipeline installation, including new, replacement, or relocation projects, in which the total piping installed during the project and any contiguous unreported prior or on-going projects is in excess of 400 feet for municipal gas operators, or 1000 feet for all other gas operators; or

(2) any other significant pipeline installation which is subject to these safety standards.

(c) The term "gas pipeline safety section" means the gas pipeline safety section of the state corporation commission of Kansas.

(d) The term "inspector" means an employee of the gas pipeline safety section of the state corporation commission of Kansas.

(e) The term "municipal gas operator" means an operator who engages in the transportation of gas primarily for the storage in or use in a municipally-owned distribution system.

(f) The term "utility division" means the utility division of the state corporation commission of Kansas.

(g) This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-2. Enforcement procedures. Regulations adopted by the commission under the authority of K.S.A. 66-1,150 and 66-1,151 shall be enforced by the gas pipeline safety section. This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-3. Transportation of natural and other gas by pipeline; annual reports and incident reports. The federal rules and regulations entitled "Transportation of Natural and Other Gas by Pipeline; Annual Reports and Incident Reports," Title 49 CFR, Part 191, as in effect on October 1, 1988, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) 49 CFR 191.3(1)(ii) is deleted and replaced by "(ii) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$5,000 or more."

(b) The following sentence is deleted from 49 CFR 191.3 "Secretary" means the Secretary of Transportation or any person to whom he has delegated authority in the matter concerned."

(c) 49 CFR 191.5(b) is deleted and replaced by "(b) Each notice required by paragraph (a) of this section shall be made by telephone to the state corporation commission of Kansas, gas pipeline safety section, and shall include the following information:

(1) The names of the operator and the person making report and their telephone numbers;

(2) the location of the incident;

(3) the time of the incident;

(4) the number of fatalities and personal injuries, if any; and

(5) all other significant facts known by the operator that are relevant to the cause of the incident or extent of the damages."

(d) 49 CFR 191.7 is deleted.

(e) The term "Department of Transportation Form RSPA F 7100.1," as used in 49 CFR 191.9(a), means Kansas corporation commission form KCC 192.004-1 (gas distribution system).

(f) 49 CFR 191.9(b) is deleted and replaced by "(b) If additional relevant information is required after the report is submitted under paragraph (a), each operator shall submit to the commission a written report providing the additional information pertaining to the incident within 15 days of the commission's request."

(g) 49 CFR 191.11(a) is deleted and replaced by "(a) Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system shall submit an annual report in duplicate for that system on department of transportation form RSPA F 7100.1-1. This report shall be submitted not later than March 15 of each year, for the preceding calendar year."

(h) The term "Department of Transportation Form RSPA F 7100.1-1," as used in 49 CFR 191.11(a), means U.S. department of transportation form RSPA F 7100.1-1.

(i) The term "Department of Transportation Form RSPA F 7100.2," as used in 49 CFR 191.15(a), means Kansas corporation commission form 192.004-1 (gas transmission and gathering systems).

(j) 49 CFR 191.15(b) is deleted and replaced by "(b) If additional relevant information is required by the commission after the report is submitted under paragraph (a), each operator shall submit to the commission a written report providing the additional information pertaining to the incident within 15 days of the commission's request."

(k) The term "Department of Transportation Form RSPA F 7100.2-1," as used in 49 CFR 191.17(a), means U.S. department of transportation form RSPA F 7100.2-1.

(continued)

(l) The term "191.7," as used in 49 CFR 191.19, means K.A.R. 82-11-5.

(m) The sentence "In addition, the information required by these forms may be submitted by any other means that is acceptable to the Secretary" is deleted from 49 CFR 191.19.

(n) 49 CFR 191.21 is deleted.

(o) The term "Secretary," as used in 49 CFR 191.25, means commission.

(p) This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-4. Transportation of natural and other gas by pipeline; minimum safety standards. The federal rules and regulations entitled "Transportation of Natural and Other Gas by Pipeline; Minimum Federal Safety Standards," Title 49 CFR, Part 192, including appendices A, B, C and D, as in effect on October 1, 1988, are adopted by reference except that 49 CFR 192.7(b) is deleted and replaced by "(b) Any incorporated document is available for inspection at the commission, gas pipeline safety section, Topeka, Kansas. In addition, each document is available at the addresses provided in appendix A to this part." This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-5. Addressee for written reports. Each written report required by the regulations of this article shall be made to the commission, gas pipeline safety section, Topeka, Kansas. Safety-related reports required by K.A.R. 82-11-3 for intrastate pipeline transportation shall be submitted concurrently to the commission and to the resources manager, office of pipeline safety, research and special programs administration, U.S. department of transportation, Washington, DC. This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-6. Procedures to insure compliance with minimum safety standards. The following procedures may be utilized by the commission to insure compliance with the minimum safety standards of this article:

(a) Annual audit-inspection. An inspector shall visit each operator annually, or as needed, to inspect the operator's operation and maintenance records, and to perform field surveys and tests as required by the regulations of this article. Inspection guides shall be used to record information and test results obtained in each field inspection. This information shall be evaluated by the gas pipeline safety section, and an evaluation letter and a completed evaluation form shall be sent by mail to the operator.

(b) Return of evaluation form. Each completed evaluation form in subsection (a) shall be signed by the operator and returned to the gas pipeline safety section within 30 days of the date that the evaluation letter and evaluation form were received by the operator. Each evaluation form shall detail the actions taken by the operator, or shall set forth a proposed plan, to bring the operator's system into compliance with the safety standards of this article.

(c) Follow-up inspection. If the inspection reveals any

instances of noncompliance, each inspector shall return to the operator's premises within 90 days of the date of the inspection evaluation letter, or as soon as is practicable, to perform a follow-up inspection. Each inspector shall re-inspect the operator's system and record any instance of non-compliance. A follow-up inspection evaluation letter shall then be sent to the operator detailing any further action required by the operator.

(d) Meeting with commission staff. If the inspector determines on the follow-up inspection that the instances of non-compliance have not been corrected, the operator may be requested to attend an informal meeting at the commission offices to discuss the operator's non-compliance with the minimum safety standards of this article.

(e) Show cause hearing. A show cause hearing may be requested when all other reasonable measures have failed to produce operator compliance, or when the non-compliance presents an imminent danger to persons or property.

(f) Waiver of procedures. The requirements of this regulation may be waived and an interim order may be issued by the commission pursuant to K.A.R. 82-1-232(c) if any instance of non-compliance with the safety standards of this article presents any probable danger to persons or property.

(g) This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

82-11-7. Reporting requirements. (a) Annual report. Each operator subject to the jurisdiction of the commission shall submit, in duplicate, an annual report for each calendar year. This report shall be submitted on forms as prescribed by Title 49 CFR, Part 191. These forms shall be distributed to the operator by the gas pipeline safety section. Each annual report shall be submitted to the gas pipeline safety section by March 1st of the year following the reporting year. One copy of each annual report shall be transmitted by the commission to the information systems manager, materials transportation bureau, U.S. department of transportation, by March 15th of the year following the reporting year.

(b) Incident reports.

(1) Each operator shall notify the utility division by telephone within two hours following discovery of any incident within their certified areas or operating areas. If an incident occurs outside the commission's working hours of 7:50 a.m. through 4:50 p.m., Monday through Friday, or on a holiday, the gas utility or operator shall contact an employee of the gas pipeline safety section. A list of these employees and their telephone numbers shall be provided to each operator.

(2) One copy of each written incident report shall be transmitted by the executive director of the commission within 10 days of receipt to the information systems manager, materials transportation bureau, U.S. department of transportation.

(c) Municipal gas operators.

(1) Each municipal gas operator shall notify the gas pipeline safety section when the municipal gas operator has contracted with a consultant to perform a survey or inspection in order to comply with the minimum safety standards. Each municipal gas operator shall forward written notice indicating the probable month of the inspection or survey at the time the consultant is authorized by the

municipality to conduct such survey or inspection. In addition, each municipal gas operator shall forward written notice to the gas pipeline safety section no less than 10 days before the survey or inspection is to be conducted by the consultant. Forms for these notifications shall be available from the gas pipeline safety section.

(2) Each municipal gas operator shall maintain complete records relating to the gas system for the life of the system for the purposes of insuring compliance with the minimum safety standards. Original records shall be kept by the city clerk or other responsible employee, and copies of said records shall be kept by the municipal gas operator. Each record shall be made available when an inspector conducts a field inspection.

(d) Construction notices. Each operator shall submit to the gas pipeline safety section written notice on commission-supplied forms of any of the following construction activities or events:

(1) Receipt by the operator of internal authorization to proceed with a construction project;

(2) commencement of a construction project. The notice shall be submitted no less than 10 days before the commencement of the construction project; or

(3) whenever contiguous pipeline installation projects cumulatively exceed the distance criteria provided in K.A.R. 82-11-1(b) so as to constitute a construction project.

(e) This temporary regulation shall be effective on and after February 25, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, Feb. 25, 1989.)

FRANK CARO, JR.
General Counsel

Doc. No. 007518

State of Kansas

THE KANSAS LOTTERY

TEMPORARY ADMINISTRATIVE REGULATIONS

Article 3.—INSTANT GAME RULES

111-3-11. Ticket Sales. (a) The price of instant tickets sold by a retailer shall be \$1.00 each.

(b) To the extent feasible, retailers shall sell their tickets in numerical order of the book-ticket numbers. No retailer shall promote or sell tickets in a manner contrary to the principle that every ticket has an equal and random chance of winning a prize.

(c) Tickets shall be sold only by retailers with a current lottery retailer instant game contract in effect with the Kansas lottery. Tickets shall be sold only at the retailer's location which has been approved by the Kansas lottery.

(d) Tickets shall not be sold to any person under the age of 18 years. Retailers may require persons purchasing tickets to produce proof of their age. (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and 74-8718(a); effective T-89-4, Jan. 22, 1988; amended T-111-2-10-89, Feb. 10, 1989.)

Article 4.—INDIVIDUAL GAME RULES

RULES FOR INSTANT GAME NO. 6 "DOUBLE DOLLARS"

111-4-92. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710 as amended by L. 1988, Ch. 366, § 23; effective T-111-8-3-88, Aug. 3, 1988; revoked Feb. 10, 1989.)

111-4-93. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710 as amended by L. 1988, Ch. 366, § 23; effective T-111-8-3-88, Aug. 3, 1988; revoked Feb. 10, 1989.)

111-4-94. (Authorized by K.S.A. 1987 Supp. 74-8710(b) as amended by L. 1988, Ch. 366, § 23, (c) and (i); implementing K.S.A. 1987 Supp. 74-8710(b) as amended by L. 1988, Ch. 366, § 23, (c) and (i) and 74-8720 as amended by L. 1988, Ch. 381, § 15 and Ch. 314, § 7; effective T-111-8-3-88, Aug. 3, 1988; revoked Feb. 10, 1989.)

111-4-95. (Authorized by K.S.A. 1987 Supp. 74-8710(b), (c) and (f) as amended by L. 1988, Ch. 366, § 23; implementing 74-8710(b), (c) and (f) and 74-8720 as amended by L. 1988, Ch. 381, § 15 and Ch. 314, § 7; effective T-111-8-3-88, Aug. 3, 1988; revoked Feb. 10, 1989.)

Article 5.—KANSAS LOTTO AMERICA GAME RULES

111-5-21. Multi-Draw. (a) In addition to a single play involving two boards for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 6, 7, 8, 9, or 10 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 per two (2) boards for each additional drawing in which he or she wishes to play.

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 7:30 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-2-10-89, Feb. 10, 1989.)

Article 6.—ON-LINE GAMES

111-6-13. Prizes Payable After Death or Disability of Owner. (a) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death may be paid to the duly appointed representative of the estate of the deceased designated pursuant to L. 1987, Chapter 292, Section 20(b).

(b) Prize moneys will be paid according to the law of descent and distribution, chapter 59 of Kansas statutes.

(c) The executive director may rely wholly on the presentment of certified copies of a court's appointment of an administrator or executor, guardian, conservator or any other evidence of a person entitled to the payment of any prize winnings then due.

(continued)

(d) The payment to the estate of the deceased owner of any prize winnings by the lottery shall absolve the lottery and its representatives of any further liability for payment of said prize winnings. The lottery need not look to the payment of the prize winning beyond the payee thereof. The executive director reserves the right to petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, under age, mental deficiency, physical or mental incapacity. If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the lottery to be paid directly to said legatee(s) or heir(s) or otherwise directs the lottery to make payments to another in the event of an owner's disability or otherwise, the lottery shall pay the prize winnings accordingly. (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and 74-8720; amended T-111-2-10-89, Feb. 10, 1989.)

Article 7.—CASH LOTTO GAME RULES

CASH LOTTO TWICE-WEEKLY INSTANT TICKET DRAW

111-7-28. Name of Drawing. The Kansas lottery shall conduct twice weekly drawings entitled "Cash Lotto Instant Ticket Drawings." The date of "Drawings" will coincide with the beginning of the on-line Cash Lotto game of the Kansas lottery. The "drawings" shall take place on Wednesdays and Saturdays between 8:16 p.m. and 8:45 p.m., Central Time (CT) except for Wednesdays during the state fair in Hutchinson, Kansas, on the Wednesday immediately preceding Thanksgiving, January 21, 1989, and Wednesdays from March 1, 1989, through May 31, 1989, at which times no "Cash Lotto Instant Ticket Drawings" will be conducted. In the event Christmas Eve, Christmas Day, New Year's Eve and New Year's Day should fall on a Wednesday or Saturday, no "Cash Lotto Instant Ticket Drawings" will be conducted. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710(a); effective T-89-25, May 24, 1988; amended T-111-9-7-88, Sept. 7, 1988; amended T-111-10-21-88, Oct. 18, 1988; amended T-111-11-16-88, Nov. 15, 1988; amended T-111-1-12-89, Jan. 11, 1989; amended T-111-2-10-89, Feb. 10, 1989.)

111-7-32b. Optional Prizes. Beginning February 11, 1989, the executive director shall offer to instant ticket draw one-hundred dollar (\$100) winners, the option of accepting the one-hundred dollar (\$100) prize described in K.A.R. 111-7-32 or participating in an additional prize selection drawing which will result in a prize amount ranging from fifty dollars (\$50) to one thousand dollars (\$1000) as determined by the draw procedure described in K.A.R. 111-7-34a. (Authorized by K.S.A. 1988 Supp. 74-8710(c); implementing K.S.A. 1988 Supp. 74-8710(c), K.S.A. 1988 Supp. 74-8720(b) and K.S.A. 1988 Supp. 74-8720(c); effective T-111-2-10-89, Feb. 10, 1989.)

111-7-34a. Determination of Optional Prize Amounts. The following selection process shall be used in determining the prize amount to be awarded to the instant ticket draw \$100 winner who chooses to participate in an additional prize selection drawing:

(a) The selection process shall be held weekly in conjunction with the Cash Lotto instant ticket draw and shall be held in a place accessible to the public, open to the public and with lottery security personnel and an auditor present.

(b) Kansas lottery security personnel and the auditor shall verify that each of 33 identical canisters contain one of the following prize amounts:

8 -	\$ 50
17 -	\$ 100
3 -	\$ 200
3 -	\$ 250
1 -	\$ 500
1 -	\$1,000

(c) Once the canisters are placed inside the drum, the drum shall be sealed and the contents mixed by shaking or rotating.

(d) Lottery security personnel shall then unseal the drum and the individual who has chosen this process shall, using the bare-arm technique, remove one canister from the drum.

(e) The designated lottery official shall unseal the canister removed from the drum, and the lottery security official and the auditor shall then examine and verify the dollar amount inside and announce the same.

(f) The individual shall be awarded the prize amount verified as being contained in the canister drawn from the drum, subject to lottery validation, set-offs and deductions as provided for by law. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710(b); effective T-111-2-10-89, Feb. 10, 1989.)

Article 9.—INDIVIDUAL PULL-TAB GAME RULES

RULES FOR PULL TAB GAMES NO. 3 "DUBLIN IRISH ROSE"

111-9-13. Name of Game. The Kansas Lottery shall conduct an instant pull-tab game entitled "Dublin Irish Rose" commencing on February 13, 1989. The specific rules for the "Dublin Irish Rose" game are contained in K.A.R. 111-9-13 through 111-9-18. Other applicable rules for the game may be found in K.A.R. 111-8-1, *et seq.* (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-2-10-89, Feb. 10, 1989.)

111-9-14. Definitions. The following definitions shall apply to the "Dublin Irish Rose" pull-tab lottery game.

(a) "Ticket" means the Kansas Lottery instant pull-tab Game No. 3 tickets, "Dublin Irish Rose."

(b) "Play symbols" are the numbers, letters, symbols or pictures printed on the front and under each tab on the back of each pull-tab ticket and which determine if the ticket bearer is entitled to a prize. In this pull-tab game, the play symbols consist of pictures of pots of gold, leprechauns, rainbows, derbies, shamrocks, blarney stones, pipes, harps and mushrooms. Three of each of these symbols, except blarney stones, pipes, harps and mushrooms, appear on the front of each ticket. Various combinations of symbols, including three of any symbol, appear under each tab on the back of each ticket.

(c) "Play symbol captions" are the words or portions of words printed beneath each play symbol under each tab in red or black ink and are used to repeat or explain the play symbol. For pull-tab game No. 3, "Dublin Irish

Rose," the captions are: pot of gold, leprechaun, rainbow, derby, shamrock, stone, pipe, harp and mushrooms.

(d) "Carton" means a box of pull-tab tickets containing 1056 tickets.

(e) "Carton serial number" is the 9-digit number appearing on the front of the ticket.

(f) "Winner protection code" means the small letter or combination of a letter and a number concealed within the two-ply ticket. These are used to verify and validate winning tickets. In this pull-tab game the codes and their meanings are as follows:

L	Indicates.....	All Non-Winners
W1	Indicates.....	3 Pots of Gold 50.00 Winners
W2	Indicates.....	3 Leprechauns 20.00 Winners
W3	Indicates.....	3 Rainbows 5.00 Winners
W4	Indicates.....	3 Derbies 2.00 Winners
W5	Indicates.....	3 Shamrocks 50¢ Winners

(Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-2-10-89, Feb. 10, 1989.)

111-9-15. Determination of Instant Prize Winners. Each tab on the back of the ticket is to be pulled open. If three matching symbols appear under any one tab, the player wins the prize which corresponds to each set of three matching symbols. If a rose appears on the far left play symbol of the three matching symbols, the player's prize is doubled. The prize attributable to each set of three matching symbols, including doubled prizes, is shown on the front of the ticket. The prize amounts are as follows:

Get	Single Prize Win	Double Prize Win
3 Pots of Gold	\$50	\$100
3 Leprechauns	\$20	40
3 Rainbows	\$ 5	10
3 Derbies	\$ 2	4
3 Shamrocks	50¢	

Only the highest prize amount won will be paid for any single ticket. (Authorized by K.S.A. 1988 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1988 Supp. 74-8710(b), (c), (d) and (i); effective T-111-2-10-89, Feb. 10, 1989.)

111-9-16. Number and Value of Prizes Per Carton of Tickets. The prize structure for each carton of "Dublin Irish Rose" instant pull-tab tickets is as follows:

Prize	Number of Winners	Prize Payout in Dollars
\$50	1	\$ 50
\$50 & rose	1	\$100
\$20	1	\$ 20
\$20 & rose	1	\$ 40
\$ 5	1	\$ 5
\$ 5 & rose	1	\$ 10
\$ 2	3	\$ 6
\$ 2 & rose	3	\$ 12
50¢	150	\$ 75
	162	\$318

Overall odds of winning a prize are 1 in 6.5. (Authorized by K.S.A. 1988 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1988 Supp. 74-8710(b), (c) and (f) and K.S.A. 1988 Supp. 74-8720; effective T-111-2-10-89, Feb. 10, 1989.)

111-9-17. Validation Requirements. The following

validation requirements shall apply to all winning instant pull-tab tickets:

(a) Exactly three matching symbols must appear under a single tab on the back of the ticket.

(b) Each of the matching symbols must be correctly identified by a caption.

(c) The first of the captions under the tab and on the left side identifying one of the symbols must be printed in red ink and the other two must be printed in black ink.

(d) The "winner protection code" defined at K.A.R. 111-9-14(f), and concealed between the two plies of the ticket identifies winning and non-winning tickets.

(e) The ticket must pass all validation requirements as specified in K.A.R. 111-8-6. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-2-10-89, Feb. 10, 1989.)

111-9-18. Price. The price of pull tab tickets sold by a retailer shall be \$.50. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-2-10-89, Feb. 10, 1989.)

Article 10.—LOTTO STUB GAME GENERIC

111-10-7. Prizes Payable After Death or Disability of Owner. (a) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death may be paid to the duly appointed representative of the estate of the deceased designated pursuant to K.S.A. 1987 Supp. 74-8720(b) as amended.

(b) Prize moneys will be paid according to the law of descent and distribution, chapter 59 of Kansas statutes.

(c) The executive director may rely wholly on the presentment of certified copies of a court's appointment of an administrator or executor, guardian, conservator or any other evidence of a person entitled to the payment of any prize winnings then due.

(d) The payment to the estate of the deceased owner of any prize winnings by the Lottery shall absolve the Lottery and its representatives of any further liability for payment of said prize winnings. The Lottery need not look to the payment of the prize winning beyond the payee thereof. The executive director reserves the right to petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, under age, mental deficiency, physical or mental incapacity. If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the Lottery to be paid directly to said legatee(s) or heir(s) or otherwise directs the Lottery to make payments to another in the event of an owner's disability or otherwise, the Lottery shall pay the prize winnings accordingly. (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and K.S.A. 1988 Supp. 74-8720; amended T-111-2-10-89, Feb. 10, 1989.)

LARRY MONTGOMERY
Executive Director

Doc. No. 007499

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF MOTOR
CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated 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 March 14, 1989

Application for Certificate of Convenience
and Necessity:

George H. Grogg, Jr., dba) Docket No. 165,256 M
Ellsworth Service Center)
Hwy. 40 and Grand)
Ellsworth, KS 67439) MC ID No. 133522

Applicant's Attorney: None

Wrecked, disabled, replacement and repossessed vehicles,
Between all points and places in Kansas.

Application for Certificate of Convenience
and Necessity:

Gerald D. (Jerry) and) Docket No. 165,259 M
Dixie Hendrix, dba)
J & D Trucking)
Route 1, Box 36A)
Grantville, KS 66429) MC ID No. 130919

Applicant's Attorney: None

*Grain, farm and construction machinery and
building materials,*

Between all points and places in the state of Kansas.

Application for Abandonment of
Contract Carrier Permit:

Norma Ohlde) Docket No. 146,589 M
Route 1, Box 73)
Linn, KS 66953) MC ID No. 122287

Applicant's Attorney: None

Application for Certificate of Convenience
and Necessity:

John R. Trabert, Jr., dba) Docket No. 164,389 M
John's Body Shop)
110 W. Beeson)
Dodge City, KS 67801) MC ID No. 133521

Applicant's Attorney: None

Wrecked, disabled, replacement and repossessed vehicles,
— maximum 12,000 lbs. gross weight,

Between points and places in Scott, Lane, Ness, Finney, Hodgeman, Pawnee, Haskell, Gray, Ford, Edwards, Seward, Meade, Clark, Kiowa and Comanche counties, Kansas, on the one hand, and the state of Kansas, on the other hand.

Application for Certificate of Convenience
and Necessity:

Larry Westervelt, dba) Docket No. 165,257 M
Westervelt Grain Farms)
Route 4, Box 28A)
Columbus, KS 66725) MC ID No. 133742

Applicant's Attorney: None

Grain, livestock,

Between points and places in Cherokee, Crawford, Labette, Allen and Montgomery counties, on the one hand, and on the other hand, all other points in Kansas.

Application for Abandonment of Certificate of
Convenience and Necessity:

Michael Wooten) Docket No. 145,110 M
Route 1, Box 114A)
Fredonia, KS 66736) MC ID No. 121797

Applicant's Attorney: None

Application for Certificate of Convenience
and Necessity:

Greg E. Stadler,) Docket No. 165,260 M
Deborah A. Stadler,)
and Phil A. Stadler, dba)
Stadler Towing & Recovery)
730 N. Michigan)
Topeka, KS 66616) MC ID No. 133524

Applicant's Attorney: None

Wrecked, disabled, replacement and repossessed vehicles,

Between points and places in Marshall, Nemaha, Brown, Doniphan, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Geary, Wabunsee, Shawnee, Douglas, Johnson, Morris, Chase, Lyon, Osage, Franklin, Miami, Coffee, Anderson, Harvey, Sedgwick and Butler counties, Kansas.

Applications set for March 21, 1989

Application for Transfer of Certificate of
Convenience and Necessity:

Shane Mullen and) Docket No. 137,929 M
Kevin Mullen, dba)
K & S Trucking)
Route 2)
Leoti, KS 67861) MC ID No. 110690

TO: Kevin Mullen, dba K & S Trucking Route 2 Leoti, KS 67861

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

Dry farm products,

Between points and places in Gove, Wichita, Greeley, Scott, Logan, Wallace, Hamilton, Kearny and Finney counties, Kansas.

Also,

Between points and places in Gove, Wichita, Greeley, Scott, Logan, Wallace, Hamilton, Kearny and Finney counties, on the one hand, and points and places in the state of Kansas, on the other hand.

Grain, dry feed, dry feed ingredients, dry fertilizer, salt, seeds,

Between points and places in Kansas west of U.S. 81 and I-35.

Also,

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

Livestock,

Between points and places in Wallace, Logan, Gove, Trego, Greeley, Wichita, Scott, Lane, Ness, Hamilton, Kearny, Finney, Hodgeman, Grant, Haskell, Gray and Ford counties, Kansas.

Also,

Between 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:

Kevin Mullen, dba K & S Trucking Route 2 Leoti, KS 67861) Docket No. 137,929 M) MC ID No. 110690

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

Livestock, liquid feed, liquid feed ingredients and liquid fertilizer solutions (except anhydrous ammonia),

Between points and places in Kansas on and west of U.S. 281.

Also,

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

Application for Certificate of Convenience and Necessity:

Kansas Motor Freight, Inc. 315 Constitution Emporia, KS 66801) Docket No. 165,258 M) MC ID No. 133522

Applicant's Attorney: John Richeson, 2nd and Main, P.O. Box 7, Ottawa, KS 66067

General commodities (except classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment and commodities injurious to other lading),

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Stephen K. Herl, dba H & S Freight Lines 704 Poor St. Olathe, KS 66061) Docket No. 164,390 M) MC ID No. 128506

Applicant's Attorney: None

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

Between all points and places in Kansas.

ALFONZO A. MAXWELL Administrator Transportation Division

Doc. No. 007528

State of Kansas KANSAS PUBLIC DISCLOSURE COMMISSION

Opinion No. 88-19

Written July 21, 1988, to Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board, Topeka.

This opinion is in response to your letter of July 11, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as executive director of the Behavioral Sciences Regulatory Board.

You state that the 1987 Legislature enacted new legislation for the registration of masters level psychologists (L. 1987, ch. 306, §§ 1; codified at K.S.A. 1987 Supp. 74-5361 et seq.). The Behavioral Sciences Regulatory Board is given authority to adopt rules and regulations to enforce the provisions of this act (K.S.A. 1987 Supp. 74-5370).

Registered masters level psychologist (RMLP) may practice only in the following setting:

"a licensed community mental health center or one of its contracted affiliates, in any federal, state, county or municipal agency, or other chartered educational institution, in a medical care facility . . . or in a psychiatric hospital . . ." (K.S.A. 1987 Supp. 74-5362, as amended by L. 1988, ch. 304, §§ 6.)

A member of the Behavioral Sciences Regulatory Board is also a board member of the Association of Community Mental Health Centers of Kansas. The member was appointed to the Behavioral Sciences Regulatory Board as

(continued)

a consumer member to "represent the general public." (K.S.A. 1987 Supp. 74-7501.)

The board of directors of the Association of Community Mental Health Centers of Kansas employs a registered lobbyist who advocates the association's interests to the legislature and to the Behavioral Sciences Regulatory Board. Since community mental health centers are the primary employer of RMLPs, the association has taken an active role in representing the RMLPs' interests before the legislature in amending RMLP statutes, and before the BSRB in adopting administrative regulations implementing the RMLP statutes.

The primary purpose of the BSRB in regulating the various professions under its jurisdiction is protection of the public. This duty is distinguishable from the role of the professional association, which advances the interests of its members.

The question the Behavioral Sciences Regulatory Board wishes to present to the Public Disclosure Commission is as follows:

"Is it a statutory or common law conflict of interest for a BSRB member who is also a member of the association's board to vote on certain policy matters concerning the adoption and interpretation of RMLP regulations when such policies have an impact on community mental health centers and the association has a direct interest in the matters?"

We start with the determination that the member of the board is deemed to hold a substantial interest in the association by definition of K.S.A. 46-229(d). Thus, under K.S.A. 46-233 and K.S.A. 46-286, the board member may not participate on behalf of the board in contracting with the association or licensing, regulating or inspecting the association. We assume this is not likely to occur. Otherwise, he is not precluded from fully participating on the board due solely to his position with the association.

We note in closing that K.S.A. 46-286 should be carefully scrutinized as it relates to all members of the board.

Lastly, in addition to your request for a statutory interpretation, you ask whether the situation would constitute a common law conflict of interest. That question is outside our jurisdiction.

Opinion No. 88-20

Written July 21, 1988, to Lois Rich Scibetta, Ph.D., R.N., Executive Administrator, Kansas State Board of Nursing, Topeka.

This opinion is in response to your letter of July 14, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as executive administrator of the Kansas State Board of Nursing.

You advise us that the 1988 Legislature granted the Board of Nursing funding for a skilled Investigator I, full time, a half-time investigator, and a half-time clerk. Your recommendations for these positions were first approved by the Long Range Planning Committee of the board, and then by the full board's approval.

One member of the board, who also served on the Long Range Planning Committee that created this position, is interested in applying for the full-time Investigator

I position. If the individual is chosen, she will resign from her appointed position on the board.

You ask whether a person who participated in the creation of a position may later take that position.

We have reviewed K.S.A. 46-215 *et seq.* in its entirety and with the exception contained in K.S.A. 46-234, which does not here apply, it is our opinion that a state officer or employee may participate in the creation of a position and then accept employment to the newly created position.

Opinion No. 88-21

Written July 21, 1988, to Lois Rich Scibetta, Ph.D., R.N., Executive Administrator, Kansas State Board of Nursing, Topeka.

This opinion is in response to your letter of July 14, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the commission's jurisdiction is limited to the applicability of K.S.A. 46-215 *et seq.* Thus, whether some other common law, statutory system or agency rule, regulation or policy relates to your question is not covered by this opinion.

We understand you request this opinion in your capacity as executive administrator of the State Board of Nursing. In that capacity you administer nursing fee fund monies and sign all contracts on behalf of the board.

You also advise us that you are a member of the Kansas State Nurses Association, a private non-profit organization which advocates on behalf of licensed registered nurses. As we understand the factual situation, you are not an officer, director or member of the board of the association and you receive no financial reimbursement from the association.

You state the board is about to enter into a contract with the association to monitor impaired licenses. As the chief executive officer of the board, you will be required to sign the agreement on behalf of the state.

You ask whether you may sign the contract on behalf of the state and whether other members of the board who may also be members of the association may participate in the making of the contract. The threshold question is whether you or the other members of the board hold a "substantial interest" in the association. If any member of the board holds such an interest in the association, then that individual may not participate on behalf of the state in the making of the contract (see K.S.A. 46-233).

"Substantial interest" is defined in K.S.A. 46-229. From our review of the definition, it is our opinion that you do not hold a "substantial interest" in the association and therefore may participate in the making of the contract with the association.

As to other members of the board, if you have additional questions after reviewing K.S.A. 46-229, don't hesitate to contact our staff for further guidance.

Opinion No. 88-22

Written July 21, 1988, to Larry L. Huey, Topeka.

This opinion is in response to your letter of June 9, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your ca-

capacity as an Alcohol and Drug Consultant II for Social and Rehabilitation Services/Alcohol and Drug Abuse Services (SRS/ADAS).

You state that you will continue employment in your current position and hopefully begin additional employment (one evening and Saturday mornings) at the Shunga Creek Outpatient Treatment Program, 5040 S.W. 28th, Suite B, Topeka, Kansas. This program is owned by Jim Woodward and operated as a social work practice, as well as being licensed by SRS/ADAS as an alcohol/drug outpatient treatment facility. The Shunga Creek Outpatient Treatment Program has never received, has not applied for, nor plans to apply for an SRS/ADAS grant.

You indicate that at one time you participated in the licensure of the Shunga Creek Program but have not participated in the making of any contracts with the entity and will not be involved in any licensing, regulation, inspecting or entering into contracts with the program.

Based on this factual situation, it is our opinion that your part-time employment is permissible.

Opinion No. 88-23

Written July 21, 1988, to Lisa E. Schwinn, Staff Attorney, Kansas Department of Transportation, Topeka.

This opinion is in response to your letter of June 10, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as a staff attorney for K.D.O.T. You advise us that a K.D.O.T. employee, an Engineering Technician III, has inquired as to whether he can hold outside employment. The facts are as follows: The employee is a full-time employee in a classified position. He at times acts in the capacity as a back-up supervisor. He is a lead employee. During construction projects, he inspects the work on numerous projects, including federal-aid highway projects. You understand he administers contracts with the contractors on the projects. In addition, his position involves inspecting and accepting materials for K.D.O.T.

This employee has inquired as to whether he can be a part owner in a company that would sell asphalt, concrete and possibly other materials that K.D.O.T. uses. You also understand it is his intent to sell such material to K.D.O.T.

K.S.A. 46-286 applies to your question. That section states: "(a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

From a review of this section, it is our opinion that the state employee could not participate in licensure, inspection, or administration or enforcement of any rule or regulation of or in any contract with the company in which he would have an ownership position.

If his job duties require such actions, then he must either resign that position or not purchase an ownership position.

LOWELL ABELDT
Chairman

Doc. No. 007517

(Editor's Note: The following notice of bond redemption for Riley County, which was published in its entirety in the February 16, 1989, issue of the *Kansas Register*, contained an error in the serial numbers of bearer bonds to be redeemed. The corrected version of that section appears below.)

(Published in the *Kansas Register*, March 2, 1989.)

**CORRECTED
NOTICE OF REDEMPTION
Riley County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$320,000 principal amount of the bonds are called for redemption April 1, 1989, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, February 16, 1989, in the *Kansas Register* and *The Bond Buyer*.

The serial numbers of the bearer bonds to be redeemed are as follows:

NOTE: Coupons due April 1, 1989, should be presented in the normal manner. Coupons due October 1, 1989, and all subsequent coupons must be attached to bonds called for redemption.

- Due April 1, 1990: 168
(CUSIP 766642 AJ)
- Due April 1, 1991: 203
(CUSIP 766642 AK)
- Due April 1, 1992: 228
(CUSIP 766642 AL)
- Due April 1, 1993: 258
(CUSIP 766642 AM)
- Due April 1, 1994: 299
(CUSIP 766642 AN)

Security Bank of Kansas City
Kansas City, Kansas, Trustee

Doc. No. 007485

(Published in the *Kansas Register*, March 2, 1989.)

**SUMMARY NOTICE OF BOND SALE
Unified School District 465
Cowley County, Kansas (Winfield)
General Obligation Asbestos Removal Bonds
Series 1989
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated February 13, 1989, and preliminary official statement to be dated March 3, 1989, sealed bids will be received by the clerk of Unified School District 465, Cowley County, Kansas (Winfield), on behalf of the Board of Education at the office of the Board of Education, 920 Millington, Winfield, KS 67156, until 7:30 p.m. C.S.T. on Monday, March 13, 1989, for the purchase of \$1,400,000 principal amount of General Obligation Asbestos Removal Bonds, Series 1989. No bid of less than the entire par value of the bonds and

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accrued interest thereon to the date of delivery 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 April 1, 1989, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1990	\$210,000
1991	270,000
1992	285,000
1993	305,000
1994	330,000

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 April 1 and October 1 in each year, beginning on April 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$28,000 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before April 28, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$57,292,666. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$3,440,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Sheryle A. Ohm, 920 Millington, Winfield, KS 67156, (316) 221-2860; or from the financial advisor, Stern Brothers, a Division of Underwood Neuhaus and Company, Inc., One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 265-8622.

U.S.D. 465, Cowley County

Doc. No. 007522

(Published in the *Kansas Register*, March 2, 1989.)

NOTICE OF BOND SALE

\$20,000,000

General Obligation School Bonds Series 1989-A of Unified School District 229 Johnson County, Kansas (Blue Valley)

Unified School District 229, Johnson County, Kansas, will receive sealed bids addressed to Diane Harris, district clerk at the District Office, 15020 Metcalf, P.O. Box 23901, Overland Park, KS 66223, (913) 681-4000, until 11 a.m. C.S.T. on Monday, March 13, 1989, for the purchase of \$20,000,000 General Obligation School Bonds, Series 1989-A, of the school district, at which time and place such bids will be publicly opened and read. All bids so received will be reported to the Board of Education of the district at a meeting to be held the same evening and the board will accept the best bid or reject all bids at that meeting. No oral or auction bids will be considered.

Terms of the Bonds

The bonds will be dated April 1, 1989, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated or uncertificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing on the same maturity date. Interest will be payable April 1, 1990, and thereafter semiannually on April 1 and October 1 (the interest payment dates).

The principal of the bonds will be payable at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date (the record dates). The fees of the bond registrar for registration and transfer of the bonds will be paid by the school district.

The bonds will become due on the stated maturity dates as follows:

Amount	Maturity
\$ 505,000	10/01/91
540,000	10/01/92
580,000	10/01/93
625,000	10/01/94
675,000	10/01/95
725,000	10/01/96
780,000	10/01/97
840,000	10/01/98
905,000	10/01/99
975,000	10/01/00
1,045,000	10/01/01
1,125,000	10/01/02
1,210,000	10/01/03
1,305,000	10/01/04
1,405,000	10/01/05
1,510,000	10/01/06
1,625,000	10/01/07

1,745,000	10/01/08
1,880,000	10/01/09

Bonds maturing on October 1, 2000, and thereafter will be subject to redemption prior to maturity at the option of the school district, as a whole or in part, in inverse order of maturity (selection of bonds for partial redemption of bonds of the same maturity to be by such method as the bond registrar shall deem fair and appropriate) on October 1, 1999, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed plus accrued interest to the redemption date.

Conditions of Bids

Bids will be received for the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be a multiple of $\frac{1}{8}$ or $\frac{1}{16}$ of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed $2\frac{1}{2}$ percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of treasury bonds published in the weekly *Credit Markets* in New York, New York, on March 6, 1989, plus 2 percent. 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.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by the school district, and will be addressed to Diane Harris, District Clerk, District Office, 15020 Metcalf, P.O. Box 23901, Overland Park, KS 66223, and will be plainly marked "Bond Bid." Each bid will specify the total interest cost to the school district on the basis of such bid and the average annual net interest rate on the basis of such bid. The net interest cost to the school district will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The school district will be entitled to rely on such dollar amount as stated in the bid as the basis of determining the lowest net interest cost bid. If there is any discrepancy between the said net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check equal to \$400,000, made payable to Treasurer, Unified School District 229, Johnson County, Kansas. In the event a bidder whose bid is accepted fails to carry out his contract to purchase the bonds, said deposit will be retained by the school district as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Basis of Award

The school district reserves the right to reject any and 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 school district.

Delivery of the Bonds

The bonds will be sold subject to the unqualified ap-

proving opinion of Stinson, Mag & Fizzell, bond counsel, of Kansas City, Missouri, a copy of whose opinion will be printed on the reverse side of each certificated bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of the opinion of bond counsel and the expense of printing the bonds will be paid by the school district. Bond counsel's legal opinion will contain a statement to the effect that the bonds will constitute general obligations of the school district, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district.

The number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than April 7, 1989.

The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 11 a.m. Kansas City time on the day of delivery. Delivery of the bonds will be made to the successful bidder on or before April 15, 1989, at such location as may be specified by the purchaser. The purchase price, including accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

Tax Exemption

Federal Income Taxation. In the opinion of bond counsel, under existing statutes, regulations, rulings and court decisions, including the Internal Revenue Code of 1986, interest on the bonds is not includable in gross income for purposes of federal and Kansas income taxation. In rendering its opinion, bond counsel will state that it has assumed the school district's present and continuing compliance with covenants in the proceedings of the school district authorizing the issuance of the bonds and other documents. Interest on the bonds is not an item of tax preference for purposes of the individual or corporate alternative minimum tax, except that interest on the bonds may be subject indirectly to a federal and Kansas corporate alternative minimum tax as pre-tax book income in taxable years beginning in 1987, 1988 and 1989 or as adjusted earnings and profits for taxable years beginning after 1989. Interest on the bonds also may be subject to a tax based on the modified alternative minimum taxable income of a corporation under the Superfund Amendments and Reauthorization Act of 1986 in taxable years beginning after 1986. In addition, interest on the bonds held by certain foreign corporations may be subject to the branch profits tax under the code in taxable years beginning after 1986. The school district has not designated the bonds as "qualified tax-exempt obligations" under Section 265 of the code relating to interest deductions for banks and thrift institutions. Reference is made to the preliminary official statement for further discussion of fed-

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eral income tax matters relating to the interest on the bonds.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds. All expenses in relation to printing of CUSIP numbers on the bonds and the expenses charged by the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the school district.

Bond Rating

The school district has applied to Moody's Investors Service, Inc. and Standard & Poor's Corporation for ratings on the bonds.

Assessed Valuation and Bonded Indebtedness

The total assessed valuation of the taxable tangible property within the school district for 1988 for the computation of limits upon bonded indebtedness is \$243,080,021. The total general obligation bonded indebtedness of the school district as of this date, including this \$20,000,000 proposed issue of bonds, is \$87,825,000.

Preliminary Official Statement and Official Statement

The school district has prepared a preliminary official statement dated March 1, 1989, copies of which may be obtained from the undersigned or the district's financial advisor. Upon the sale of the bonds, the board will approve the final official statement and will furnish the successful bidder a reasonable number of copies thereof without additional cost. Additional copies may be ordered at the successful bidder's expense.

Official Information

Additional copies of this notice of bond sale, the official bid form or further information may be obtained from George K. Baum & Company, 1004 Baltimore Ave., Kansas City, MO 64105, (816) 474-1100, the school district's financial advisor.

Dated March 1, 1989.

UNIFIED SCHOOL DISTRICT 229
JOHNSON COUNTY, KANSAS
By Diane Harris, Clerk
Board of Education

Doc. No. 007535

(Published in the *Kansas Register*, March 2, 1989.)

NOTICE OF BOND SALE \$305,000

The City of Paola, Kansas
General Obligation Bonds
Series A, 1989

(general obligation bonds payable
from unlimited ad valorem taxes)

Sealed Bids

Sealed bids for the purchase of \$305,000 principal amount of General Obligation Bonds, Series A, 1989, of the city hereinafter described, will be received by the undersigned, city clerk of the city of Paola, Kansas, on behalf of the governing body of the city at City Hall, Paola, until 4:30 p.m. C.S.T. on Tuesday, March 14, 1989. All bids will be publicly opened and read at said time and place and will be acted upon by the city im-

mediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated as of March 1, 1989, and will become due serially on December 1 in the years as follows:

Year	Principal Amount
1990	\$25,000
1991	\$25,000
1992	\$25,000
1993	\$30,000
1994	\$30,000
1995	\$30,000
1996	\$35,000
1997	\$35,000
1998	\$35,000
1999	\$35,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning December 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). The principal of the bonds will be payable at maturity to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

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 bondholders.

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 shall exceed 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 shall not exceed $1\frac{1}{2}$ percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue 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. Each bid shall also specify the average annual

net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

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 city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance main sewer improvements in the city. The bonds will be general obligations of the city payable as to both principal and interest from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city, pursuant to K.S.A. 12-619 and K.S.A. 12-624.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environ-

mental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. The city does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, 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 when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or prior to April 14, 1989, at such bank or trust company in the state of Kansas or the greater metropolitan area of Kansas City, Kansas, as may be specified by the successful bidder. Delivery elsewhere will be at the cost of the successful bidder. Said bidder will also 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 shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 4 p.m. C.S.T. on March 31, 1989. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 4 p.m. C.S.T. on March 31, 1989, a certificate acceptable to the city's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices; and (ii) a substantial amount

(continued)

of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder; and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

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 \$6,100, 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. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city with the city reserving its right to pursue any other remedies available to it which may arise out of the bidder's default in its performance.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on 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 this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at City Hall and must be received by the undersigned prior to 4:30 p.m. C.S.T. on Tuesday, March 14, 1989.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1989 is \$14,954,447. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$3,501,200, including, as of the date of the bonds, tem-

porary notes outstanding in the principal amount of \$748,200, of which \$263,200 will be retired out of the proceeds of the bonds herein offered for sale.

Dated February 14, 1989.

THE CITY OF PAOLA, KANSAS

By: Jill Ann Holmes

City Clerk

City Hall

P.O. Box 409

Paola, KS 66071

(913) 294-2397

Doc. No. 007515

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited February 15, 1989, for failure to file an annual report and pay the annual franchise tax as required by the Kansas general corporation code.

Domestic Corporations

AAA Engine & Electric, Inc., Kansas City, KS.
 A & P Arora Limited Partnership, Overland Park, KS.
 Alpha Services and Production, Inc., Liberal, KS.
 Anel, Inc., Olathe, KS.
 Annis Enterprises, Inc., Kansas City, KS.
 Apex Systems, Inc., Wichita, KS.
 Bannor-Magnum Electronics, Inc., Derby, KS.
 Basehor Services, Inc., Kansas City, MO.
 Billingsley, Inc., Shawnee Mission, KS.
 Caney Development Corporation, Caney, KS.
 Career Images Model and Talent Agency, Inc.,
 Kansas City, KS.
 Ceiling Master, Inc., Overland Park, KS.
 Centerpoint Construction Corporation, Olathe, KS.
 Circle "10" Livestock, Inc., Oakley, KS.
 Classic Drywall, Inc., Hutchinson, KS.
 Continental Benefit Industries Inc., Fairway, KS.
 Cunningham Construction Company, Inc.,
 Kansas City, KS.
 Datapax, Inc., Topeka, KS.
 Desert Golf Wear, Inc., Wichita, KS.
 Dutton Investments, Inc., Derby, KS.
 Edutech, Inc., Kansas City, MO.
 Excel Hogs Incorporated, Bend, OR.
 Flatlanders Ski Inc., Mission, KS.
 Friends of Reinsch Rose Garden, Topeka, KS.
 Funeral Insurance Merchandise Programs, Inc.,
 Leavenworth, KS.
 G and G Catering Corporation, Wichita, KS.
 Grose's Inc., Arkansas City, KS.
 H & H Industries, Inc., Shawnee Mission, KS.
 Harper County Land and Livestock, Inc.,
 Andover, KS.
 Healthcheck Inc., Topeka, KS.
 Herman H. Jones, Inc., Kansas City, MO.
 High Plains Oil Explorations, Inc., Overland Park, KS.

Horton Chamber of Commerce, Inc., Horton, KS.
 Hospital Surgical Facility of Topeka, L.P., Topeka, KS.
 J. A. Yates Corporation, Overland Park, KS.
 Farmer, Inc., Garden City, KS.
 Joy Footwear, Ltd., Independence, KS.
 K-Bobs Steak House of Garden City, Inc., Clovis, NM.
 Kansas City Kitchen and Bath Company, Inc.,
 Kansas City, MO.
 Kansas Science Suppliers, Inc., Wichita, KS.
 Lago Oil, Inc., Wichita, KS.
 Machinery Maintenance, Inc., Parsons, KS.
 Metric Motors, Inc., Lawrence, KS.
 Ming of America, Inc., Kansas City, KS.
 The National Oil Company, Denver, CO.
 The New Liberty Theater, Inc., Horton, KS.
 Olathe Physical Therapy and Hand Rehabilitation
 Center, P.A., Olathe, KS.
 Omega Enterprises, Inc., Wichita, KS.
 Paradigm Manufacturing, Inc., Cotter, AR.
 Pharmafacts Inc., Topeka, KS.
 Pizza Hut of Billings #4, Inc., Wichita, KS.
 Portrait's by Shane, Inc., Great Bend, KS.
 Radio Sales Systems, Inc., Leawood, KS.
 Ranchers Choice of Kansas, Inc., Dodge City, KS.
 Real Estate Enterprises, Inc., Shawnee Mission, KS.
 Richards Diversified Investments, Inc., Wichita, KS.
 Robert G. Courter & Company, Topeka, KS.
 Roger Blessing, P.A., Lake Quivira, KS.
 Russell Excavating, Inc., Wellington, KS.
 Salina Mobile Homes, Inc., Salina, KS.
 Schlickau Herefords, Inc., Argonia, KS.
 Schweizer Dairy, Inc., Sterling, KS.
 Shortstopper International, Inc., Hutchinson, KS.
 6, 8 & 10 Company, Inc., Burlington, KS.
 Sorores, Inc., Liberal, KS.
 South Riverside Youth Club, Inc., Wichita, KS.
 Spaceage Stereo, Inc., Wichita, KS.
 Sturdy Fence & Services, Inc., Valley Center, KS.
 Sunflower Enterprises, Inc., Topeka, KS.
 Town Oil Company, Inc., Paola, KS.
 Tracer of America, Inc., Wichita, KS.
 Tracer, Inc., Wichita, KS.
 Triad Investments Inc., Edmond, OK.
 Triple S Harvesting, Inc., Logan, KS.
 Wittmer Farm Realty, Inc., Topeka, KS.
 Yates Center Elevator, Inc., Yates Center, KS.
 Zscheile Motor Company, Inc., Burlington, KS.

Foreign Corporations

Amcon Distributing Company, Omaha, NE.
 American Road Equity Corporation, Dearborn, MI.
 ANFS, Inc., Phoenix, AZ.
 Arkansas Mechanical Contractors, Inc.,
 N. Little Rock, AR.
 BASF Corporation, Parsippany, NJ.
 Booker Associates, Inc., St. Louis, MO.
 Cabre Exploration Inc., Calgary, Canada.
 Campus Photo, Inc., Marceline, MO.
 Capital Agricultural Property Services, Inc.,
 Newark, NJ.
 Cascade Pizza Development Corp., Medford, OR.
 Century Service Corporation, Kansas City, MO.

Charlotte Sports Promotions Inc., Charlotte, NC.
 Colso Products, Inc., Hilliard, OH.
 Concurrent Computer Corporation, Tinton Falls, NJ.
 Envirex Ltd., Brookfield, WI.
 Ferrell Management Company, Tulsa, OK.
 Forney Oil Corporation, Houston, TX.
 Frost Bros., Inc., San Antonio, TX.
 Glen O'Brien Movable Partition Company,
 Kansas City, MO.
 Harold Grammer Construction Company,
 Bentonville, AR.
 Henco, Incorporated, Selmer, TN.
 Howard Electric and Mechanical Co., Inc.,
 Denver, CO.
 Hugin Sweda, Incorporated, Pine Brook, NJ.
 Huxtable-Hammond Co., Inc., Overland Park, KS.
 Indian Wells Oil Company, Liberty, MO.
 J. D. Simmons, Inc., Oklahoma City, OK.
 J.S.I. Training and Consulting, Inc., St. Paul, MN.
 Jim Crockett Promotions, Inc., Charlotte, NC.
 K.C. Resource Service Corporation, St. Louis, MO.
 Kwal-Howells, Inc., Denver, CO.
 Leavell Resources Corporation, Robinson, IL.
 Little Pal Pets, Inc., Lawrence, KS.
 Macdon Industries Ltd., Manitoba, CN.
 Oil-Dri Corporation of America, Chicago, IL.
 Plasma Alliance, Inc., Knoxville, TN.
 Precision Cable Systems, Inc., Lee's Summit, MO.
 R. R. Tway, Inc., Oklahoma City, OK.
 Southmark/National Heritage, Inc., Dallas, TX.
 Sunbelt Petroleum, Inc., Glendale, AZ.
 Ted Shoush Co., Inc., Independence, MO.
 The Millgard Corporation, Livonia, MI.
 The Washington Consulting Group, Incorporated,
 Washington, DC.
 United Electrical & Mechanical, Inc., Denver, CO.
 Western Pacific Petroleum Company, Denver, CO.
 Western Refractory Construction, Incorporated,
 Broomfield, CO.
 Western Well Drilling, Inc., Henderson, CO.

BILL GRAVES
 Secretary of State

Doc. No. 007525

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the index found in the 1987 Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-2-25 to 1-24-2.

AGENCY 4: BOARD OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-1-17 to 4-13-33.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-13-34 to 4-33-1.

AGENCY 5: BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-10-1 to 5-25-4.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-31-4 and 7-33-1.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 9-7-7 to 9-14-5.

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 11-1-1 to 11-2-6.

AGENCY 13: ALCOHOLIC BEVERAGE CONTROL BOARD OF REVIEW

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 13-1-1 to 13-6-1.

AGENCY 14: DEPARTMENT OF REVENUE— DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 14-1-1 to 14-17-5.

14-18-2 through 14-18-23	Revoked	V. 7, p. 793, 794
14-18-25	Revoked	V. 7, p. 794
14-18-26	Revoked	V. 7, p. 794
14-18-28	Revoked	V. 7, p. 794
14-18-29	Revoked	V. 7, p. 794
14-18-30	Revoked	V. 7, p. 794
14-18-32	Revoked	V. 7, p. 794
14-18-33	Revoked	V. 7, p. 794
14-19-8	Revoked	V. 7, p. 794
14-19-9	Revoked	V. 7, p. 794
14-19-11	Revoked	V. 7, p. 794
14-19-12	Revoked	V. 7, p. 794
14-19-13	Revoked	V. 7, p. 794
14-19-14 through 14-19-37	New	V. 7, p. 794-801
14-20-1	Revoked	V. 7, p. 801
14-20-2	Revoked	V. 7, p. 801
14-20-4	Revoked	V. 7, p. 801
14-20-7 through 14-20-10	Revoked	V. 7, p. 801
14-20-14 through 14-20-39	New	V. 7, p. 801-809
14-21-1 through 14-21-20	New	V. 7, p. 809-816
14-22-1 through 14-22-14	New	V. 7, p. 816-821
14-22-16 through 14-22-20	New	V. 7, p. 822
14-23-1 through 14-23-15	New	V. 7, p. 822-826
14-23-3	Amended	V. 7, p. 1402

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-1-9	Amended	V. 7, p. 1503
23-1-10	Amended	V. 7, p. 367
23-1-12	New	V. 7, p. 367
23-2-7	Amended	V. 7, p. 368
23-2-14	Amended	V. 7, p. 1503
23-2-14	Amended	V. 7, p. 1638
23-2-15	Amended	V. 7, p. 371
23-2-16	New	V. 7, p. 372
23-3-13	Amended	V. 7, p. 1504
23-5-1 through 23-5-8	New	V. 7, p. 1504, 1505
23-5-1 through 23-5-8	New	V. 7, p. 1639, 1640
23-7-7	Amended	V. 7, p. 1506
23-7-7	Amended	V. 7, p. 1640
23-8-2	Amended	V. 7, p. 1506
23-18-1	Amended	V. 7, p. 373
23-18-3	New	V. 7, p. 373
23-18-4	New	V. 7, p. 374
23-21-1 through 23-21-14	New	V. 7, p. 374-376

AGENCY 24: KANSAS WHEAT COMMISSION

Reg. No.	Action	Register
24-1-1	New	V. 7, p. 1357

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	V. 7, p. 1396
25-4-4	Amended	V. 7, p. 221

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 7, p. 1332

26-1-5	Amended	V. 7, p. 1334
26-1-7	New	V. 7, p. 1334
26-2-1	Amended	V. 7, p. 1335
26-2-3	Amended	V. 7, p. 1335
26-2-5	Amended	V. 7, p. 1336
26-2-6	Amended	V. 7, p. 1336
26-2-9	New	V. 7, p. 1336
26-3-1	Amended	V. 7, p. 1337
26-3-4	Amended	V. 7, p. 1337
26-3-5	Amended	V. 7, p. 1338
26-3-6	Amended	V. 7, p. 1338
26-4-1	Amended	V. 7, p. 1059
26-4-4	Amended	V. 7, p. 1338
26-5-1	Amended	V. 7, p. 1338
26-5-2	Amended	V. 7, p. 1338
26-5-8	New	V. 7, p. 1339
26-6-1	Amended	V. 7, p. 1339
26-6-2	Amended	V. 7, p. 1340
26-6-3	Amended	V. 7, p. 1340
26-6-5	Amended	V. 7, p. 1340
26-6-6	Amended	V. 7, p. 1340

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-285 through 28-4-294	New	V. 7, p. 1431-1434
28-4-285 through 28-4-294	New	V. 7, p. 1770-1773
28-4-525 through 28-4-529	New	V. 7, p. 714
28-14-2	Amended	V. 7, p. 714
28-15-35	Amended	V. 7, p. 714
28-15-36	Amended	V. 7, p. 714
28-16-56a	Amended	V. 7, p. 714
28-17-6	Amended	V. 7, p. 714
28-17-20	Amended	V. 7, p. 714
28-17-21	New	V. 7, p. 714
28-19-7	Amended	V. 7, p. 714
28-19-8	Amended	V. 7, p. 714
28-19-17f	Amended	V. 7, p. 715
28-19-18	Amended	V. 7, p. 715
28-19-19	Amended	V. 7, p. 715
28-19-53	New	V. 7, p. 715
28-19-61 through 28-19-66	Amended	V. 7, p. 715
28-19-69 through 28-19-75	Amended	V. 7, p. 715
28-19-84 through 28-19-96	Amended	V. 7, p. 715
28-19-98 through 28-19-108	Amended	V. 7, p. 715
28-19-108a	New	V. 7, p. 715
28-19-109	Amended	V. 7, p. 715
28-19-119 through 28-19-121a	Amended	V. 7, p. 715
28-19-123	Amended	V. 7, p. 715
28-19-124	Amended	V. 7, p. 715
28-19-125	Amended	V. 7, p. 715
28-19-127 through 28-19-141	Amended	V. 7, p. 715
28-19-149	Amended	V. 7, p. 715
28-19-150	Amended	V. 7, p. 715
28-19-153	Amended	V. 7, p. 715
28-19-154	Amended	V. 7, p. 715
28-19-155	Amended	V. 7, p. 715
28-19-158	Amended	V. 7, p. 715
28-19-159	Amended	V. 7, p. 715
28-31-1 through 28-31-4	Amended	V. 7, p. 715
28-31-6	Amended	V. 7, p. 715
28-31-8	Amended	V. 7, p. 715
28-31-8a	Amended	V. 7, p. 715
28-31-9	Amended	V. 7, p. 715
28-31-10	Amended	V. 7, p. 715

28-31-14	Amended	V. 7, p. 715
28-33-1	Amended	V. 7, p. 716
28-33-2 through 28-33-10	Revoked	V. 7, p. 716
28-35-146	Amended	V. 7, p. 716
28-35-147	Amended	V. 7, p. 716
28-39-77	Amended	V. 8, p. 200
28-39-83	Amended	V. 7, p. 716
28-39-87	Amended	V. 7, p. 716
28-39-114 through 28-39-129	Revoked	V. 7, p. 716
28-39-130	Revoked	V. 7, p. 716
28-39-131	Revoked	V. 7, p. 716
28-39-139 through 28-39-143	Revoked	V. 7, p. 716
28-39-200	Revoked	V. 8, p. 201
28-39-202 through 28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201
28-39-226	Amended	V. 8, p. 203
28-39-300 through 28-39-312	New	V. 7, p. 716
28-39-400 through 28-39-411	New	V. 7, p. 716
28-50-1	Amended	V. 7, p. 716
28-50-2	Amended	V. 7, p. 716
28-50-4	Amended	V. 7, p. 716
28-50-5 through 28-50-9	Amended	V. 7, p. 716
28-50-9	Amended	V. 7, p. 1354
28-50-14	Amended	V. 7, p. 716
28-60-1 through 28-60-9	Amended	V. 7, p. 716
28-60-1 through 28-60-6	Amended	V. 7, p. 1740, 1741
28-60-7	Revoked	V. 7, p. 1742
28-60-9	Amended	V. 7, p. 1742
28-65-1	New	V. 7, p. 716
28-65-2	New	V. 7, p. 716
28-65-3	Amended	V. 7, p. 1399

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 7, p. 1402
30-4-34	Amended	V. 7, p. 716
30-4-35	Amended	V. 7, p. 717
30-4-36	Amended	V. 7, p. 717
30-4-41	Amended	V. 7, p. 717
30-4-50	Amended	V. 7, p. 1402
30-4-50	Amended	V. 7, p. 1437
30-4-54	Amended	V. 7, p. 717
30-4-56	Amended	V. 7, p. 717
30-4-57	Amended	V. 7, p. 1402
30-4-57	Amended	V. 7, p. 1437
30-4-58	Amended	V. 7, p. 1403
30-4-62	Amended	V. 7, p. 1403
30-4-62	Amended	V. 7, p. 1438
30-4-63	New	V. 7, p. 1403
30-4-63	Amended	V. 7, p. 1439
30-4-74	Amended	V. 7, p. 1404
30-4-75	Amended	V. 7, p. 717
30-4-78	Amended	V. 7, p. 717
30-4-80	Amended	V. 7, p. 1404
30-4-90	Amended	V. 7, p. 1404
30-4-91	Amended	V. 7, p. 718
30-4-95	Amended	V. 7, p. 1404
30-4-100	Amended	V. 7, p. 718
30-4-101	Amended	V. 7, p. 1404
30-4-102	Amended	V. 7, p. 1404
30-4-106	Amended	V. 7, p. 1404
30-4-108 through 30-4-113	Amended	V. 7, p. 718, 719
30-4-108	Amended	V. 7, p. 1404

(continued)

30-4-110	Amended	V. 7, p. 1404
30-4-113	Amended	V. 7, p. 1404
30-4-120	Amended	V. 7, p. 1404
30-4-120	Amended	V. 7, p. 1440
30-4-130	Amended	V. 7, p. 719
30-5-58	Amended	V. 7, p. 1404
30-5-58	Amended	V. 7, p. 1441
30-5-58	Amended	V. 7, p. 1868
30-5-59	Amended	V. 7, p. 720
30-5-65	Amended	V. 7, p. 720
30-5-70	Amended	V. 7, p. 720
30-5-71	Amended	V. 7, p. 720
30-5-75	New	V. 7, p. 721
30-5-81	Amended	V. 7, p. 1405
30-5-81	Amended	V. 7, p. 1880
30-5-81	Amended	V. 7, p. 1868
30-5-81b	Amended	V. 7, p. 1405
30-5-81b	Amended	V. 7, p. 1444
30-5-81t	Amended	V. 7, p. 721
30-5-82	Amended	V. 7, p. 1868
30-5-83	Amended	V. 7, p. 1869
30-5-83a	Amended	V. 7, p. 721
30-5-84	Amended	V. 7, p. 721
30-5-84a	Amended	V. 7, p. 721
30-5-86	Amended	V. 7, p. 1869
30-5-86a	Amended	V. 7, p. 721
30-5-86b		
through		
30-5-86e	Revoked	V. 7, p. 721
30-5-87	Amended	V. 7, p. 1869
30-5-87a	Amended	V. 7, p. 1869
30-5-88	Amended	V. 7, p. 1405
30-5-88	Amended	V. 7, p. 1869
30-5-88	Amended	V. 7, p. 1881
30-5-89	Amended	V. 7, p. 1869
30-5-92	Amended	V. 7, p. 1869
30-5-100	Amended	V. 7, p. 1869
30-5-100	Amended	V. 7, p. 1445
30-5-101	Amended	V. 7, p. 1869
30-5-102	Amended	V. 7, p. 722
30-5-103	Amended	V. 7, p. 1869
30-5-104	Amended	V. 7, p. 1869
30-5-106a	Amended	V. 7, p. 722
30-5-108	Amended	V. 7, p. 1869
30-5-110	Amended	V. 7, p. 722
30-5-110a	Amended	V. 7, p. 722
30-5-112	Amended	V. 7, p. 1869
30-5-113	New	V. 7, p. 1869
30-5-113a	New	V. 7, p. 722
30-5-114	New	V. 7, p. 722
30-5-114a	New	V. 7, p. 723
30-5-150	Amended	V. 7, p. 723
30-5-151	Amended	V. 7, p. 723
30-5-152	Amended	V. 7, p. 723
30-5-154	Amended	V. 7, p. 723
30-5-155	Amended	V. 7, p. 1869
30-5-156	Amended	V. 7, p. 723
30-5-157	Amended	V. 7, p. 723
30-5-159		
through		
30-5-163	Amended	V. 7, p. 723, 724
30-5-67		
through		
30-5-171	Amended	V. 7, p. 724
30-6-35	Amended	V. 7, p. 724
30-6-36	Amended	V. 7, p. 724
30-6-41	Amended	V. 7, p. 1405
30-6-53	Amended	V. 7, p. 1405
30-6-53	Amended	V. 7, p. 1869
30-6-54	Amended	V. 7, p. 724
30-6-56	Amended	V. 7, p. 1405
30-6-57	Amended	V. 7, p. 724
30-6-58	Amended	V. 7, p. 1405
30-6-65	Amended	V. 7, p. 1405
30-6-65	Amended	V. 7, p. 1445
30-6-74	Amended	V. 7, p. 1405
30-6-77	New	V. 7, p. 1405
30-6-78	Amended	V. 7, p. 1406
30-6-79	Amended	V. 7, p. 725
30-6-86	New	V. 7, p. 1869
30-6-103	Amended	V. 7, p. 1406
30-6-103	Amended	V. 7, p. 1869
30-6-106		
through		
30-6-113	Amended	V. 7, p. 725, 726
30-6-106	Amended	V. 7, p. 1406

30-6-107	Amended	V. 7, p. 1406
30-6-107	Amended	V. 7, p. 1870
30-6-108	Amended	V. 7, p. 1406
30-6-109	Amended	V. 7, p. 1406
30-6-112	Amended	V. 7, p. 1406
30-6-113	Amended	V. 7, p. 1407
30-10-1a	Amended	V. 7, p. 1870
30-10-1b	Amended	V. 7, p. 1870
30-10-2	Amended	V. 7, p. 727
30-10-3	Amended	V. 7, p. 727
30-10-4	Amended	V. 7, p. 727
30-10-7	Amended	V. 7, p. 1870
30-10-9	Amended	V. 7, p. 727
30-10-11	Amended	V. 7, p. 1870
30-10-15a	Amended	V. 7, p. 1871
30-10-15b	Amended	V. 7, p. 1871
30-10-16	Amended	V. 7, p. 1871
30-10-17	Amended	V. 7, p. 1871
30-10-18	Amended	V. 7, p. 1871
30-10-19	Amended	V. 7, p. 1871
30-10-20	Amended	V. 7, p. 1871
30-10-21	Amended	V. 7, p. 1871
30-10-23a	Amended	V. 7, p. 727
30-10-24	Amended	V. 7, p. 1871
30-10-25	Amended	V. 7, p. 728
30-10-28	Amended	V. 7, p. 1873
30-10-29	Amended	V. 7, p. 728
30-22-30	Amended	V. 7, p. 728
30-22-32	Amended	V. 7, p. 729
30-31-2	Amended	V. 7, p. 729
30-31-3	Amended	V. 7, p. 729
30-31-4	Amended	V. 7, p. 729
30-46-1		
through		
30-46-6	New	V. 7, p. 729, 730
30-46-1		
through		
30-46-6	Revoked	V. 7, p. 1873
30-46-10		
through		
30-46-17	New	V. 7, p. 1873, 1874
30-51-1		
through		
30-51-5	New	V. 7, p. 730, 731

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-27-2	Amended	V. 7, p. 217
36-27-3	Amended	V. 7, p. 217
36-27-4	Amended	V. 7, p. 217
36-27-5a	New	V. 7, p. 217
36-27-6	Amended	V. 7, p. 217
36-27-7	Amended	V. 7, p. 217
36-27-8	Amended	V. 7, p. 218
36-27-11	Amended	V. 7, p. 218
36-27-12	Amended	V. 7, p. 218
36-27-13	Amended	V. 7, p. 219

AGENCY 38: SAVINGS AND LOAN DEPARTMENT

Reg. No.	Action	Register
38-10-1		
through		
38-10-7	New	V. 7, p. 222

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 7, p. 583
40-1-29	Revoked	V. 7, p. 584
40-1-36	Amended	V. 7, p. 584
40-2-14	Amended	V. 7, p. 585
40-2-15	Amended	V. 7, p. 586
40-2-16	Amended	V. 7, p. 586
40-2-22	Amended	V. 7, p. 586
40-3-12	Amended	V. 7, p. 588
40-3-33	Amended	V. 7, p. 588
40-4-22	Amended	V. 7, p. 591
40-4-35	Amended	V. 7, p. 2058
40-4-35a	New	V. 7, p. 2059
40-4-37	New	V. 7, p. 1329
40-5-107	Amended	V. 7, p. 592

40-5-108	Amended	V. 7, p. 592
40-5-109	Amended	V. 7, p. 593
40-7-7	Amended	V. 7, p. 593
40-7-13	Amended	V. 7, p. 1838
40-9-118	Amended	V. 7, p. 594
40-10-15	Amended	V. 7, p. 594

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-136	Amended	V. 7, p. 308
44-6-138	Amended	V. 7, p. 308
44-6-141	Amended	V. 7, p. 309
44-7-104	Amended	V. 7, p. 309
44-11-111	Amended	V. 7, p. 2031
44-11-113	Amended	V. 7, p. 2031
44-11-114	Amended	V. 7, p. 2032
44-11-116	Amended	V. 7, p. 2032
44-11-119	Amended	V. 7, p. 2032
44-11-121	Amended	V. 7, p. 2032
44-11-122	Amended	V. 7, p. 2032
44-11-123	Amended	V. 7, p. 2033
44-11-125	Revoked	V. 7, p. 2033
44-11-128	Amended	V. 7, p. 2033
44-11-129	New	V. 7, p. 2033
44-12-205	Amended	V. 7, p. 311
44-12-207	Amended	V. 7, p. 311
44-12-327	New	V. 7, p. 311
44-12-401	Amended	V. 7, p. 311
44-12-601	Amended	V. 7, p. 311
44-13-402	Amended	V. 7, p. 313
44-13-704	Amended	V. 7, p. 313
44-15-101b	Amended	V. 7, p. 313
44-15-102	Amended	V. 7, p. 313
44-16-103	Amended	V. 7, p. 1875
44-16-104	Amended	V. 7, p. 1875
44-16-108	Amended	V. 7, p. 1875

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-4-7	Amended	V. 7, p. 219
45-7-1	Amended	V. 7, p. 219
45-9-1	Amended	V. 7, p. 219

AGENCY 47: MINED-LAND CONSERVATION AND RECLAMATION BOARD

Reg. No.	Action	Register
47-2-75	Amended	V. 7, p. 409
47-3-42	Amended	V. 7, p. 410
47-7-2	Amended	V. 7, p. 411
47-9-1	Amended	V. 7, p. 411
47-10-1	Amended	V. 7, p. 412
47-12-4	Amended	V. 7, p. 412

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 7, p. 223

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-3-1	Amended	V. 7, p. 399
50-4-2	Amended	V. 7, p. 400

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS' COMPENSATION

Reg. No.	Action	Register
51-2-5	Amended	V. 7, p. 514
51-7-8	Amended	V. 7, p. 514
51-9-7	Amended	V. 7, p. 515
51-15-2	Amended	V. 7, p. 515
51-24-3		
through		
51-24-7	New	V. 7, p. 515-516

AGENCY 53: STATE RECORDS BOARD

Reg. No.	Action	Register
53-3-1	New	V. 7, p. 1739
53-4-1	New	V. 7, p. 1739

AGENCY 54: KANSAS STATE LIBRARY

Reg. No.	Action	Register
54-3-3	Amended	V. 7, p. 1943

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 7, p. 18
60-11-104a	New	V. 7, p. 2056
60-11-104a	New	V. 8, p. 14
60-13-102 through 60-13-108	New	V. 7, p. 361, 362
60-15-101 through 60-15-104	Amended	V. 7, p. 1612, 1613
60-15-101 through 60-15-104	Amended	V. 7, p. 2056, 2057

AGENCY 61: BOARD OF BARBER EXAMINERS

Reg. No.	Action	Register
61-1-19	Amended	V. 7, p. 401
61-3-7	Amended	V. 7, p. 401
61-3-22	Amended	V. 7, p. 401
61-3-26	New	V. 7, p. 401

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 7, p. 362
63-1-5	Amended	V. 7, p. 363
63-1-7	Revoked	V. 7, p. 364
63-1-8	Revoked	V. 7, p. 364
63-1-14 through 63-1-18	Revoked	V. 7, p. 364
63-1-20	Revoked	V. 7, p. 364
63-1-21	Revoked	V. 7, p. 364
63-1-22	Revoked	V. 7, p. 364
63-2-8	Revoked	V. 7, p. 364
63-2-13	Amended	V. 7, p. 364
63-3-10	Amended	V. 7, p. 365
63-3-13	Amended	V. 7, p. 365
63-4-1	Amended	V. 7, p. 365
63-5-1	New	V. 7, p. 365
63-5-2	New	V. 7, p. 365
63-6-1 through 63-6-8	New	V. 7, p. 365, 366

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-6-6	Revoked	V. 7, p. 358
65-6-8	Amended	V. 7, p. 358
65-6-11	Amended	V. 7, p. 358
65-6-12	Amended	V. 7, p. 358
65-6-17	Revoked	V. 7, p. 358
65-6-24	Revoked	V. 7, p. 358
65-6-25	Amended	V. 7, p. 358
65-6-30	Amended	V. 7, p. 359
65-6-31	Revoked	V. 7, p. 360
65-6-32	Revoked	V. 7, p. 360
65-6-33	Amended	V. 7, p. 360
65-6-37	New	V. 7, p. 360
65-7-3	Revoked	V. 7, p. 360
65-7-10	Revoked	V. 7, p. 360

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-2	Amended	V. 8, p. 252
68-2-5	Amended	V. 7, p. 327
68-2-20	Amended	V. 7, p. 327
68-5-1	Amended	V. 7, p. 327
68-5-11	Revoked	V. 8, p. 252

68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-7-13	Amended	V. 7, p. 329
68-7-14	Amended	V. 7, p. 329
68-8-1	Amended	V. 7, p. 329
68-9-1	Amended	V. 8, p. 253
68-11-1	Amended	V. 7, p. 329
68-11-2	Amended	V. 7, p. 330
68-12-2	New	V. 7, p. 330
68-13-1	New	V. 7, p. 330
68-20-1	Amended	V. 8, p. 254
68-20-11	Amended	V. 7, p. 330
68-20-15a	Amended	V. 7, p. 331
68-20-16	Amended	V. 8, p. 255
68-20-18	Amended	V. 7, p. 332

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-23	New	V. 7, p. 406
69-3-24	New	V. 7, p. 406
69-3-25	New	V. 7, p. 407
69-11-1	Amended	V. 7, p. 407

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-1-3	Revoked	V. 7, p. 358
70-5-1	Amended	V. 7, p. 1264

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-14	Revoked	V. 7, p. 377
71-1-15	New	V. 7, p. 377
71-2-1 through 71-2-7	Amended	V. 8, p. 161, 162
71-2-9	Amended	V. 8, p. 162
71-2-11	Amended	V. 8, p. 163
71-2-12	Amended	V. 8, p. 163
71-2-13	Revoked	V. 8, p. 163

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-202a	Amended	V. 7, p. 377
74-5-203	Amended	V. 7, p. 377
74-7-2	Amended	V. 7, p. 378
74-8-2	Amended	V. 7, p. 378
74-8-5	New	V. 7, p. 378
74-12-1	New	V. 7, p. 378

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-12	Revoked	V. 7, p. 1503
75-6-13	Revoked	V. 7, p. 1503
75-6-19	Revoked	V. 7, p. 1943
75-6-24	Amended	V. 7, p. 1328
75-6-26	Amended	V. 7, p. 1396
75-6-27	Revoked	V. 7, p. 1503
75-6-28	Revoked	V. 7, p. 1503
75-6-29	New	V. 7, p. 1943

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 7, p. 401
81-3-2	Amended	V. 7, p. 1534
81-3-2	Amended	V. 7, p. 1606
81-4-1	Amended	V. 7, p. 401
81-5-6	Amended	V. 8, p. 132
81-5-8	Amended	V. 7, p. 402
81-7-1	Amended	V. 7, p. 1534
81-8-1	Amended	V. 7, p. 405
81-9-1	Amended	V. 7, p. 405

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-231	Amended	V. 7, p. 413
82-1-231a	New	V. 7, p. 416

82-3-101	Amended	V. 7, p. 417
82-3-103	Amended	V. 7, p. 420
82-3-106 through 82-3-109	Amended	V. 7, p. 421-423
82-3-112	Amended	V. 7, p. 423
82-3-117	Amended	V. 7, p. 424
82-3-123	Amended	V. 7, p. 424
82-3-124	Amended	V. 7, p. 424
82-3-131	Amended	V. 7, p. 425
82-3-132	Amended	V. 7, p. 426
82-3-135	Amended	V. 7, p. 426
82-3-138	Amended	V. 7, p. 426
82-3-140	Amended	V. 7, p. 427
82-3-141	New	V. 7, p. 427
82-3-202	Amended	V. 7, p. 427
82-3-204	Amended	V. 7, p. 428
82-3-207	Amended	V. 7, p. 428
82-3-300	Amended	V. 7, p. 428
82-3-302	Revoked	V. 7, p. 428
82-3-304	Amended	V. 7, p. 428
82-3-306	Amended	V. 7, p. 429
82-3-311	Amended	V. 7, p. 429
82-3-312	Amended	V. 7, p. 429
82-3-400	Amended	V. 7, p. 430
82-3-401	Amended	V. 7, p. 430
82-3-502	Amended	V. 7, p. 431
82-3-602	Amended	V. 7, p. 432
82-3-603	Amended	V. 7, p. 432
82-4-3	Amended	V. 7, p. 432
82-4-20	Amended	V. 7, p. 433
82-4-65	Amended	V. 7, p. 433
82-11-1 through 82-11-7	New	V. 7, p. 1882, 1883

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 7, p. 1398
86-1-11	Amended	V. 7, p. 1398
86-1-13	Amended	V. 7, p. 408
86-1-16	New	V. 7, p. 1398
86-3-6a	Amended	V. 7, p. 408
86-3-18	Amended	V. 7, p. 408
86-3-22	New	V. 7, p. 409

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-10	New	V. 7, p. 465
88-3-11	New	V. 7, p. 465
88-3-12	New	V. 7, p. 1632
88-9-1 through 88-9-8	New	V. 7, p. 465, 466
88-9-1 through 88-9-6	New	V. 7, p. 1632, 1633
88-10-6	Amended	V. 7, p. 466
88-11-7	Amended	V. 7, p. 467
88-13-1	Amended	V. 7, p. 1807
88-13-1	Amended	V. 7, p. 1944
88-13-4	Amended	V. 7, p. 1808
88-13-4	Amended	V. 7, p. 1944
88-13-11	Amended	V. 7, p. 1808
88-13-11	Amended	V. 7, p. 1945
88-14-1 through 88-14-4	New	V. 7, p. 467
88-15-1	Amended	V. 7, p. 1809
88-15-1	Amended	V. 7, p. 1910
88-15-2	Amended	V. 7, p. 1809
88-15-2	Amended	V. 7, p. 1910
88-16-1	Amended	V. 7, p. 1810
88-16-1	Amended	V. 7, p. 1911
88-16-1a	Amended	V. 7, p. 1810
88-16-1a	Amended	V. 7, p. 1911
88-16-2	Amended	V. 7, p. 1810
88-16-2	Amended	V. 7, p. 1912
88-16-5	Amended	V. 7, p. 1811
88-16-5	Amended	V. 7, p. 1912
88-17-2	New	V. 7, p. 468
88-17-3	New	V. 7, p. 468
88-17-4	New	V. 7, p. 468

(continued)

88-18-1		
through		
88-18-8	New	V. 7, p. 1814, 1815
88-19-1		
through		
88-19-4	New	V. 7, p. 1815

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27	Amended	V. 7, p. 517
91-1-27b	Amended	V. 8, p. 94
91-1-28	Amended	V. 7, p. 518
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-44	Amended	V. 7, p. 518
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-101b	New	V. 7, p. 519
91-1-107a	Amended	V. 8, p. 96
91-1-110b	New	V. 7, p. 520
91-1-112a	Amended	V. 7, p. 521
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-146d	Amended	V. 7, p. 522
91-1-146e	New	V. 7, p. 523
91-1-147	Revoked	V. 7, p. 523
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22		
through		
91-12-25	Amended	V. 7, p. 523-528
91-12-24	Revoked	V. 7, p. 1709
91-12-24a	New	V. 7, p. 1709
91-12-26	Revoked	V. 7, p. 1710
91-12-28	Amended	V. 7, p. 1710
91-12-31	Amended	V. 7, p. 529
91-12-32	Amended	V. 7, p. 529
91-12-40	Amended	V. 7, p. 530
91-12-50		
through		
91-12-55	Amended	V. 7, p. 531-534
91-12-58	Amended	V. 7, p. 535
91-12-61	Amended	V. 7, p. 1711
91-12-62	Amended	V. 7, p. 536
91-12-72	Amended	V. 7, p. 536
91-19-1	Amended	V. 8, p. 101
91-19-2	Amended	V. 8, p. 101
91-19-6	Amended	V. 8, p. 102
91-25-1a	Amended	V. 7, p. 537
91-25-1c	Amended	V. 7, p. 538
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-3	Amended	V. 7, p. 539
91-31-5	Amended	V. 7, p. 540
91-31-6	Amended	V. 7, p. 540
91-31-7	Amended	V. 8, p. 103
91-31-9	Amended	V. 7, p. 542
91-31-11	Amended	V. 7, p. 542
91-31-12a		
through		
91-31-12h	Amended	V. 7, p. 542-544
91-31-12a	Amended	V. 8, p. 104
91-31-13	Amended	V. 8, p. 104
91-31-14	New	V. 8, p. 105
91-31-14a	Amended	V. 8, p. 105
91-33-1		
through		
91-33-9	Amended	V. 7, p. 545-549
91-33-1	Amended	V. 8, p. 105
91-33-5	Amended	V. 8, p. 106
91-34-1		
through		
91-34-14	New	V. 7, p. 549-553
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-1-1	Amended	V. 7, p. 649
92-1-2	Amended	V. 7, p. 650
92-1-3	Amended	V. 7, p. 650
92-1-4		
through		
92-1-8	Revoked	V. 7, p. 650
92-12-106	New	V. 7, p. 650
92-13-10	Amended	V. 7, p. 651
92-19-3	Amended	V. 7, p. 651
92-19-5	Amended	V. 7, p. 651
92-19-6	Amended	V. 7, p. 651
92-19-8	Amended	V. 7, p. 651
92-19-9	Revoked	V. 7, p. 652
92-19-10	Amended	V. 7, p. 652
92-19-12	Amended	V. 7, p. 652
92-19-16	Amended	V. 7, p. 652
92-19-18	Amended	V. 7, p. 653
92-19-19	Amended	V. 7, p. 653
92-19-23	Amended	V. 7, p. 653
92-19-24	Amended	V. 7, p. 654
92-19-28	Amended	V. 7, p. 654
92-19-30	Amended	V. 7, p. 655
92-19-30a	New	V. 7, p. 656
92-19-31	Revoked	V. 7, p. 656
92-19-32	Amended	V. 7, p. 656
92-19-40	Amended	V. 7, p. 657
92-19-41	Revoked	V. 7, p. 657
92-19-46	New	V. 7, p. 657
92-19-47	New	V. 7, p. 657
92-19-49		
through		
92-19-59	New	V. 7, p. 658-662
92-19-61		
through		
92-19-66	New	V. 7, p. 662, 663
92-19-66a		
through		
92-19-66d	New	V. 7, p. 664-666
92-19-67		
through		
92-19-80	New	V. 7, p. 666-670
92-19-80	Revoked	V. 7, p. 1036
92-20-11	Amended	V. 7, p. 1632
92-20-13	Amended	V. 7, p. 671
92-21-6	Amended	V. 7, p. 671
92-21-8	Amended	V. 7, p. 672
92-21-10	Amended	V. 7, p. 672
92-21-14	Amended	V. 7, p. 672
92-24-9	Amended	V. 7, p. 672
92-24-10	Amended	V. 7, p. 672
92-24-11	Amended	V. 7, p. 673
92-24-13	Amended	V. 7, p. 673
92-24-15		
through		
92-24-19	Amended	V. 7, p. 673, 674
92-24-20	Revoked	V. 7, p. 674
92-24-21		
through		
92-24-24	Amended	V. 7, p. 674
92-26-1		
through		
92-26-7	Amended	V. 7, p. 675-676
92-51-41	Amended	V. 7, p. 676
92-52-1	Amended	V. 7, p. 676

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-1-1		
through		
94-1-9	Revoked	V. 7, p. 469
94-2-1		
through		
94-2-12	Amended	V. 7, p. 469-473
94-3-1	Amended	V. 7, p. 473
94-3-2	Amended	V. 7, p. 473

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-8-8	Amended	V. 7, p. 468
99-8-9	New	V. 7, p. 468

99-31-1	Amended	V. 8, p. 132
99-31-2		
through		
99-31-6	Amended	V. 7, p. 1838, 1839
99-32-1		
through		
99-32-6	Amended	V. 7, p. 468, 469

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-2-1	Revoked	V. 7, p. 474
100-2-3	Amended	V. 7, p. 474
100-2-5	Revoked	V. 7, p. 474
100-2-6	Revoked	V. 7, p. 474
100-5-1	Amended	V. 7, p. 474
100-5-2	Amended	V. 7, p. 474
100-5-3	Revoked	V. 7, p. 475
100-8-4	Amended	V. 7, p. 475
100-9-2	Revoked	V. 7, p. 475
100-10-1	Revoked	V. 7, p. 475
100-10a-1		
through		
100-10a-6	New	V. 7, p. 475-476
100-11-5	New	V. 7, p. 476
100-12-1	Amended	V. 7, p. 476
100-15-3	New	V. 7, p. 476
100-19-1	Amended	V. 7, p. 476
100-22-2	New	V. 7, p. 477
100-42-1	Revoked	V. 7, p. 477
100-42-2	Amended	V. 7, p. 477
100-46-5	Amended	V. 7, p. 477
100-54-1		
through		
100-54-9	New	V. 7, p. 477-480
100-55-1		
through		
100-55-8	New	V. 7, p. 480-483
100-60-7	Revoked	V. 7, p. 483
100-60-8		
through		
100-60-14	New	V. 7, p. 483-485

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-2-1a	Amended	V. 8, p. 204
102-2-4b	Amended	V. 7, p. 462
102-2-7	Amended	V. 7, p. 463
102-3-1	New	V. 7, p. 1258
102-3-2	Amended	V. 7, p. 464
102-3-3		
through		
102-3-13	New	V. 7, p. 1258-1263
102-4-1	New	V. 8, p. 204
102-4-2	New	V. 7, p. 464
102-4-3		
through		
102-4-11	New	V. 8, p. 205-209

AGENCY 104: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
104-1-1	Revoked	V. 7, p. 398
104-1-2	New	V. 7, p. 398

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-2-1	Amended	V. 7, p. 1579
105-3-1	Amended	V. 7, p. 1579
105-3-2	Amended	V. 7, p. 1579
105-5-2	Amended	V. 7, p. 1579
105-5-6	Amended	V. 7, p. 1579
105-5-7	Amended	V. 7, p. 1580
105-5-8	Amended	V. 7, p. 1580
105-7-8	Amended	V. 7, p. 406
105-9-4	Revoked	V. 7, p. 1580
105-10-1	Amended	V. 7, p. 1580

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 7, p. 1581
108-1-1	Amended	V. 7, p. 1611

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-1-1	Amended	V. 7, p. 485
109-2-5 through		
109-2-8	Amended	V. 7, p. 486-488
109-5-1	Amended	V. 7, p. 489
109-5-3	Amended	V. 7, p. 490
109-6-1	New	V. 7, p. 491
109-8-1	New	V. 8, p. 163
109-9-1	New	V. 8, p. 163
109-9-2	New	V. 8, p. 164
109-9-3	New	V. 7, p. 1635
109-9-4	New	V. 8, p. 164
109-10-1	New	V. 8, p. 164
109-11-1 through		
109-11-8	New	V. 8, p. 164-166

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-1-1	Amended	V. 7, p. 434
110-1-2	Amended	V. 7, p. 434
110-2-1	New	V. 7, p. 434
110-2-2	New	V. 7, p. 435
110-3-1 through		
110-3-11	New	V. 8, p. 29-30

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 13
111-2-1	Amended	V. 7, p. 1995
111-2-5	New	V. 8, p. 13
111-2-6	New	V. 8, p. 134
111-3-1	Amended	V. 7, p. 1061
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 7, p. 1190
111-3-10 through		
111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 7, p. 1062
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19 through		
111-3-22	Amended	V. 7, p. 1309, 1310
111-3-20	Amended	V. 7, p. 1434
111-3-21	Amended	V. 7, p. 1606
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063

111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206
111-4-22 through		
111-4-40	Revoked	V. 7, p. 206, 207
111-4-41	Revoked	V. 7, p. 1435
111-4-42	Revoked	V. 7, p. 1435
111-4-43	Revoked	V. 7, p. 207
111-4-44	Revoked	V. 7, p. 1435
111-4-46 through		
111-4-64	Revoked	V. 7, p. 207
111-4-66 through		
111-4-77	New	V. 7, p. 207-209
111-4-66	Amended	V. 8, p. 134
111-4-67	Amended	V. 7, p. 1064
111-4-68	Amended	V. 7, p. 931
111-4-69	Amended	V. 7, p. 931
111-4-70	Amended	V. 8, p. 134
111-4-71	Amended	V. 7, p. 1190
111-4-71a	Amended	V. 7, p. 1435
111-4-72	Amended	V. 8, p. 134
111-4-73	Amended	V. 8, p. 134
111-4-73a	Revoked	V. 8, p. 134
111-4-74	Amended	V. 7, p. 931
111-4-77a	Amended	V. 8, p. 134
111-4-78 through		
111-4-82	Revoked	V. 8, p. 13
111-4-82a	Revoked	V. 8, p. 13
111-4-83 through		
111-4-87	Revoked	V. 8, p. 13
111-4-88 through		
111-4-91	Revoked	V. 8, p. 210
111-4-92 through		
111-4-95	New	V. 7, p. 1435, 1436
111-4-96 through		
111-4-114	New	V. 7, p. 1606-1610
111-4-99a	New	V. 7, p. 1807
111-4-99b	New	V. 7, p. 1807
111-4-115 through		
111-4-118	New	V. 7, p. 1946, 1947
111-4-118a	New	V. 8, p. 13
111-4-119 through		
111-4-125	New	V. 8, p. 135, 136
111-5-1 through		
111-5-23	New	V. 7, p. 209-213
111-5-9 through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
111-5-20	Revoked	V. 8, p. 212
111-6-1 through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 8, p. 212
111-6-12	Amended	V. 8, p. 212
111-6-16	Revoked	V. 8, p. 212
111-6-17	New	V. 7, p. 1191
111-7-1 through		
111-7-10	New	V. 7, p. 1192, 1193

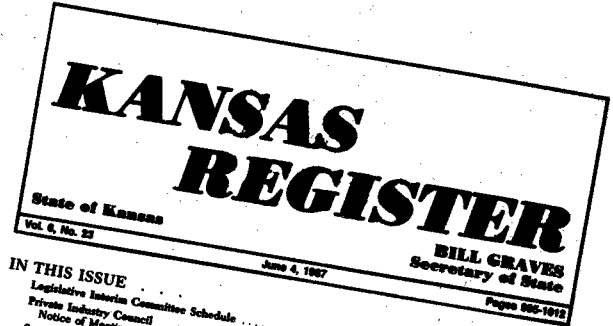
111-7-1	Amended	V. 8, p. 212
111-7-4	Amended	V. 7, p. 1610
111-7-5	Amended	V. 7, p. 1610
111-7-11	New	V. 7, p. 1224
111-7-12 through		
111-7-32	New	V. 7, p. 1194-1196
111-7-12 through		
111-7-27	Revoked	V. 7, p. 1436, 1437
111-7-28	Amended	V. 8, p. 136
111-7-32a	New	V. 7, p. 1196
111-7-33 through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33	Revoked	V. 7, p. 1437
111-7-43	Revoked	V. 8, p. 212
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	New	V. 7, p. 1633
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5 through		
111-8-13	New	V. 7, p. 1634
111-9-1 through		
111-9-12	New	V. 7, p. 1714-1716
111-10-1 through		
111-10-9	New	V. 8, p. 136-138

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-1 through		
112-3-20	New	V. 7, p. 1357-1370
112-4-1 through		
112-4-14	New	V. 8, p. 92
112-4-1 through		
112-4-14	New	V. 8, p. 255-257
112-4-16	New	V. 8, p. 92
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 92
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 92
112-4-18	New	V. 8, p. 258
112-4-20	New	V. 8, p. 92
112-4-20	New	V. 8, p. 258
112-5-1 through		
112-5-9	New	V. 8, p. 92
112-5-1 through		
112-5-9	New	V. 8, p. 258-260
112-6-1 through		
112-6-8	New	V. 8, p. 92, 93
112-6-1 through		
112-6-8	New	V. 8, p. 261-263
112-8-2 through		
112-8-12	New	V. 8, p. 93
112-8-2 through		
112-8-12	New	V. 8, p. 263-267
112-13-2	New	V. 8, p. 93
112-13-2	New	V. 8, p. 267

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IN THIS ISSUE

Legislative Interim Committee Schedule	Page
Private Industry Council	995
Notice of Meeting	
Secretary of State	
Utility Rate for June	996
Department of Human Resources—Division of Workers' Compensation	997
Notice of Hearing on Proposed Administrative Regulations	
Rehabilitation Services Advisory Committee	997
Notice of Meeting	
State Emergency Response Commission	997
Notice of Meeting	
Department of Administration	998
Notice of Commencement of Negotiations for Architectural and Engineering Services	998
Attorney General	998
Options No. 87-80 through 87-84	999
	1000

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