

# KANSAS REGISTER



State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 8, No. 11

March 16, 1989

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## State of Kansas

**STATE BANK COMMISSIONER  
STATE BANKING BOARD****NOTICE OF MEETING**

The State Banking Board will meet at 9:30 a.m. Monday, March 20, in the conference room of the State Banking Department, Suite 300, 700 Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

W. NEWTON MALE  
State Bank Commissioner

Doc. No. 007538

## State of Kansas

**KANSAS INC.****REQUEST FOR PROPOSALS**

Kansas Inc. has issued a request for proposals to conduct a study of the future of the state's oil and gas industry. Proposals for the seven-month project are due by May 5; a pre-bid conference is scheduled for April 6. Requests for the RFP should be directed to Kansas Inc., Suite 113, Capitol Tower, 400 S.W. 8th, Topeka 66603, (913) 296-1460.

CHARLES R. WARREN  
President

Doc. No. 007583

## State of Kansas

**KANSAS ADVOCACY AND PROTECTIVE  
SERVICES, INC.****NOTICE OF MEETING**

The Kansas Advocacy and Protective Services will conduct its governing board meeting at 7 p.m. Monday, March 20, at LePicardy Restaurant, 822 N. Kansas Ave., Topeka. For further information, call (KANS-A-N) 567-8670 or (913) 776-1541.

JOAN STRICKLER  
Executive Director

Doc. No. 007568

## State of Kansas

**UNIVERSITY OF KANSAS****NOTICE TO BIDDERS**

Sealed bids for the 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 27, 1989

RFQ # 89 0923

High Pressure pumps for liquid chromatography, with mixing chamber, system controller, sample injector and UV detector.

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

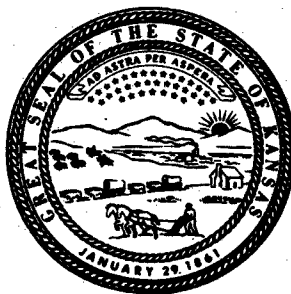
Doc. No. 007574

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**PUBLISHED BY**  
**Bill Graves**  
**Secretary of State**  
**2nd Floor, State Capitol**  
**Topeka, KS 66612-1594**



Phone: (913) 296-3489

State of Kansas

**KANSAS STATE UNIVERSITY****NOTICE TO BIDDERS**

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 for additional information.

**Monday, March 27, 1989**

**#90085**

**¾-Ton Pickup and 1-Ton Truck**

**Tuesday, March 28, 1989**

**#90086**

**Superspeed Refrigerated Single Phase Centrifuge**

**WILLIAM H. SESLER**  
Director of Purchasing

Doc. No. 007587

State of Kansas

**KANSAS STATE UNIVERSITY****NOTICE OF PUBLIC AUCTION**

The State Board of Regents, on behalf of Kansas State University and the state of Kansas, will offer for sale the following land and facilities located in Pottawatomie County and described as follows:

Kansas State University will hold an auction of a missile site (including all land and facilities) located ½ mile from Wamego, Kansas, at 10:30 a.m. April 6 at the missile site location. The missile site consists of about 22 acres of land, below and above-ground structures, utility services, and extensive salvageable equipment. The salvageable equipment includes storage tanks, stainless steel pipe, fittings and valves, a large number of repair parts, electrical panels, motors and numerous other pieces of equipment that were left from the operation of the original missile site.

A complete description of the property and instructions for inspection of the property may be obtained from the KSU Department of Mechanical Engineering, Durland Hall, Kansas State University, Manhattan 66506, or by calling (913) 532-5610. Inspection of the property can be arranged from 8 a.m. to 5 p.m. during the period of April 3 through April 5.

**WILLIAM H. SESLER**  
Director of Purchasing

Doc. No. 007576

State of Kansas

**DEPARTMENT OF HEALTH  
AND ENVIRONMENT****NOTICE OF MEETING**

The Kansas Department of Health and Environment has scheduled an analysis meeting of the technical committee that is reviewing the athletic trainers' credentialing application. The meeting will begin at 9 a.m. Friday, April 7, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka.

For more information contact Cathy Rooney, (913) 296-1281.

**STANLEY C. GRANT**  
Secretary of Health  
and Environment

Doc. No. 007570

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 a contract for an infrared scan for HVAC modifications at Bell Memorial Hospital, University of Kansas Medical Center, Kansas City.

Interested individuals or firms in the infrared scan field must be an independent testing company using trained personnel who work full time on infrared testing projects. Personnel shall be familiar with the operation of the infrared camera and capable of analyzing the results. The infrared survey shall be done with a Model No. 750 infrared camera as manufactured by AGA Corporation of Secaucus, New Jersey, or equal. Submit qualifications with letter of interest.

Any questions or expressions of interest should be directed to Phil Ellsworth, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before March 31.

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

Doc. No. 007589

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 water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
H & R Crist Cattle, Inc. Route 2, Box 151 Scott City, KS 67871	NW/4 Section 13, Township 20S, Range 33W, Scott County, Kansas	Upper Arkansas River Basin

Kansas Permit No. A-UASC-CO17 Fed. Permit No. KS-0086363

The feedlot has capacity for approximately 10,000 cattle and a contributing drainage area of approximately 90 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 36 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Elmer R. and E. Lee Musil Route 2, Box 4 Burdett, KS 67523	E/2 Section 29, Township 21S, Range 20W, Pawnee County, Kansas	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-B003 Fed. Permit No. KS-0086355

The feedlot has capacity for approximately 1,000 cattle and a contributing drainage area of approximately 7.0 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 3.75 acre-feet.

Compliance Schedule: None, existing controls adequate.

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 April 14 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-89-7/8) 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. 007578

State of Kansas

**DEPARTMENT OF HEALTH AND ENVIRONMENT**

**NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT**

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	POTW	Type of Discharge
Great Bend Industries Route 1, Box 106 Great Bend, KS 67530 Barton County, Kansas	Great Bend Westport	Process Wastewater

Kansas Permit No. P-UA16-0002

Description of Facility: This facility manufactures custom hydraulic cylinders. Steel parts are phosphated (conversion coated) at this location.

Name and Address of Applicant	POTW	Type of Discharge
BMB Company, Inc. An Alamo Group Company Vermont at 9th Holton, KS 66436 Jackson County, Kansas	Holton MWWTP	Process Wastewater

Kansas Permit No. P-KS23-0001

Description of Facility: This facility manufactures agricultural machinery, primarily rotary mowers and tractor rear blades. Metal parts are phosphated (conversion coated) at this location prior to being painted. A paint booth effluent is also generated on-site.

Name and Address of Applicant	POTW	Type of Discharge
C.R. Industries 31 E. Amador Seneca, KS 66538 Nemaha County, Kansas	Seneca MWWTP	Process Wastewater

Kansas Permit No. P-MO19-0001

Description of Facility: This facility manufactures various types of shaft oil seals for appliances and automobiles. Metal parts are zinc phosphated (conversion coated) at this location.

<b>Name and Address of Applicant</b>	<b>POTW</b>	<b>Type of Discharge</b>
Montgomery Elevator P.O. Box 987 Arkansas City, KS 67005 Cowley County, Kansas Kansas Permit No. P-WA17-1003	Strother Field MWWTP	Process Wastewater

Description of Facility: This facility manufactures elevator cabs, doors and frames. They operate a two-stage parts cleaning line, using a phosphating (conversion coating) process.

<b>Name and Address of Applicant</b>	<b>POTW</b>	<b>Type of Discharge</b>
Hutchinson Wil-Rich P.O. Box 629 Clay Center, KS 67432 Clay County, Kansas Kansas Permit No. P-LR05-1002	Clay Center MWWTP	Process Wastewater

Description of Facility: This facility manufactures grain handling equipment including portable augers, elevators and conveyors. They clean steel metal parts in two, three-stage phosphating operations located in separate buildings, prior to painting the parts. Contents of both cleaning systems are batch discharged to the city sewer system on an intermittent basis.

<b>Name and Address of Applicant</b>	<b>POTW</b>	<b>Type of Discharge</b>
G.T., Inc. P.O. Box 525 Clay Center, KS 67432 Clay County, Kansas Kansas Permit No. P-LR05-1001	Clay Center MWWTP	Process Wastewater

Description of Facility: This facility manufactures grain handling equipment and grain dryers. They operate a conversion coating (phosphating) operation to clean metal parts prior to painting them.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to April 14 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-PT-89-7/12) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. 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, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices 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

**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 27, 1989**

- #27116  
University of Kansas Medical Center—HIGH EFFICIENCY AIR FILTERS  
#27607
- University of Kansas Medical Center—DIAGNOSTIC RADIOPAQUE MATERIALS  
#27972
- University of Kansas Medical Center—VEHICLE SERVICE/MAINTENANCE CONTRACT  
#78308
- Department of Transportation—AIR COMPRESSORS, various locations  
#78309

Department of Corrections—TRANSFORMER, Lansing

- #78320  
Kansas Correctional Industries—SEMI-TRAILERS  
#78356
- Department of Transportation—BRUSH CHIPPER  
#78357
- Pittsburg State University—MICROCOMPUTER

**Tuesday, March 28, 1989**

- #A-6128  
Pittsburg State University—WHITESITT HALL MODIFICATIONS  
#26893
- Statewide—PERFUSION SUPPLIES (Class 18)  
#27064
- Statewide—AUTOMOTIVE SUPPLIES  
#27677
- Kansas State Penitentiary—MISCELLANEOUS GROCERIES

**Wednesday, March 29, 1989**

- #78294  
Youth Center at Topeka—FENCE MATERIALS  
#78329
- Department of Administration, Central Motor Pool and Kansas State University—VEHICLES  
#78330
- Department of Transportation—PAVEMENT MARKING TAPE  
#78331
- Department of Wildlife and Parks—FIREARMS DEER PERMITS, Pratt  
#78340
- Department of Social and Rehabilitation Services—MICROFILM CAMERAS

(continued)

#78344

Emporia State University—MICROSCOPES

#78345

Pittsburg State University—OSCILLOSCOPES AND MULTIMETERS

#78346

Department of Corrections—AUTOMATED ROTARY FILES, Norton

#78347

Department of Education—MICROCOMPUTER

Thursday, March 30, 1989

#A-6093

Kansas State University—EDUCATIONAL COMMUNICATIONS CENTER

#27062

University of Kansas Medical Center—PHOTOGRAPHIC FILM PROCESSING AND PRINTING

#27516

Statewide—MAY (1989) MEAT PRODUCTS

#78354

Emporia State University—BEHAVIORAL EQUIPMENT

#78355

Pittsburg State University—ELEVATOR REPAIR

#78369

Department of Transportation—AIR COMPRESSORS, Topeka, Chanute

#78370

Kansas State University—LUMINAIRES AND POLES

#78371

Department of Transportation—AGGREGATE, various locations

#78372

Department of Transportation—BREATH TESTING DEVICES

Friday, March 31, 1989

#78382

Department of Transportation—SWEEPERS, Topeka, Hutchinson

#78386

Department of Wildlife and Parks—FURNISH ALL LABOR AND MATERIALS NECESSARY TO RENOVATE PONDS AT FARLINGTON FISH HATCHERY, Crawford County

#78394

Department of Wildlife and Parks—FURNISH ALL LABOR AND MATERIALS FOR DAM MAINTENANCE COWLEY STATE FISHING LAKE

#78396

University of Kansas—HANDICAP VAN

#78397

Department of Wildlife and Parks, Kansas State University—VEHICLES, Pratt, Manhattan

#78398

Department of Transportation—AIR TOOLS, various locations

Tuesday, April 4, 1989

#78384

Department of Administration, Division of

Information Systems and Communications—WANG VS-IBM PROFS CONNECTION SOFTWARE

Wednesday, April 5, 1989

#A-6131

University of Kansas Medical Center—ELEVATOR REPLACEMENT, Murphy Building

Monday, April 17, 1989

#27969

Department of Wildlife and Parks—HAY LEASE, Clinton Park

NICHOLAS B. ROACH

Director of Purchases

Doc. No. 007584

State of Kansas

## DEPARTMENT OF REVENUE

## NOTICE OF HEARING

## ON PROPOSED

## ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Monday, April 17, in the office of the Kansas Department of Revenue, secretary's conference room, second floor, Robert B. Docking State Office Building, Topeka, to consider the adoption of proposed permanent regulations of the Department of Revenue.

All interested parties may submit written comments prior to or at the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed permanent regulations.

Proposed regulation 14-17-6 is a new regulation which prohibits the Director of Alcoholic Beverage Control and any agent or employee of the ABC from accepting liquor, money, services or any other thing of value from any manufacturer, distributor, wholesaler or retailer of alcoholic liquor. There is no economic impact for this regulation other than the fact that employees of the Alcoholic Beverage Control Division will not be able to receive gifts or any thing of value from the industry.

Regulation 92-9-6 is being revoked.

Proposed regulation 92-9-6a is a new regulation replacing 92-9-6. 92-9-6a changes the amount each lessee must pay for all river sand sold during a given month from 2 cents per ton to 15 cents per ton. This is the only major change to the regulation. The language of the regulation has also been updated. At 2 cents per ton, the department received \$81,787 in river sand revenues in calendar year 1987. Based on 1987 revenues, if the fee per ton is increased to 15 cents, estimated revenue would be increased to a total of \$613,400.

Copies of the full text of the proposed regulations and economic impact statement may be obtained by contacting Melanie Caro, Legal Services Bureau, Kansas Department of Revenue, Robert B. Docking State Office Building, Topeka 66612-1588.

EDWARD C. ROLFS

Secretary of Revenue

Doc. No. 007588

State of Kansas

**KANSAS PUBLIC DISCLOSURE COMMISSION**

Advisory Opinion No. 88-28

Written October 27, 1988, to Nancy Burns, Topeka.

This opinion is in response to your letter of October 14, 1988, in which you request an opinion from the Kansas Public Disclosure Commission concerning the conflict of interest law (K.S.A. 46-215 *et seq.*).

We note at the outset that the commission's jurisdiction on this matter is limited to the application of the above law. Thus, whether some other common law, statutory system or administrative rule or policy relates to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a Substance Abuse Consultant for the Kansas Department of Corrections.

You advise us that shortly after you began working for the department, you sat on a review board to review bids for a project at KCVTC in Topeka. The review board did not recommend a provider for the project due to the differences in the way the proposals were written. Therefore, the proposals went to a negotiating committee, and you were not a part of the negotiating committee. Shortly after the review of the KCVTC proposals, Deputy Secretary Angela Rinaldo made the decision to ask all bidders for a price on a project at Ellsworth Correctional Facility. The last contact you had with this process was to sit on a review board that did not recommend any specific contractor for KCVTC. Ellsworth was not a part of the original proposal. Both projects went into a negotiating committee, of which you were not a part. You never saw or had input into the bids or which provider got the contract. You did not know the bid amounts until after the contracts were awarded. The two projects have separate contracts. The contracts could have been awarded to two separate providers. The results were not known to you until the contracts were awarded. Both contracts were awarded to the same provider due to that provider's submitting the lowest bid.

The provider who was awarded the contracts has offered you a position. Based on this factual situation, you ask whether you may accept the job with the entity which contracted with Ellsworth.

K.S.A. 46-233 states in pertinent part: "Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business for one year following termination of employment as a state officer or employee . . ."

From a review of the factual situation, it is our opinion that you did not "participate" in the making of the contract between the state and the vendor at Ellsworth. Therefore, the conflicts law does not prohibit your acceptance of the position you have described.

Advisory Opinion No. 88-29

Written October 27, 1988, to all interested persons.

It has come to the commission's attention that, on oc-

casion, state officers or employees will be employed by an outside organization to represent that organization on business with the state, but the state officer or employee will not actually appear before the state agency involved. The question that arises under these circumstances is whether the state officer or employee is required to file a representation case disclosure statement under K.S.A. 46-239.

K.S.A. 46-239 states, in pertinent part, "(a) No state officer or employee shall accept employment in any representation case, unless such officer or employee has properly filed the disclosure statement prescribed by this section. (b) Any state officer or employee who is employed in any representation case shall, not later than ten (10) days after the acceptance of employment for such case or on the first appearance before the state agency involved (whichever occurs first), file on a form prescribed and provided by the commission a disclosure statement as provided in this section. Any individual, while a legislator or within one (1) year after the expiration of a term as a legislator, who contracts to perform any service for a state agency other than the legislature, shall not later than ten (10) days after the acceptance of such contract, file a disclosure statement as provided in this section . . ."

Although not controlling, implicit in this language given the two-part test for when to file is the theory that an actual appearance is required before filing.

K.S.A. 46-226 defines representation case as follows: "Representation case" means the representation of any person, client, principal, or third person, with compensation, in any matter before any state agency where the action or non-action of the state agency involves the exercise of substantial discretion; but representation case does not mean or include (a) any communication initiated by a legislator on behalf of a constituent or other member of the public for which no compensation is received or to be received, or (b) preparation and filing of tax returns or other governmental forms, or (c) participation in tax audit negotiations, or (d) any activity of a state officer or employee in carrying out the duties of his or her office or employment, or (e) a preliminary inquiry by any person into a matter before a state agency."

Here, the word "before" could be a modifier for where the action exists, that is, it is before a state agency, or it could modify "representation," i.e. representation before any state agency. If the first interpretation is given, then an appearance is not necessary, merely that the representation deal with an issue before a state agency. If the second analysis is correct, then the representation must be before the state agency and an appearance would be required.

Given the various possible interpretations and the language implicit in K.S.A. 46-239, and recognizing the rule of strict construction applicable to a criminal statute, we are constrained to rule that a state officer or employee who does not appear before a state agency is not required to file the representation case disclosure statement.

Advisory Opinion No. 88-30

Written October 20, 1988, for Bob McDanel, Administrator, Board of Emergency Medical Services, 111 W. 6th, Topeka.

(continued)

This opinion is in response to your letter of September 20, 1988, in which you request an opinion from the Kansas Public Disclosure Commission concerning the state conflict of interest law (K.S.A. 46-215 *et seq.*).

We understand you request this opinion in your capacity as administrator for the Board of Emergency Medical Services.

You state the Board of Emergency Medical Services includes among its 13 members four people who also serve as examiners for the examination and certification section of the board. These board members are paid a consultant fee and mileage for their work as examiners.

You ask whether it is permissible for the board members to also accept contracts with the board to serve as examiners.

K.S.A. 46-233 states:

"(a) No state officer or employee shall in the capacity as such officer or employee participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to or a participant in the making of such contract and is employed by or has a substantial interest in such person or business. Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any such person or business for one year following termination of employment as a state officer or employee. . . . (d) Subsections (a) and (b) shall not apply to the following: (1) Contracts let after competitive bidding has been advertised for by published notice; and (2) Contracts for property or services for which the price or rate is fixed by law."

From a review of this section, it is our opinion that so long as the board members do not participate in the making of the contract with themselves as examiners, they may be so employed. For guidance, we would suggest they absent themselves from meetings where such contracts are discussed. In their capacity as board members, we would also recommend they not vote on these contracts or communicate with other board members or staff with discretion thereon.

#### Advisory Opinion No. 88-31

Written October 27, 1988, to Terry P. Todd, Attorney at Law, Cherryvale.

This opinion is in response to your letter of October 17, 1988, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflict of interest statutes (75-4301 *et seq.*).

You advise us that you may be in a situation where you would hold both county attorney and city attorney positions within the same county. You ask whether the holding of these dual positions constitutes a conflict of interest.

We have reviewed K.S.A. 75-4301 *et seq.* and the holding of the dual positions is not precluded by that law. There may be circumstances in which, on a particular action, you would need to abstain in one or both capacities.

Whether the situation you described constitutes a common law conflict is outside our jurisdiction and we would suggest you contact the Attorney General's office on that issue.

#### Advisory Opinion No. 88-32

Written December 1, 1988, to Stanley L. Basler, Cherryvale.

This opinion is in response to your letter of November 17, 1988, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as chairman of the Montgomery County Solid Waste Management Advisory Committee.

You state that one of the duties of that committee is to regulate to some extent your county franchisee for solid waste management. That entity is Resource Recovery, Inc., which operates a landfill composting and recycling facility. The committee that you chair has, among other responsibilities, the duty to make recommendations to the Montgomery County Commission as to rate increases and modifications of the franchise agreement.

During your recent campaign for the state senate, the principal stockholder of Resource Recovery, Inc. either individually or through another corporation that he owns, contributed money in the amount of \$100-\$150 to your campaign. This donation has been disclosed on reports filed with the Public Disclosure Commission.

You ask whether you may continue in your capacity on the advisory committee or whether any restraints are placed upon you or additional disclosure is required.

We have reviewed the relevant law within our jurisdiction (K.S.A. 75-4301 *et seq.*, and K.S.A. 25-4101 *et seq.*) and it is our opinion that the reporting of the contributions on your campaign finance report is all that is required of you. The receipt of the contribution in no way affects your ability to serve on the advisory committee or places any restraints on you.

LOWELL K. ABELDT  
Chairman

Doc. No. 007571

#### State of Kansas

#### LEGISLATURE

#### LEGISLATIVE BILLS INTRODUCED

The following numbers 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 March 2-8:

##### House Bills

**HB 2532**, by Committee on Federal and State Affairs: An act concerning acquisition of historic property by the state; amending K.S.A. 1988 Supp. 75-2726 and repealing the existing section.

**HB 2533**, by Committee on Taxation: An act relating to coin-operated devices; prescribing fees for the operation thereof and providing authorities and duties for the department of revenue relating thereto; exempting sales of tangible personal property from coin-operated de-



VICES; amending K.S.A. 1988 Supp. 79-3606 and repealing the existing section.

**HB 2534**, by Committee on Taxation: An act relating to property taxation; excluding grain from the procedural requirements of requesting a property tax exemption; amending K.S.A. 1988 Supp. 79-213 and repealing the existing section; also repealing K.S.A. 1987 Supp. 79-213, as amended by section 313 of chapter 356 of the laws of 1988.

**HB 2535**, by Committee on Taxation: An act relating to property taxation; concerning the timing of taxpayer appeals of real property valuation; amending K.S.A. 1988 Supp. 79-1448 and repealing the existing section.

**HB 2536**, by Committee on Governmental Organization: An act concerning domestic water rights; imposing a certain limitation on the acquisition thereof; amending K.S.A. 82a-705a and repealing the existing section.

**HB 2537**, by Committee on Appropriations: An act relating to the adjutant general; concerning certain federal disaster assistance to individuals and families; determining the amount of the state share therein; amending K.S.A. 48-938 and repealing the existing section.

**HB 2538**, by Committee on Federal and State Affairs: An act providing for state environmental protection grants to local health departments; specifying the use thereof.

**HB 2539**, by Committee on Federal and State Affairs: An act relating to public water supply systems; amending K.S.A. 1988 Supp. 65-163 and repealing the existing section.

**HB 2540**, by Committee on Appropriations: An act concerning school districts; relating to the joint and cooperative performance thereby of certain services, duties, functions, activities, obligations and responsibilities; amending K.S.A. 1988 Supp. 12-2906 and 72-8230, and repealing the existing sections.

### Senate Bills

**SB 344**, by Committee on Ways and Means: An act concerning obstructions in streams; establishing fees for consent or permit to construct dam or other water obstruction or channel change; amending K.S.A. 82a-302 and repealing the existing section.

**SB 345**, by Committee on Ways and Means: An act concerning the lottery operating fund; relating to transfers of money therefrom; amending K.S.A. 1988 Supp. 74-8711 and repealing the existing section.

**SB 346**, by Committee on Ways and Means: An act concerning dairy products; establishing fees for milk inspection and regulatory services; amending K.S.A. 65-708 and repealing the existing section.

**SB 347**, by Committee on Federal and State Affairs: An act concerning horse and dog racing and parimutuel wagering thereon; providing for parimutuel wagering on certain simulcast races.

**SB 348**, by Committee on Federal and State Affairs: An act concerning municipal housing authorities; relating to housing rentals and tenant admissions; amending K.S.A. 17-2347 and repealing the existing section.

**SB 349**, by Committee on Ways and Means: An act authorizing certain state agencies to contract with and provide financial assistance to individuals enrolled in schools of nursing in exchange for such individuals agreeing to employment by such state agencies as provided in such contracts.

**SB 350**, by Committee on Ways and Means: An act concerning the university of Kansas medical center; concerning health care employees designated by state board of regents to be in the unclassified service; amending K.S.A. 1988 Supp. 74-4925 and 75-2935 and repealing the existing sections.

**SB 351**, by Committee on Ways and Means: An act concerning scholarships for students enrolled in or admitted to the university of Kansas school of medicine; relating to terms of agreements and medically underserved areas; amending K.S.A. 1988 Supp. 76-374 and 76-375 and repealing the existing sections.

**SB 352**, by Committee on Ways and Means: An act concerning school districts; relating to the lease of real and personal property; amending K.S.A. 72-8225 and repealing the existing section.

**SB 353**, by Committee on Ways and Means: An act relating to drivers' licenses; requiring a thumb print on license; amending K.S.A. 1988 Supp. 8-243 and repealing the existing section.

**SB 354**, by Committee on Ways and Means: An act concerning workers compensation; relating to rehabilitation benefits; procedures for hearings and awards; amending K.S.A. 44-523 and K.S.A. 1988 Supp. 44-510g, 44-534a and 44-556 and repealing the existing sections.

**SB 355**, by Committee on Federal and State Affairs: An act concerning theft; providing certain civil remedies therefor.

**SB 356**, by Committee on Federal and State Affairs: An act concerning

the Kansas police and firemen's retirement system; relating to normal retirement date; retirement benefits; vesting of benefits; amending K.S.A. 74-4963 and K.S.A. 1988 Supp. 74-4957 and 74-4958 and repealing the existing sections

**SB 357**, by Committee on Ways and Means: An act concerning the Kansas police and firemen's retirement system; relating to affiliation with system by Kansas securities commissioner; credited service; election by securities investigators; employee and employer contributions.

### House Concurrent Resolutions

**HCR 5016**, 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 the Supreme Court on the state of the judicial branch of government.

**HCR 5017**, by Representative Spaniol: 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 6038**, by Committee on Appropriations: A resolution in memory of Bernard B. "Buck" Bruner.

**HR 6039**, by Representative Fuller: A resolution encouraging the Kansas Congressional Delegation to support efforts of the United States Air Force to procure the Tanker Transport Training System.

**HR 6040**, by Representative Barkis: A resolution decrying the actions of the Ayatollah Ruhollah Khomeini, the leader of Iran, for his insupportable threats against the life of author Salman Rushdie, and reaffirming our support for the basic rights outlined and guaranteed us by the First Amendment of the Constitution of the United States and the Eleventh Amendment of the Constitution of the state of Kansas.

**HR 6041**, by Committee on Federal and State Affairs: A resolution commending the State Board of Education for mandating human sexuality and AIDS education in our schools and encouraging the Board to require strengthening of programs providing such education.

**HR 6042**, by Committee on Federal and State Affairs: A resolution commending local health departments for their work relating to young children, infants and expectant mothers and encouraging development of programs to address adolescent health problems.

**HR 6043**, by Committee on Federal and State Affairs: A resolution calling for the expansion statewide of the Maternal and Infant program and the Health Start program of the Department of Health and Environment by 1991.

**HR 6044**, by Representative Hensley: A resolution in memory of Charles S. Scott, Sr.

**HR 6045**, by Representative Amos and Blumenthal: A resolution congratulating Hocker Grove Middle School, Shawnee Mission, Kansas, on being named the 1989 Focus School by the Kansas Association of Middle Level Education.

**HR 6046**, by Representative Schauf: A resolution honoring the Rainbow Girls.

**HR 6047**, by Representative Fry: A resolution congratulating and commending Howard and Ruth Hodgson on being named Kansas Master Farmer-Master Homemaker for 1988.

### Senate Concurrent Resolutions

**SCR 1616**, by Senator Ehrlich: A proposition to amend article 15 of the constitution of the state of Kansas by adding a new section thereto relating to capital punishment.

### Senate Resolutions

**SR 1823**, by Senator Karr: A resolution congratulating and commending the Emporia High School wrestling team and Coach Pat Sands for winning the 1989 Kansas State High School Activities Association Class 6A Wrestling Championship in Kansas.

**SR 1824**, by Senators Winter and Anderson: A resolution in memory of Charles S. Scott, Sr.

Doc. No. 007577

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  
Bourbon County Courthouse, 210 S. National St.  
Fort Scott, Kansas

Before Elliott, P.J.; Briscoe and Brazil, JJ.

Monday, March 27, 1989

1:30 p.m.

Case No.	Case Name	Attorneys	County
62,439	Sohigro Service Co., Appellant, v. Gene Raymond and Dale Raymond, individually and dba Lazy R Farms, and Garnett State Savings Bank, garnishee, Appellees.	Michael W. Hassenplug  Terry Jay Solander S. Richard Mellinger	Anderson
62,384	Berberick Construction Co., Inc., Appellant, v. Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints, Appellee.	W.J. Firtzpatrick  Thomas A. DeVore	Montgomery

2:30 p.m.

62,411	In the Interest of S.M.J., A.J., Jr., S.J.C., and B.J., minor children.	William S. Adamson John R. Bullard Charles S. Gray John D. Sherwood	Labette
60,971	In the Interest of D.J., T.J., C.J., B.M., and D.J., minor children.	Edward W. Dosh Jeff Larson Sara S. Beezley Mark A. Werner Kevin Mitchelson Donald R. Noland	Crawford

Tuesday, March 28, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,809	Harley Edge, Appellee, v. C.L. Farabi, Appellant.	Barry K. Disney  William L. Phalen	Crawford
62,718	Ronnie G. Crawford, Appellee, v. Prudential Insurance Company of America, Appellant.	Fred Spigarelli  John R. Cunningham	Cherokee

## Summary Calendar—No Oral Argument

62,334	Loren Jay Adams, Appellant, v. State of Kansas, Appellee.	Rick Kittel  Attorney General Nanette Kimmerly-Weber	Allen
62,470	State of Kansas, Appellee,  v. Herbert F. Hughes, Appellant.	Craig E. Cole Attorney General  Frederick M. Jantz	Anderson

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

Before Elliott, P.J.; Briscoe and Brazil, JJ.

Tuesday, March 28, 1989

1:30 p.m.

Case No.	Case Name	Attorneys	County
62,525	State of Kansas, Appellee,  v. Martin Luther Porter, Appellant.	Michael Grosko Attorney General  Carl E. Cornwell	Wyandotte
62,993	Falcon Design & Manufacturing, Inc., Appellant, v. J.C. Nichols Company, Appellee.	Mark V. Bodine  Brian J. Fowler Robert P. Numrich Diane Botwin Alpert	Johnson
62,460	Etoyce Jones, Appellant, v. Sam Morton, Appellee.	Harry G. Miller  Mary Catherine Jackson	Wyandotte
2:30 p.m.			
62,426	Burke Bettis, <i>et al.</i> , Appellants, v. Board of County Commissioners of Wyandotte County, Appellee.	Edward H. Powers, Sr.  Philip C. Lorton	Wyandotte
62,686	Robert Gibbs, Appellant, v. State of Kansas, Appellee.	Lucille Marino  Nick A. Tomasic Attorney General	Wyandotte
62,754	Marie Taffe and Roy T. Phillips, Sr., Appellants, v. Walter George Schick and Betty Lee Schick, Appellees.	Clifton B. DeMoss, Jr.  Edward H. Powers, Sr.	Wyandotte

(continued)

62,506 SC	State of Kansas, Appellee,  v. Brian Christopher Bailey, Appellant.	Nick A. Tomasic Attorney General  Jessica R. Kunen	Wyandotte
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**Kansas Court of Appeals  
Division 1, Courtroom 300, Johnson County Courthouse  
Olathe, Kansas**

**Before Abbott, C.J.; Lewis, J.; and C. Fred Lorentz,  
District Judge, assigned.**

**Tuesday, March 28, 1989**

**9:30 a.m.**

Case No.	Case Name	Attorneys	County
62,014	State of Kansas, Appellee,  v. David Edwards, Appellant.	Rebecca Brock Attorney General  Jessica R. Kunen	Johnson
62,349	State of Kansas, Appellee,  v. Robert B. Razminas, Jr., Appellant.	Richard Guinn Attorney General  David M. Jancich	Johnson
62,409	State of Kansas, Appellee,  v. Kenneth B. Callahan, Appellant.	Paul J. Morrison Attorney General  James F. Vano	Johnson
<b>10:30 a.m.</b>			
62,752	Carolyn E. White, Appellee,  v. James J. White, Appellant.	Kristen G. Stroehmann  David P. Woodbury	Johnson
62,839	Charles Monroe, Appellant,  v. General Motors Corp., Chev.-Pontiac- Canada Group, Fairfax Plant, and Kansas Workers' Compensation Fund, Appellees.	Mark E. Kolich  Donald J. Kirkpatrick James E. Phelan	Wyandotte
<b>1:30 p.m.</b>			
62,698	City of Manhattan, Appellee,  v. John E. Provost, Appellant.	Sheila P. Hochhauser  Charles Clack	Riley
62,612	In the Matter of the Marriage of Colleen Blagg and Steven Robert Blagg.	J. David Farris Robert F. Duncan	Atchison
62,858	Bonita J. Yoder, Appellant,  v. Housing Advisory and Appeals Board, Appellee.	Bonita J. Yoder, <i>pro se</i>  Roger K. Brown	Douglas

2:30 p.m.

62,942	Topeka Tent & Awning Co., Appellant, v. Glen Falls Insurance Co., Appellee.	Stanley E. Oyler Robin G. Maxom	Shawnee
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Wednesday, March 29, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,482	Lawrence A. Redden, Appellee, v. Marcia Redden, Appellant.	Joseph N. Vader Thomas A. Bornholdt	Johnson
63,111	Quail Valley Homes Assoc., Inc., Appellant, v. Gary A. Martasin, <i>et al.</i> , Appellee.	Christopher Bacon Lewis A. Heaven, Jr.	Johnson
62,408	Lucy Walker, <i>et al.</i> , Appellant, v. Richard Blanton, <i>et al.</i> , Appellee.	James R. Shetlar Michael L. Koon William P. Coates, Jr.	Johnson

10:00 a.m.

62,333	Kimberly Y. Barger, Appellant, v. Catherine A. Scherzer and Helen Grohusky, Appellee.	Laurence M. Jarvis Helen Grohusky, <i>pro se</i>	Wyandotte
62,881 SC	William Joseph Bartkoski, Appellee, v. Board of Public Utilities of Kansas City, Kansas, Appellant.	James Yates Renee Markl Gurney	Wyandotte
62,504 SC	In the Interest of D.H., M.H., and J.H., minor children.	Tom Bath Donald Smith Timothy J. Arehart Bruce Moore Lewanna Bell-Lloyd	Johnson

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

Before Larson, P.J.; Rees, J.; and David S. Knudson,  
District Judge, assigned.

Tuesday, March 28, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,634	State of Kansas, Appellant, v. Jean A. Beeney, Appellee.	Timothy J. Chambers Attorney General Jack Focht	Reno  (continued)

61,501	In the Matter of the Marriage of Diana K. McLeod and Allan L. McLeod.	David K. Holmes Brian G. Grace	Sedgwick
62,118	Dorothy May Hicks, Appellant, v. Dillon Companies, Inc., Appellee.	W. Boyd Evans Gerald L. Green	Sedgwick

2:00 p.m.

63,084	In the Matter of the Marriage of Edward J. Rauch and Susan Irma Rauch.	Michael T. Mills David G. Shriver	McPherson
63,024	State of Kansas, Appellant, v. Manuel Ramos Galvan and Gloria Bertha Galvan, Appellees.	Rodney H. Symmonds Attorney General Monte L. Miller Aron Pena	Lyon

Wednesday, March 29, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,562	State of Kansas, Appellee, v. John W. Hamilton, Appellant.	Frank Beyerl Attorney General Martha J. Coffman	Greenwood
62,543	State of Kansas, Appellee, v. Ricky C. Hayden, Appellant.	Mona Furst Debra Barnett Attorney General Thomas Jacquinet	Sedgwick
62,873	State of Kansas, Appellee, v. Michael J. Christiansen, Appellant.	Dee James Attorney General Allen B. Angst	Dickinson

10:00 a.m.

62,483	Jacqueline Urban, Tracy J. Carroll, and Ashley Carroll, and Anthony W. Heble and Patti Heble, heirs-at-law of Anthony B. Heble, Appellees, v. Burlington Northern Railroad Company, Appellant.	Casey R. Law Hal D. Meltzer Edward J. Hund Glenn D. Young, Jr.	Sedgwick
63,012	In the Matter of the Appeal by Wichita Building Material Co., Inc., from the Board of Tax Appeals of the State of Kansas.	William E. Waters Roger K. Wilson John Roberts	Sedgwick

## Summary Calendar—No Oral Argument

62,428	In the Interest of D.D.E., a minor child.	Joleen Rooney Pamela Guizlo Donald C. Astle Jon Womack	Sedgwick
62,359	In the Interest of L.L.C., Jr. and K.S.C., minor children.	Timothy Chambers Mark Braun Scott J. Mann Patricia Macke Dick	Reno
62,853	In the Interest of I.T.D. and R.P.D., minor children.	Frank E. White, Jr. Marla Foster Ware Larry R. King	Chautauqua
62,327	In the Interest of T.L.B., T.L.B., and E.G.B. II, minor children.	Jolene Rooney Sheila Maksimowicz John M. Lehecha Peter John Orsi	Sedgwick
62,423	State of Kansas, Appellee,  v. William Eugene Ulrich, Appellant.	Julie McKenna Mickey Mosier Attorney General  Rick Kittel	Saline

Kansas Court of Appeals  
Courtroom 9-2, 9th Floor, Sedgwick County Courthouse  
Wichita, Kansas

Before Rulon, P.J.; Davis, J.; and Richard W. Wahl,  
District Judge, assigned.

Tuesday, March 28, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,185	In the Interest of J.L.E., a minor child.	Leslie F. Hulnick Ky Ann Buck Richard L. Dickson Michael E. Foster Robert R. Lee II	Sedgwick
62,575	Lies Paving, Inc., Appellee, v. Sunrise Enterprises, Ltd., Appellant.	William L. Fry Geary N. Gorup	Sedgwick
62,901	In the Matter of the Estate of Everett Leroy McDowell, deceased.	John A. Vetter Ken W. Dannenberg Warren G. Jones	Butler

(continued)

2:00 p.m.

62,666	In the Matter of the Marriage of Cleon Parkin and Louvernia Parkin.	Glenn I. Kerbs Robert Christensen	Comanche
62,300	State of Kansas, Appellee, v. Juan Jose Valdez, Appellant.	Patrick H. Thompson Mickey Mosier Attorney General  Rick Kittel	Saline
62,622	Pioneer Operations Co., Inc., Appellant, v. Norman W. Brandeberry, The Fourth National Bank & Trust Co. of Wichita, Merchants National Bank of Topeka, Brandeberry Oil Operations, Inc., Sally E. Brandeberry, and Diamond Oil, Inc., Appellees.	Michael S. Holland  Terry C. Cupps Kenneth L. Kerns Jerry E. Driscoll Mark C. Owens David J. Dunlap	Stafford

Wednesday, March 29, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,841	State of Kansas, <i>ex rel.</i> , Secretary of Dept. of SRS, Appellee, v. Jeff and Freeda Maddox, Appellants.	Wilma J. Naab David N. Sutton  Peter Charles Rombold	Geary
62,572	Rickey White, Appellee, v. Whitney L. VinZant, M.D., and St. Joseph Med. Center, Appellants.	Daniel J. Severt  Matthew C. Hesse Lawrence M. Gurney	Sedgwick
62,739	Greg Batt, Appellant, v. Globe Engineering Co., Inc. and Jack Johnson, Appellees.	Jim Lawing  Jeff Roth A. J. Kotich	Sedgwick



10:00 a.m.

62,592	Pamela Jolene Mathis, Appellant, v. Gordon T. Cowles, M.D., Appellee.	David P. Calvert Charles E. Hill	Sedgwick
62,934	Allen's Concrete, Inc., Appellants, v. Donald D. Cox, and Employment Security Board of Review, Appellees.	Ross A. Hollander James R. McEntire	Sedgwick
62,565 SC	Candice Dick, Appellee, v. AT&T Consumer Products, formerly Western Electric, and/or Workers' Compensation Fund, Appellants.	Steven R. Wilson Shannon S. Krysl Frederick L. Haag	Sedgwick

## Summary Calendar—No Oral Argument

62,489	State of Kansas, Appellee, v. Louis A. Martin, aka Pete Martin, Appellant.	Granville M. Bush IV Attorney General Jessica R. Kunen	Rice
62,496	State of Kansas, Appellee, v. Martin Dale Whitteker, Appellant.	Ty Kaufman Attorney General Jessica R. Kunen	McPherson
62,561	State of Kansas, Appellee, v. Karen Y. Finley, Appellant.	Mona Furst Debra Barnett Attorney General Jessica R. Kunen	Sedgwick

LEWIS C. CARTER  
Clerk of the Appellate Courts

**State of Kansas  
DEPARTMENT OF HUMAN RESOURCES  
KANSAS COUNCIL ON EMPLOYMENT  
AND TRAINING**

**NOTICE OF MEETINGS**

The Kansas Council on Employment and Training will meet from 9 a.m. to noon Friday, March 17, at the Holiday Inn-Holidome, 605 Fairlawn Road, Topeka.

The agenda includes the following:

1. National Alliance of Business, Wallace Franklin, Dallas, TX.
2. U.S. Department of Labor Job Corps Program, Jim Purgason.
3. Legislative update, Senator Alicia Salisbury.

The Youth Subcommittee of the Kansas Council on Employment and Training will meet from 7:30 to 8:30 a.m. the same day at the Holidome.

Both meetings are open to the public:

**RAY D. SIEHNDEL**  
Acting Secretary of Human Resources

Doc. No. 007585

(Published in the Kansas Register, March 16, 1989.)

**SUMMARY NOTICE OF BOND SALE**

**Reno County, Kansas**

**General Obligation Bonds, Series 1989-1**

**(Sewer District No. 6)**

**(general obligation bonds payable from unlimited ad valorem taxes)**

**Sealed Bids**

Subject to the notice of bond sale and official statement dated March 15, 1989, sealed bids will be received by the county clerk of Reno County, Kansas, on behalf of the governing body at the County Courthouse, Hutchinson, KS 67501, until 10 a.m. C.S.T. on Wednesday, March 29, 1989, for the purchase of \$166,838.58 principal amount of General Obligation Bonds, Series 1989-1 (Sewer District No. 6). No bid of less than the entire par value of the bonds and 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, except one bond in the denomination of \$1,838.58. The bonds will be dated April 1, 1989, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1990	\$ 1,838.58
1991	5,000.00
1992	5,000.00
1993	5,000.00
1994	5,000.00
1995	5,000.00
1996	5,000.00
1997	5,000.00
1998	5,000.00
1999	10,000.00

2000	10,000.00
2001	10,000.00
2002	10,000.00
2003	10,000.00
2004	10,000.00
2005	10,000.00
2006	10,000.00
2007	15,000.00
2008	15,000.00
2009	15,000.00

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 May 1 and November 1 in each year, beginning on May 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 \$3,336.77 (2 percent of the principal amount of the bonds).

**Delivery**

The county 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 26, 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 \$293,771,306. The total general obligation indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$4,669,595.76.

**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 county, 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 Jerry M. Franklin, County Clerk, County Courthouse, Hutchinson, KS 67501, (316) 665-2931.

**RENO COUNTY, KANSAS**

Doc. No. 007586

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 March 6 through March 10:

Barber County Commissioner, 3rd District

Harold E. Hoss, Box 124, Coats 67028. Effective March 2, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Herbert Hoss, resigned.

Advisory Council on Aging

Rep. Al Ramirez, 913 Sheidley, Bonner Springs 66012. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

Kansas Coal Commission

Rep. Larry Wilbert, 311 W. Jefferson, Pittsburg 66762. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

Advisory Committee on Employment of the Handicapped

Sharon Joseph, 6617 W. 73rd, Overland Park 66204. Effective March 1, 1989. Appointed by the House Minority Leader.

Governor's Public School Advisory Council

Keith Caldwell, Chairman, Box 938, Hoxie 67740. Effective February 20, 1989. Serves at the pleasure of the Governor.

Connie Hubbell, 2028 S.W. Wildwood Lane, Topeka 66611. Effective February 20, 1989. Serves at the pleasure of the Governor. Succeeds Sheila Frahm.

State Highway Advisory Commission

Ervin Knocke, District 5, 2540 Valley View Drive, Arkansas City 67005. Effective February 28, 1989. Term expires January 31, 1993. Succeeds Edward H. Gilliland.

Emerson Lynn, Jr., District 4, 128 S. Buckeye, Iola 66749. Effective February 28, 1989. Term expires January 31, 1993. Succeeds Kenneth R. Boggess.

John Welsh, District 3, Rural Route, Weskan 66762. Effective February 28, 1989. Term expires January 31, 1993. Reappointment.

Kansas Public Disclosure Commission

Belva Ott, 2226 E. Central, Wichita 67214. Effective January 31, 1989. Term expires January 31, 1991. Reappointed by the Speaker of the House.

Commission on Travel and Tourism

Rep. Dale Sprague, 1320 N. Walnut, Box 119, McPherson 67460. Effective January 9, 1989. Term expires January 14, 1991. Reappointed by the Speaker of the House.

BILL GRAVES  
Secretary of State

(Published in the Kansas Register, March 16, 1989.)

NOTICE OF REDEMPTION  
RENO COUNTY, KANSAS

Single Family Mortgage Revenue Bonds,  
1979 Series A

Serial Bonds Due November 1989-1999  
Term Bonds Due November 1, 2010

NOTICE IS HEREBY GIVEN that pursuant to Section 3.01 of the Indenture dated as of November 1, 1979, \$710,000 principal amount of the Bonds, as listed below, are called for redemption on May 1, 1989, at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date:

The serial numbers of the Coupon Bonds to be redeemed in full, bearing CUSIP No. 759753 and Suffix:

AK2	594	933	1315	1750	2339	2880	3547
322	AQ9	975	1343	1753	2359	2904	3553
328	598	987	1394	1766	2361	2916	3568
ALO	668	AU0	1416	1852	2379	2986	3611
378	AR7	1004	1431	1884	2404	3032	3652
378	691	1048	1446	1892	2409	3036	3659
AM8	693	1066	1455	1902	2456	3105	3661
402	711	1083	1509	1992	2507	3132	3707
409	712	AV8	1536	2018	2519	3140	3745
448	AS5	1151	1549	2112	2562	3218	3770
AN6	791	1161	1587	2126	2572	3308	3812
493	830	1211	1644	2182	2604	3313	3836
511	853	1236	1655	2187	2608	3376	3837
AP1	860	AW6	1662	2199	2677	3384	3862
559	AT3	1277	1665	2295	2687	3509	
583	919	1310	1696	2331	2802	3540	

The serial numbers of the Registered Bonds to be redeemed in whole or in part are:

Bond Number	Par Value	CUSIP Number	Amount Called
R98	\$ 5,000	759753AL0	\$ 5,000
R119	10,000	759753AN6	5,000
R88	15,000	759753AQ9	5,000
R110	30,000	759753AU0	5,000
R111	25,000	759753AV8	5,000
R15	5,000	759753AW6	5,000
R92	5,000	759753AW6	5,000
R97	75,000	759753AW6	5,000
R105	40,000	759753AW6	10,000
R115	85,000	759753AW6	10,000
R116	95,000	759753AW6	15,000
R117	90,000	759753AW6	20,000
R125	20,000	759753AW6	5,000

(continued)

R341	10,000	759753AW6	5,000
R354	15,000	759753AW6	5,000
R355	5,000	759753AW6	5,000
R360	5,000	759753AW6	5,000

On May 1, 1989, all Bonds designated for redemption will become due and payable upon presentation thereof to one of the offices of the Paying Agents.

Coupon bonds with the current coupon and all subsequent coupons attached should be presented to one of the offices of the Paying Agents:

**Continental Bank N.A.**  
**Attn: Corporate Trust Operations**  
**30 North LaSalle Street, 16th Floor**  
**Chicago, Illinois 60697**

**Marine Midland Bank, N.A.**  
**140 Broadway - 12th Floor**  
**Coupon Paying Department**  
**New York, New York 10010**

**Kansas State Bank**  
**and Trust Company**  
**Attention: Trust Department**  
**123 North Market Street**  
**P.O. Box 427**  
**Wichita, Kansas 67201**

Where a fully registered Bond is redeemed in part, a new fully registered Bond for the unredeemed portion will be issued and returned without charge. While registered bondholders have the option of presenting Bonds to any of the above-mentioned Paying Agents, there will be delay in the issuance of bonds for any unredeemed portion unless such presentment is made to the principal Paying Agent in Chicago at the above given address.

Interest on the Bonds called for redemption will cease to accrue on May 1, 1989.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, Paying Agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities, may be obligated to withhold a 20% tax from remittances to individuals who have failed to furnish the Paying Agent with a valid Taxpayer Identification Number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified Taxpayer Identification Numbers when presenting their securities for collection.

**By: Continental Bank, National Association**  
 (formerly Continental Illinois National Bank and Trust Company of Chicago), *Trustee*  
**for Reno County, Kansas**

March 16, 1989

Doc. No. 007573

**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 28, 1989

**Application for Certificate of Convenience  
 and Necessity:**

Harold H. Neff, dba ) Docket No. 165,264 M  
 E & H Trucking )  
 303 E. 8th )  
 Alma, KS 66401 ) MC ID No. 133880

Applicant's Attorney: None

*Livestock, feed, grain, livestock salt, dry fertilizer, hay, seeds, farm implements, fence post, twine, wire,*  
 Between all points and places in Kansas.

\*\*\*\*\*

**Application for Contract Carrier Permit:**

Rail Express, Inc. ) Docket No. 165,263 M  
 1600 Genessee, Suite 701 )  
 Kansas City, MO 64102 ) MC ID No. 130601

Applicant's Attorney: Thomas W. Gray, 1812 Commerce Tower, 911 Main, Kansas City, MO 64105-2067

*General commodities (except commodities in less-than-truckload lots, commodities in bulk in dump trucks, mobile homes, household goods, gasoline, fuel oil, liquified petroleum gas, boats, and commodities designated as hazardous materials in 49 C.F.R. § 172.101),*

Between all points and places in Kansas. Under contract with Johnson Electric Sales Company, Lenexa, Kansas.

\*\*\*\*\*

**Renoticed Application for Certificate of  
 Convenience and Necessity:**

Albert T. Wise, dba ) Docket No. 164,378 M  
 Wise Trucking )  
 524 E. D )  
 Hutchinson, KS 67501 ) MC ID No. 132482

Applicant's Attorney: None

*Salt (both rock and processed), grain, recyclable metals,*  
 Between all points and places in Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Irene Church, dba ) Docket No. 165,262 M
Superior Transfer )
East 3rd St. )
Superior, NE 68978 ) MC ID No. 133816

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

Livestock, grain, dry feed, dry feed ingredients, dry fertilizer (except ammonium nitrate), dry fertilizer ingredients and salt,

Between points in Phillips, Smith, Jewell, Republic, Washington, Rooks, Osborne, Mitchell, Cloud, Clay, Ellis, Russell, Lincoln, Ottawa, Ellsworth, Saline and Dickinson counties, Kansas, on the one hand, and on the other, points and places in Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Crescent Transportation ) Docket No. 165,261 M
Company, Inc. )
400 Van Buren )
Topeka, KS 66603 ) MC ID No. 133525

Applicant's Attorney: Bob Storey, Shadow Wood Office Park, 5863 S.W. 29th, Topeka, KS 66614-2493

Passengers and baggage, in charter party service, Between all points and places in Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Bruce L. Henderson, dba ) Docket No. 165,266 M
Henderson's Wrecker and )
Mobile Home Moving )
Service )
301 W. 6th )
P.O. Box 265 )
Concordia, KS 66901 ) MC ID No. 133526

Applicant's Attorney: None

Wrecked, disabled, replacement and repossessed vehicles and boats. Cars, trucks, recreational vehicles, boats, mobile homes and prefabricated buildings in sections,

Between points and places in Cloud, Clay, Washington, Republic, Jewell, Mitchell, Lincoln and Ottawa counties, Kansas, on the one hand, and points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

Application for Abandonment of Certificate of Convenience and Necessity:

Dale J. and Chad Loker, ) Docket No. 160,043 M
dba )
Loker Trucking )
P.O. Box 14 )
McDonald, KS 67745 ) MC ID No. 130940

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

Application for Extension of Certificate of Convenience and Necessity:

Roger R. Stroud, dba ) Docket No. 164,382 M
Stroud Trucking )
Route 1, Box 113 )
Uniontown, KS 66779 ) MC ID No. 133428

Applicant's Attorney: None

Grain, hay, livestock and scrap metal,

Between points and places in Cherokee, Labette, Crawford, Neosho, Bourbon, Linn, Miami, Johnson, Douglas, Franklin, Anderson, Allen, Montgomery, Wilson, Woodson, Coffey, Osage, Shawnee, Wabaunsee, Lyon, Greenwood, Elk, Chautauqua, Cowley, Butler, Chase, Morris, Geary, Dickinson, Ottawa, Saline, McPherson, Marion, Harvey, Sedgwick and Sumner counties, Kansas.

\*\*\*\*\*

Applications set for April 4, 1989

Application for Transfer of Certificate of Convenience and Necessity:

Raymond E. Riner, dba ) Docket No. 144,098 M
Riner's Happy Hooker )
Wrecker Service )
3760 1/2 S. Broadway )
Wichita, KS 67216 ) MC ID No. 120898
TO: Monte Ysidro, dba
Happy Hooker Towing
3760 1/2 S. Broadway
Wichita, KS 67216

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Sedgwick County, Kansas.

Also,

Between all points and places in Sedgwick County, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

\*\*\*\*\*

Application for Extension of Certificate of Convenience and Necessity:

Triple T Trucking, Inc. ) Docket No. 164,367 M
P.O. Box 140, R.F.D. 3 )
Dodge City, KS 67801 ) MC ID No. 133206

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

Food and related products,

Between all points and places in Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Tom Massey, dba ) Docket No. 165,265 M
Massey and Sons Trucking )
202 Comanche )
Satanta, KS 67870 ) MC ID No. 130223

(continued)

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

Grain, hay, dry feed, dry feed ingredients, dry fertilizer, seeds, salt, construction and building materials, fencing materials and machinery,

Between points and places in the state of Kansas.

\*\*\*\*\*

ALFONZO A. MAXWELL  
Administrator  
Transportation Division

Doc. No. 007580

## State of Kansas

### THE KANSAS LOTTERY

#### TEMPORARY ADMINISTRATIVE REGULATIONS

##### Article 2.—LOTTERY RETAILERS

**111-2-7. Training Session Incentive Bonus.** In addition to compensation in K.A.R. 111-2-4, the Kansas lottery may also offer the following as bonus incentives to enhance promotions authorizing retailers to give away free instant lottery tickets with the purchase of instant lottery tickets:

(a) Each retailer who is represented at retailer training sessions held in conjunction with the Kansas lottery televised draw show shall receive as an incentive 100 free coupons, each good for one or more Kansas lottery ticket(s).

(b) The Kansas lottery may also hold drawings during the training sessions of all retailers who attend the training sessions. The first retailer whose name is drawn shall receive 300 coupons for free lottery tickets. The second name drawn shall receive 200 coupons for free lottery tickets. The third shall receive 100 coupons for free lottery tickets. Retailers or their representatives must attend the training sessions in order to be eligible for the lottery bonus incentives. (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and K.S.A. 1988 Supp. 74-8708; effective T-111-3-1-89, Feb. 28, 1989.)

**111-2-8. Instant Ticket Retailer Caribbean Weeks Incentive.** In addition to compensation specified in K.A.R. 111-2-4 and 10% retailer incentive bonus specified in K.A.R. 111-2-5, the instant ticket retailer(s) who sell(s) a winning Bonanza Bonus lotto stub validated between February 13, 1989, and 12:00 noon February 24, 1989, in accordance with Bonanza Bonus lotto stub validation rules, K.A.R. 111-10-4, shall receive a Kansas Lottery Live Caribbean cruise package valued at approximately \$10,000.00, or, in the case of multiple winners, a share of the cash equivalent of the cruise package. (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. Supp. 74-8710 and K.S.A. 1988 Supp. 74-8708; effective T-111-3-1-89, Feb. 28, 1989.)

## Article 4.—INDIVIDUAL GAME RULES

### RULES FOR INSTANT GAME NO. 10 "JOKER'S WILD"

**111-4-126. Name of Game.** The Kansas Lottery shall conduct an instant winner lottery game entitled "Joker's Wild" commencing on March 2, 1989. The specific rules for the "Joker's Wild" are contained in K.A.R. 111-3-1 *et seq.* and 111-4-126 through 111-4-129. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-3-1-89, Feb. 28, 1989.)

**111-4-127. Definitions.** The following definitions shall apply to the "Joker's Wild" instant lottery game:

(a) "Play symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the play symbols are printed in black ink in 18 pt. Ealing. A play symbol appears in each of five play spots within the play area. Each play symbol for this instant game is one of the following: "A," "K," "Q," "J," "10," or a joker.

(b) "Play symbol captions" are the words or portions of words printed beneath each play symbol in the play area and are used to repeat or explain the play symbol. The play symbol caption associated with each play symbol is as follows:

Play Symbol	Play Symbol Caption
A	ACE
K	KNG
Q	QEN
J	JCK
10	TEN
Joker	JKR

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears under the "Void If Removed" spot on the bottom right center portion of the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of five varying locations among the play symbols. The codes and their meanings are as follows: DD = \$2.00; KK = \$4.00; JJ = \$10.00; NN = \$20.00. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-3-1-89, Feb. 28, 1989.)

**111-4-128. Determination of Instant Prize Winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the

removable layer of material covering the play area to reveal the five play symbols and captions. If any three play symbols match, or if two matching symbols and a Joker symbol appear, the player wins the following prize:

GET	WIN
3 - ACES	\$50,000
2 Aces plus a Joker	\$50,000
3 - Kings	\$ 20
2 Kings plus a Joker	\$ 20
3 - Queens	\$ 10
2 Queens plus a Joker	\$ 10
3 - Jacks	\$ 4
2 Jacks plus a Joker	\$ 4
3 - Tens	\$ 2
2 Tens plus a Joker	\$ 2

(Authorized by K.S.A. 1988 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1988 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective T-111-3-1-89, Feb. 28, 1989.)

**111-4-129. Number and Value of Instant Prizes.** (a) There will be approximately 5,100,000 tickets initially ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$ 2.00	408,000	\$ 816,000
\$ 4.00	68,000	272,000
\$ 10.00	34,000	340,000
\$ 20.00	17,000	340,000
\$50,000.00	6	300,000
	<u>527,006</u>	<u>\$2,068,000</u>

Events	Additional Prizes	
	Expected No.	Expected Prizes
Draw Show	Approx. 120	\$ 191,250
Prizes	Various	<u>51,000</u>
Other Prizes		242,250
<b>TOTAL PRIZES</b>		<u><u>\$2,310,250</u></u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1988 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective T-111-3-1-89, Feb. 28, 1989.)

LARRY MONTGOMERY  
Executive Director

Doc. No. 007569

State of Kansas

STATE CORPORATION COMMISSION

PERMANENT 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) "Area of residential development" means a location in which over 25 residential customers are being, or are expected to be, added over the period in which the area is to be developed.

(b) "Commission" means the state corporation commission of Kansas.

(c) "Confined space" means any subsurface structure, such as vaults, tunnels, catch basins or manholes, of sufficient size to accommodate a person, and in which gas could accumulate.

(d) "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 is in excess of 400 feet for small gas operators, or 1000 feet for all other gas operators; or

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

(3) service line installations.

(e) "Department of transportation" means the U.S. department of transportation.

(f) "Exposed pipeline" means buried pipeline which has become uncovered due to erosion, excavation or other cause.

(g) "Flame ionization" means technology which continuously draws ambient air through a hydrogen flame and thereby measures the amount of hydrocarbons. Other acceptable technology are electronic and catalytic/thermal conductivity. Infrared is acceptable for Class 1 and 2 locations only. All other technologies shall be approved by the commission's chief of pipeline safety. Equipment utilizing a technology which collects samples and then analyzes rather than continuously monitoring shall not be used at intervals exceeding 6 feet. Flame ionization, electronic and catalytic/thermal conductivity shall be calibrated with a known hydrocarbon concentration sample monthly, except if not used, then calibration shall be performed prior to the next use.

(h) "Gas associated structure" means a device or facility utilized by a gas company, such as a valve box, vault, test box or vented casing pipe, which is not intended for storing, transmitting or distributing gas.

(i) "Gas pipeline safety section" means the gas pipeline safety section of the state corporation commission of Kansas.

(j) "Inspector" means an employee of the gas pipeline safety section of the state corporation commission of Kansas.

(k) "Lower explosive limit (LEL)" means the lowest % concentration of natural gas in a mixture with air that can be ignited at normal ambient atmospheric temperature and pressure.

(l) "Small gas operator" means an operator who engages

(continued)

in the transportation and/or distribution of gas in a system having fewer than 5,000 service lines.

(m) "Small substructure" means any subsurface structure, other than a gas associated structure, that is of sufficient size to accommodate a person and in which gas could accumulate, such as telephone and electrical ducts and conduit, or non-associated valve and meter boxes.

(n) "Utility division" means the utility division of the state corporation commission of Kansas.

(o) "Yard line" means the buried customer-owned piping between the outlet of the meter and the building wall. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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. (Authorized by and implementing K.S.A. 66-1,150 and 66-1,151; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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 for purposes of the gas pipeline safety section, and \$50,000 or more for the U.S. department of transportation."

(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 gas pipeline safety section and to the U.S. department of transportation. Both notices shall include the following information:

(1) The names of the operator and the person making the 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(a) is deleted and replaced by "(a) Except as provided in paragraph (c) of this section, each operator of a distribution pipeline system shall submit U.S. department of transportation form RSPA F 7100.1 as soon as practicable but not more than 30 calendar days after detection of an incident required to be reported under 49 CFR 191.5.

(g) 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 calendar days of the commission's request."

(h) 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 to the gas pipeline safety section not later than March 1 of each year, for the preceding calendar year."

(i) 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.

(j) 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).

(k) 49 CFR 191.15(a) is deleted and replaced by "(a) Except as provided in paragraph (c) of this section, each operator of a transmission or a gathering pipeline system shall submit U.S. department of transportation form RSPA F 7100.2 as soon as practicable but not more than 30 calendar days after detection of an incident required to be reported under 49 CFR 191.5.

(l) 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 calendar days of the commission's request."

(m) 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.

(n) 49 CFR 191.17(a) is deleted and replaced by "(a) Except as provided in paragraph (b) of this section, each operator of a transmission or gathering pipeline system shall submit an annual report in duplicate for that system on department of transportation form RSPA F 7100.2-1. This report shall be submitted to the gas pipeline safety section not later than March 1 of each year, for the preceding calendar year."

(o) 49 CFR 191.19 is deleted and replaced by "Report Forms. The prescribed report forms are available without charge upon request from the commission, gas pipeline safety section, Topeka, Kansas. Reproduced copies of the forms may be used if in the same size and kind of paper."

(p) 49 CFR 191.21 is deleted.

(q) The term "Secretary," as used in 49 CFR 191.25, means commission. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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 with the following exceptions, deletions, additions, and modifications:

(a) 49 CFR 192.7(b) is deleted and replaced by "(b) Any incorporated document shall be available for inspection at the commission, gas pipeline safety section, Topeka, Kansas. In addition, each document shall be available at the addresses provided in appendix A to this part."

(b) 49 CFR 192.181(a) is deleted and replaced by "(a) Each high-pressure distribution system shall have valves spaced to reduce the time to shut down a section of main in an emergency. Each operator shall specify in its operation and maintenance manual the criteria as to how valve locations are determined using, as a minimum, the considerations of operating pressure, the size of the mains, and the local physical conditions. The emergency manual shall include instructions on where operating personnel can find maps or other means of locating emergency valves during an emergency. Each area of residential development constructed after May 1, 1989, shall be provided with at least one valve to isolate it from other areas."

(c) The first sentence of 49 CFR 192.199 is deleted and replaced by "Except for rupture discs, each pressure relief or pressure limiting device shall."

(d) 49 CFR 192.199(e) is deleted and replaced by "(e) Have discharge stacks, vents, or outlet ports designed to prevent accumulation of water, ice, or snow, located where gas can be discharged into the atmosphere without undue hazard; provided that, at town border stations and district regulator settings, the gas shall be discharged upward at a minimum height of 6 feet from the ground or past the overhang of any adjacent building, whichever is greater."

(e) 49 CFR 192.199(h) is deleted and replaced by "(h) Except for a valve that will isolate the system under protection from its source of pressure, shall be designed to prevent unauthorized access to or operation of any stop valve that will make the pressure relief valve or pressure limiting device inoperative including,

(1) valves that would bypass the regulator or relief devices, and

(2) shut-off valves in regulator control lines that, if operated, would cause the regulator to be inoperative."

(f) The following is added to 49 CFR 192.199(i) "At town border stations and district regulator settings, this section shall require pressure relief and pressure limiting devices regardless of installation date."

(g) 49 CFR 192.307 is deleted and replaced by "Inspection of materials. Each length of pipe and each other component shall be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability. Each coated length of pipe shall be instrumentally checked for defects in the coating prior to lowering into the ditch."

(h) 49 CFR 192.311 is deleted and replaced by "Repair of plastic pipe. Each imperfection or damage that would impair the serviceability of plastic pipe shall be removed."

(i) 49 CFR 192.317(b) is deleted and replaced by "(b) Each aboveground transmission line or main, not located offshore or in inland navigable water areas, shall be protected from accidental damage by vehicular traffic or other similar causes, by being placed at a safe distance from the traffic or by installing barricades, and complying with 49 CFR 192.707(c)."

(j) The following subsection is added to 49 CFR 192.317, "(d) Each aboveground pipeline shall be placed underground by December 31, 1995, with the following exceptions:

(1) Regulator station piping;

(2) bridge crossings;

(3) aerial crossings or spans;

(4) short segments of piping for valves intentionally brought above ground, including but not limited to risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites;

(5) distribution mains specifically designed to be above ground and have the approval of the landowner to provide service to commercial customers from the above ground main and associated service line(s); or

(6) Pipelines in Class 1 locations."

The cover for such piping shall be that as specified in 49 CFR 192.327.

(k) The following is added to 49 CFR 192.317, "(e) Each pipeline constructed after May 1, 1989, shall be placed under ground, with the following exceptions:

(1) Regulator station piping;

(2) bridge crossings;

(3) aerial crossings or spans;

(4) short segments of piping for valves intentionally brought above ground, including but not limited to, risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites; or

(5) distribution mains specifically designed to be above ground and have the approval of the landowner to provide service to commercial customers from the above ground main and associated service line(s)."

(l) 49 CFR 192.319(a) is deleted and replaced by "(a) When installed in a ditch, each transmission line that is to be operated at a pressure producing a hoop stress of 20 percent or more SMYS shall be installed so that the pipe fits the ditch so as to minimize stresses and protect the pipe coating from damage."

(m) 49 CFR 192.453 is deleted and replaced by "General. (a) Each operator shall establish written procedures to implement the requirements of this subpart. Each written procedure, including those for the design, installation, operation and maintenance of cathodic protection systems, shall be carried out by, or under the direction of, a person qualified by experience and training in pipeline corrosion control methods."

(b) An initial electrical survey shall be conducted by May 1, 1991, on all unprotected bare steel service lines whether company-owned or customer-owned. If active corrosion is found, the piping shall be either provided with cathodic protection and monitored annually as required by K.A.R. 82-11-4(q) or replaced. In areas where there is no active corrosion, each operator shall, at intervals not exceeding three years, reevaluate these pipelines. In lieu of conducting electrical surveys on service lines, each operator shall notify the Commission by June 1, 1989, which of the following options it will implement:

(1) Conduct annual flame ionization leak surveys on all unprotected bare steel service lines and implement a replacement program whereby all bare steel service lines will be removed by December 31, 1993;

(2) conduct annual flame ionization leak surveys on all unprotected bare steel service lines and initiate a program

(continued)

to place anodes on all bare steel service lines by December 31, 1991; or

(3) conduct annual flame ionization surveys on all unprotected bare steel service lines. A preventative maintenance program shall be used in conjunction with the annual leak survey of unprotected bare steel to determine when these service lines will be replaced. After the annual leak survey of all unprotected bare steel service lines is completed, the operator shall prepare a summary listing of the leak survey results. The summary listing shall include the number of leaks found and the lines replaced in a defined area. Based upon the results of the summary listing, an operator's replacement program shall be initiated when the number of service lines with existing leaks, repaired leaks or already replaced due to corrosion, in a defined area equals 25% or more of the bare steel lines installed within that defined area. The replacement program, once initiated for a defined area, shall be completed by an operator within 18 months."

(n) 49 CFR 192.455(a) is deleted and replaced by "(a) Except as provided in paragraphs (c) and (f) of this section, each buried, submerged pipeline, or exposed pipeline, installed after July 31, 1971, shall be protected against external corrosion, including the following:"

(o) 49 CFR 192.455(b) is deleted.

(p) 49 CFR 192.457(b) and (c) are deleted and replaced by "(b) Except for cast iron or ductile iron pipelines, each of the following buried, exposed or submerged pipelines installed before August 1, 1971, shall be cathodically protected in accordance with this subpart in areas in which active corrosion is found:

(1) Bare or ineffectively coated transmission lines;

(2) bare or coated pipes at compressor, regulator, and measuring stations; and

(3) bare or coated distribution lines.

(c) The operator shall determine the areas of active corrosion by electrical survey. In areas where electrical survey is impractical, the operator shall conduct flame ionization leak surveys at least once every three years at intervals not exceeding 42 months. It shall be considered practical to conduct electrical surveys in all areas, except the following:

(1) Where the pipe lies under wall-to-wall pavement;

(2) where the pipe is in a common trench with other utilities;

(3) in areas with stray current; or

(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area.

(d) For the purposes of this subpart, active corrosion means continuing which, unless controlled, could result in a condition that is detrimental to public safety."

(q) 49 CFR 192.465(a) is deleted and replaced by "Each pipeline that is under cathodic protection shall be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of 192.463. However, if tests at those intervals are impractical for separately protected short sections of mains or transmission lines not in excess of 100 feet, or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least one-third of these protected structures, distributed over the entire system, shall be surveyed each calendar year, with a different one-third checked each subsequent year, so that the entire system is tested in each three-year period."

(r) 49 CFR 192.465(d) is deleted and replaced by "(d) Each operator shall begin corrective measures within 30 days, or more promptly if necessary, on any deficiencies indicated by the monitoring."

(s) 49 CFR 192.465(e) is deleted and replaced by "(e) After the initial evaluation required by paragraphs (b) and (c) of 192.455 and paragraph (b) of 192.457, each operator shall, at intervals not exceeding three years, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, or where electrical survey is impractical, by the completion of flame ionization leak surveys at intervals at least once every three years at intervals not exceeding 42 months."

(t) The following sentence is added to 49 CFR 192.465, "(f) It shall be considered practical to conduct electrical surveys in all areas, except the following:

(1) Where the pipe lies under wall-to-wall pavement;

(2) where the pipe is in a common trench with other utilities;

(3) in areas with stray current; or

(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area."

(u) 49 CFR 192.491(a) is deleted and replaced by "(a) Each operator shall maintain records and maps to show the location of all cathodically protected piping, cathodic protection facilities other than unrecorded galvanic anodes installed before August 1, 1971, and neighboring structures bonded to the cathodic protection system."

(v) 49 CFR 192.491(b)(1) is deleted and replaced by "(1) Each record and map required by paragraph (a) of this section."

(w) 49 CFR 192.509(b) is deleted and replaced by "(b) Each main that is to be operated at less than 1 p.s.i.g. shall be tested to at least 10 p.s.i.g. and each main to be operated at or above 1 p.s.i.g. shall be tested to at least 100 p.s.i.g."

(x) The first sentence of 49 CFR 192.517 is deleted and replaced by "Each operator shall make, and retain for the useful life of the pipeline, a record of each test performed after May 1, 1989. The record shall contain at least the following information:"

(y) The following is added to 49 CFR 192.517, "(h) Test date."

(z) The following is added to 49 CFR 192.517, "(i) Description of facilities being tested."

(aa) 49 CFR 192.553(a)(1) is deleted and replaced by "(1) At the end of each incremental increase, the pressure shall be held constant while the entire segment of pipeline that is affected is checked for leaks. This leak survey by flame ionization shall be conducted within eight hours after the stabilization of each incremental pressure increase provided in the uprating procedure. If the operator elects to not conduct the leak survey within the specified time frame because of nightfall or other circumstance, the pressure increment in the line shall be reduced that day with repetition of that particular increment during the next day that the uprating procedure is continued."

(bb) 49 CFR 192.603(b) is deleted and replaced by "(b) Each operator shall establish a written operating and maintenance plan meeting the requirements of this part and keep records necessary to administer the plan. This plan and future revisions shall be submitted to the gas pipeline safety section."

(cc) The following is added to 49 CFR 192.603, "(c) Each operator shall have regulator and relief valve test, maintenance and capacity calculation records in its possession whether the town border station is owned by the operator or by a wholesale supplier, if the supplier's relief valve capacity is utilized to provide protection for the operator's system.

(d) Each operator shall be responsible for ensuring that all work completed by its consultants and contractors complies with this part."

(dd) 49 CFR 192.617 is deleted and replaced by "Investigation of failures. (a) Each operator shall establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.

(b) Each operator shall investigate each accident and failure.

(c) Each operator shall submit within 90 calendar days a written report on each reportable incident and its cause to the gas pipeline safety section."

(ee) 49 CFR 192.625(f) is deleted and replaced by "Each operator shall assure the proper concentration of odorant in accordance with this section by the following:

(1) Conduct monthly odorometer sampling of combustible gases at selected points in the system; and

(2) conduct sniff tests during each service call involving entry into a structure or dwelling. Each operator shall establish in its operations and maintenance manual a procedure for selecting a minimum number of locations to be sampled for odorant if no service calls are made by the operator in any month. The operator shall then initiate contacts and sampling at those locations in the next month. Records of such sampling shall be kept for at least two years."

(ff) 49 CFR 192.703 is deleted and replaced by "General. (a) No person shall operate a segment of pipeline, unless it is maintained in accordance with this subpart.

(b) Each segment of pipeline that becomes unsafe shall be replaced, repaired or removed from service within five days of the operator being notified of the existence of the unsafe condition.

(c) Each operator shall inspect and classify all reports of gas leaks within two hours of notification.

(d) Leaks shall be classified by use of a combustible gas indicator instrument and shall be determined as follows:

(1) A class 1 leak means a leak that represents an existing or probable hazard to persons or property, and requires immediate repair or continuous action until the conditions are no longer hazardous. This class of leak may include but not be limited to the following conditions:

(A) Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

(B) any leak in which escaping gas has ignited;

(C) any indication that gas has migrated into or under a building, or into a tunnel;

(D) any LEL % reading at the outside wall of a building, or where gas would likely migrate to an outside wall of a building;

(E) any reading of 80% LEL, or greater, in a confined space;

(F) any reading of 80% LEL, or greater, in a small substructure from which gas would likely migrate to the outside wall of a building; or

(G) any leak that can be seen, heard, or felt, and which is in a location that may endanger the general public or property.

(2) A class 2 leak means a leak that is non-hazardous at the time of detection, but justifies scheduled repair based on probable future hazard. Class 2 leaks shall be repaired within 6 months after detection, but any such leak discovered after June 30 of any calendar year shall be repaired no later than December 31 of the same year, or ground freezing, whichever occurs first. This class of leak may include but not be limited to the following conditions:

(A) Any leak which, under frozen or other adverse soil conditions, would be likely to migrate to the outside wall of a building;

(B) Any reading of 40% LEL, or greater, under a sidewalk in a wall-to-wall paved area that does not qualify as a class 1 leak;

(C) Any reading of 100% LEL, or greater, under a street in wall-to-wall paved area that has significant gas migration and does not qualify as a class 1 leak;

(D) Any reading less than 80% LEL in a small substructure from which gas would likely migrate creating a probable future hazard;

(E) Any reading between 20% LEL and 80% LEL in a confined space;

(F) Any reading on a pipeline operating at 30% SMYS, or greater, in a class 3 or 4 location, which does not qualify as a class 1 leak;

(G) Any reading of 80% LEL, or greater, in a gas associated substructure; or

(H) Any leak which, in the judgment of operating personnel at the scene, is of significant magnitude to justify scheduled repair.

(3) A class 3 leak means a leak that is non-hazardous at the time of detection and can reasonably be expected to remain non-hazardous. This class of leak may include but not be limited to the following conditions:

(A) Any reading of less than 80% LEL in a small gas associated substructure.

(B) Any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building; or

(C) Any reading of less than 20% LEL in a confined space."

(gg) 49 CFR 192.707(c) is deleted and replaced by "(c) Pipelines aboveground. Line markers shall be placed and maintained along each section of a main and transmission line that is located aboveground in an area accessible to the public."

(hh) 49 CFR 192.721(a) is deleted and replaced by "(a) The frequency with which mains are patrolled shall be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety. Intervals between patrols shall not be longer than those prescribed in the following table:

Class location of line	Maximum Intervals Between Patrols	
	At highway and railroad crossings	At all other locations
1, 2	7½ months; but at least twice each calendar year.	15 months; but at least once each calendar year.
3	4½ months; but at least four times each calendar year.	7½ months; but at least twice each calendar year.

(continued)

4 4½ months; but at least 4 times each calendar year. 4½ months; but at least four times each calendar year.

(ii) 49 CFR 192.723 is deleted and replaced by "Distribution systems: leak surveys and procedures. (a) Each operator of a distribution system shall provide for periodic leakage surveys in its operating and maintenance plan.

(b) The type and scope of the leakage control program shall be determined by the nature of the operations and the local conditions, but it shall meet the following minimum requirements:

(1) A flame ionization leakage survey shall be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks. The survey shall be conducted at intervals not exceeding 15 months, but at least once each calendar year.

(2) A flame ionization leakage survey of the distribution system shall be conducted outside of the principal business areas. The survey shall be made as frequently as necessary, but at least once every three calendar years at intervals not exceeding 42 months. Each operator's O & M Manual shall state that company designated employees are to be trained in and conduct vegetation leak surveys where vegetation is suitable to such analysis. Each leakage survey record shall be kept for at least two years.

(3) An initial flame ionization survey shall be conducted for all service lines and buried customer-owned piping between the main and the building wall by October 1, 1989. Flame ionization surveys conducted on piping between the main and building wall after November 30, 1988, shall be exempt from the initial leak survey requirement. Yard lines shall be inspected with annual flame ionization leak surveys thereafter in combination with a program to notify all customers in a defined area when 25% of the yard lines in the defined area have experienced leaks. Thereafter, yard lines in a defined area which have experienced leaks in greater than 25% of the yard lines shall have flame ionization leak surveys performed at 6 month intervals. This notification to the customers in writing shall include a recommendation that their yard line be scheduled for replacement. All service lines, whether company or customer-owned shall be provided with flame ionization leak surveys after the initial survey at least once every three years at intervals not exceeding 42 months."

(jj) 49 CFR 192.747 is deleted and replaced by "Valve maintenance; distribution systems. Each valve, the use of which may be necessary for the safe operation of a distribution system, shall be inspected and partially operated at intervals not exceeding 15 months, but at least once each calendar year." (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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. Annual reports and incident reports shall be submitted in duplicate. A copy of the distribution system incident report shall be submitted in duplicate. A

copy of the distribution system incident report shall be submitted by the executive director of the commission to the U.S. department of transportation within 10 calendar days of receipt. Safety-related reports required by K.A.R. 82-11-3 for intrastate pipeline transportation shall be submitted concurrently to the gas pipeline safety section and to the resources manager, office of pipeline safety, research and special programs administration, U.S. department of transportation, Washington, DC. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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. Inspectors from the gas pipeline safety section may 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.

(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 calendar 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 non-compliance, the inspector shall return to the operator's premises within 90 calendar days of the date of the inspection evaluation letter, or as soon as is practicable, to perform a follow-up inspection. The 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 held by the commission 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 by the commission and an interim order issued pursuant to K.A.R. 82-1-232(c) if any instance of non-compliance with the safety standards of this article presents a probable danger to persons or property. (Authorized by and implementing K.S.A. 66-1,150 and 66-106; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; Revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 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 gas pipeline safety section 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 operator shall contact an employee of the gas pipeline safety section. A list of these employees and their telephone numbers shall be provided by the commission to each operator.

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

(c) Small gas operators.

(1) Each small gas operator shall notify the gas pipeline safety section when the small gas operator has contracted with a consultant to perform a survey or inspection in order to comply with the minimum safety standards. Each small gas operator shall forward written notice indicating the probable month of the inspection or survey at the time the consultant is authorized to conduct such survey or inspection. In addition, each small 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 small 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. 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) Commencement of a construction project, but no less than 10 business days before the commencement of the construction project; or

(2) In the case of service line installations, specific notice shall not be required by this section. In lieu of actual notice of such construction, each operator shall submit to the Gas Pipeline Safety Section by the first of each month, an estimate of the number of service lines anticipated to be installed in each area in which it serves. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 1989.)

**82-11-8. Customer installations: location and monitoring responsibility.** (a) For residential and small commercial customers, the operator may locate a meter at

either the customer's building wall or the customer's property line or easement.

(b) For industrial and large commercial customers, the operator's meter location shall be determined by mutual agreement between the operator and the customer. Each location shall provide for an adequate margin of safety from public road and on-site traffic. Each customer shall be responsible for notifying the operator of any changes in on-site traffic patterns or other conditions which could subsequently render the agreed-upon meter location unsafe. Prior to the installation of the meter, each operator shall provide written notice to the customer of the customer's obligation to monitor and report potential unsafe conditions.

(c) For each residential and commercial customer installation placed in-service after May 1, 1989, the operator shall ensure that all yard lines installed comply with the design, installation, testing, maintenance and replacement requirements as specified in this Article.

(d) For each residential and commercial customer installation placed in-service before May 1, 1989, the operator shall ensure that all yard lines installed comply with the testing, maintenance and replacement requirements as specified in this Article. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 1989.)

**82-11-9. Waiver provisions.** (a) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, compliance with any regulation of this article which is not incorporated by reference from 49 CFR 191-192 may be waived, in whole or in part, by the commission if the commission determines that such waiver is consistent with pipeline safety. In addition, such a waiver shall be granted only:

(1) by order of the commission; and

(2) after notice and opportunity for hearing. The waiver shall be subject to any terms, conditions and limitations deemed appropriate by the commission.

(b) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, compliance with any regulation of this article which is incorporated by reference from 49 CFR 191-192 may be waived, in whole or in part, by the commission if the commission determines that such waiver is consistent with pipeline safety. In addition, such a waiver shall be granted only:

(1) by order of the commission;

(2) after notice and opportunity for hearing; and

(3) upon approval of the US department of transportation under 49 USC 1671 et seq. The waiver shall be subject to any terms, conditions and limitations deemed appropriate by the commission. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1988; effective T-82-2-25-89, Feb. 25, 1989; revoked T-\_\_\_\_\_, \_\_\_\_\_; effective May 1, 1989.)

JUDITH McCONNELL  
Executive Director

Doc. No. 007575

## 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*.

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1-2-81	New	V. 7, p. 1879
1-5-11	Amended	V. 8, p. 130
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-6-2	Amended	V. 7, p. 1816
1-6-2	Amended	V. 7, p. 1879
1-6-24	Amended	V. 8, p. 131
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1-6-32	New	V. 7, p. 1879
1-9-5	Amended	V. 7, p. 1408
1-9-6	Amended	V. 7, p. 1409
1-9-8	Amended	V. 7, p. 1410
1-9-19a	New	V. 7, p. 1816
1-9-19a	New	V. 7, p. 1879
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1-16-18	Amended	V. 7, p. 1411
1-16-18a	Amended	V. 7, p. 1412
1-18-1a	Amended	V. 7, p. 1414
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1-24-2	Revoked	V. 7, p. 1414

### AGENCY 4: BOARD OF AGRICULTURE

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through		
14-4-11	Revoked	V. 7, p. 781
14-4-11a	Revoked	V. 7, p. 781
14-4-12		
through		
14-4-16	Revoked	V. 7, p. 781
14-4-18		
through		
14-4-23	Revoked	V. 7, p. 782
14-4-25		
through		
14-4-28	Revoked	V. 7, p. 782
14-5-1	Amended	V. 7, p. 782
14-5-2	Amended	V. 7, p. 782
14-5-3	Revoked	V. 7, p. 782
14-5-4	Amended	V. 7, p. 782
14-5-6	Amended	V. 7, p. 782
14-6-1	Amended	V. 7, p. 1401
14-6-2a	Amended	V. 7, p. 1401
14-6-3	Amended	V. 7, p. 1401
14-6-4	Amended	V. 7, p. 1401
14-7-2	Amended	V. 7, p. 1401
14-7-3	Amended	V. 7, p. 1401
14-7-4	Amended	V. 7, p. 1401
14-7-8	Amended	V. 7, p. 1401
14-8-1	Amended	V. 7, p. 1401
14-8-4	Revoked	V. 7, p. 783
14-8-5	Revoked	V. 7, p. 783
14-8-6	Amended	V. 7, p. 1401
14-8-7	Amended	V. 7, p. 1401
14-8-11	Revoked	V. 7, p. 783
14-9-1		
through		
14-9-10	Revoked	V. 7, p. 783
14-10-1		
through		
14-10-4	Revoked	V. 7, p. 783
14-10-5		
through		
14-10-16	New	V. 7, p. 1401, 1402
14-11-2	Revoked	V. 7, p. 1876
14-11-8	Revoked	V. 7, p. 1876
14-11-10c	Revoked	V. 7, p. 1876
14-11-12	Revoked	V. 7, p. 1876
14-11-17	Revoked	V. 7, p. 1876
14-11-18	Revoked	V. 7, p. 1876
14-11-19	Revoked	V. 7, p. 1876
14-11-20	Revoked	V. 7, p. 1876
14-11-21	Revoked	V. 7, p. 1876
14-13-1		
through		
14-13-13	New	V. 7, p. 783-788
14-14-1		
through		
14-14-12	New	V. 7, p. 1402
14-14-1	Amended	V. 7, p. 1876
14-14-5	Amended	V. 7, p. 1877
14-14-13	New	V. 7, p. 1878
14-16-1	Revoked	V. 7, p. 789
14-16-3	Revoked	V. 7, p. 789
14-16-4	Revoked	V. 7, p. 789
14-16-5	Revoked	V. 7, p. 789
14-16-6	Revoked	V. 7, p. 789
14-16-9		
through		
14-16-12	Revoked	V. 7, p. 789
14-16-14		
through		
14-16-24	New	V. 7, p. 789-792
14-17-5	New	V. 7, p. 1402

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
28-19-61		
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		
28-39-400	New	V. 7, p. 716
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
30-4-110	Amended	V. 7, p. 1404

(continued)

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
30-6-65	Amended	V. 7, p. 1405
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. 593
40-10-15	Amended	V. 7, p. 593

**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. 515-517



**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
81-5-6	Amended	V. 8, p. 333
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. 8, p. 297, 298

**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
88-8-1 through 88-8-8	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

(continued)

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
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
102-4-1	New	V. 8, p. 335
102-4-2	New	V. 7, p. 464
102-4-3 through 102-4-11	New	V. 8, p. 205-209
102-4-3 through 102-4-11	New	V. 8, p. 335-339

**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. 28-30

**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
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111-3-4	Revoked	V. 7, p. 1062
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**AGENCY 112: KANSAS RACING COMMISSION**

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State of Kansas  
OFFICE OF SECRETARY OF STATE

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

BILL GRAVES  
Secretary of State

(Published in the *Kansas Register*, March 16, 1989.)

HOUSE BILL No. 2520

AN ACT concerning the railroad rehabilitation loan guarantee fund; relating to refinancing certain obligations and guarantee thereof; prescribing powers, duties and functions for the secretary of transportation; amending K.S.A. 75-5029 and repealing the existing section.

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

New Section 1. For the purpose of facilitating the refinancing of the loan guaranteed by the secretary of transportation in accordance with K.S.A. 75-5030 and amendments thereto, the secretary of transportation is hereby authorized to enter into an agreement with the mid-states port authority and the financial institutions participating in such refinancing to guarantee the repayment of any amounts which are in default on any loan obtained by the mid-states port authority for such refinancing. Such agreement may contain such terms and conditions as the secretary of transportation may deem appropriate to carry out the purposes of this section, except that the total principal amount guaranteed thereby shall not exceed \$7,000,000.

Sec. 2. K.S.A. 75-5029 is hereby amended to read as follows: 75-5029. The railroad rehabilitation loan guarantee fund is hereby established in the state treasury which shall be for the purpose of facilitating the financing, acquisition and, rehabilitation of railroads in participation with the federal government to provide rail service in Kansas and for the refinancing thereof. ~~In no case shall expenditures from the railroad rehabilitation loan guarantee fund with respect to a single rail acquisition or rehabilitation project exceed the participation of the federal government for such project.~~ The secretary of transportation shall administer the railroad rehabilitation loan guarantee fund. All expenditures from the railroad rehabilitation loan guarantee fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person or persons designated by the secretary.

Sec. 3. K.S.A. 75-5029 is hereby repealed.

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

(Published in the *Kansas Register*, March 16, 1989.)

HOUSE BILL No. 2048

AN ACT concerning the state historical society; providing for the position of assistant secretary thereof to be within the unclassified service under the Kansas civil service act; amending K.S.A. 75-2935a and 75-3148 and K.S.A. 1988 Supp. 75-2935, and repealing the existing sections.

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

Section 1. K.S.A. 75-3148 is hereby amended to read as follows: 75-3148. The secretary of the state historical society is hereby authorized to appoint an assistant secretary, librarian, museum director, archeologist, state archivist, and such other employees as may be necessary, within available appropriations, and all of such employees, *except the assistant secretary*, shall be within the classified service. The secretary and the assistant secretary of the state historical society shall be within the unclassified service.

Sec. 2. K.S.A. 1988 Supp. 75-2935 is hereby amended to read as follows: 75-2935. The civil service of the state of Kansas is hereby divided into the unclassified and the classified services.

(1) The unclassified service comprises positions held by state officers or employees who are:

- (a) Chosen by election or appointment to fill an elective office;
- (b) members of boards and commissions, heads of departments required by law to be appointed by the governor or by other elective officers, and the executive or administrative heads of offices, departments, divisions and institutions specifically established by law;
- (c) except as otherwise provided under this section, one personal secretary to each elective officer of this state, and in addition thereto, 10 deputies, clerks or employees designated by such elective officer;
- (d) all employees in the office of the governor;
- (e) officers and employees of the senate and house of representatives of the legislature and of the legislative coordinating council and all officers and employees of the office of revisor of statutes, of the legislative research department, of the division of legislative administrative services, of the division of post audit and the legislative counsel;

(f) chancellor, president, deans, administrative officers, student health service physicians, teaching and research personnel, and student employees in the institutions under the state board of regents, the executive officer of the board of regents and the executive officer's employees other than clerical employees, and, at the discretion of the state board of regents, directors or administrative officers of departments and divisions of the institution, except that this subsection (1)(f) shall not be construed to include the custodial, clerical or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors;

(g) operations, maintenance and security personnel employed to implement agreements entered into by the adjutant general and the federal national guard bureau, and officers and enlisted persons in the national guard and the naval militia;

(h) persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;

(i) persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation;

(j) officers and employees in the office of the attorney general and special counsel to state departments appointed by the attorney general, except that officers and employees of the division of the Kansas bureau of investigation shall be in the classified or unclassified service as provided in K.S.A. 75-711 and amendments thereto;

(k) all employees of courts;

(l) patient and inmate help in state charitable, penal and correctional institutions;

(m) all attorneys for boards, commissions and departments;

(n) the secretary and assistant secretary of the Kansas state historical society;

(o) physician specialists employed by the commissioner of mental health and retardation services and assigned by the commissioner to a position in mental health and retardation services or any institution

under the supervision of the state department of social and rehabilitation services;

(p) physician specialists employed at any institution under the supervision of the secretary of corrections;

(q) student employees enrolled in public institutions of higher learning;

(r) administrative officers, directors and teaching personnel of the state board of education and the state department of education and of any institution under the supervision and control of the state board of education, except that this subsection (1)(r) shall not be construed to include the custodial, clerical or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors;

(s) all officers and employees in the office of the secretary of state;

(t) one personal secretary and one special assistant to the following: The secretary of administration, the secretary of aging, the secretary of commerce, the secretary of corrections, the secretary of health and environment, the superintendent of the Kansas highway patrol, the secretary of human resources, the secretary of revenue, the secretary of social and rehabilitation services, the secretary of transportation and the secretary of wildlife and parks;

(u) one personal secretary and one special assistant to the chancellor and presidents of institutions under the state board of regents;

(v) one personal secretary and one special assistant to the executive vice chancellor of the university of Kansas medical center;

(w) one public information officer and one chief attorney for the following: The department of administration, the department on aging, the department of commerce, the department of corrections, the department of health and environment, the department of human resources, the department of revenue, the department of social and rehabilitation services, the department of transportation and the Kansas department of wildlife and parks;

(x) civil service examination monitors;

(y) the secretary of the state corporation commission;

(z) specifically designated by law as being in the unclassified service.

(2) The classified service comprises all positions now existing or hereafter created which are not included in the unclassified service. Appointments in the classified service shall be made according to merit and fitness from eligible lists prepared upon the basis of examination which so far as practicable shall be competitive. No person shall be appointed, promoted, reduced or discharged as an officer, clerk, employee or laborer in the classified service in any manner or by any means other than those prescribed in the Kansas civil service act and the rules adopted in accordance therewith.

(3) For positions involving unskilled, or semiskilled labor, the secretary of administration, as provided by law, shall establish rules and regulations concerning certifications, appointments, layoffs and reemployment which may be different from the rules and regulations established concerning these processes for other positions in the classified service.

(4) Officers authorized by law to make appointments to positions in the unclassified service, and appointing officers of departments or institutions whose employees are exempt from the provisions of the Kansas civil service act because of the constitutional status of such departments or institutions shall be permitted to make appointments from appropriate registers of eligibles maintained by the division of personnel services.

Sec. 3. K.S.A. 75-2935a is hereby amended to read as follows: 75-2935a. (a) Except as provided in subsection (b) of this section, positions in the classified exempt service shall become unclassified July 1, 1978. The classified exempt service shall be abolished as of this date and no further appointments shall be made in the classified exempt service. Except as provided in subsection (b) of this section, whenever the classified exempt service of the Kansas civil service act, or words of like effect, is referred to by a statute, contract or other document, such reference shall be deemed to apply to the unclassified service of the Kansas civil service act.

(b) All positions in the classified exempt service in the Kansas veterans' commission, the state library (except the position of state librarian), the Kansas bureau of investigation (except the position of narcotics violation investigator) and the state historical society (except

the position of secretary of the state historical society) shall become classified July 1, 1978. *Except as provided in subsection (c)*, a person employed in a classified exempt position in the Kansas veterans' commission, the state library, the Kansas bureau of investigation (except the position of narcotics violation investigator) or the state historical society (except the position of secretary of the state historical society) immediately prior to July 1, 1978, shall continue in such position, when the position becomes a classified position on July 1, 1978, shall obtain permanent status in such position without examination and without a probationary period and shall retain all retirement benefits which such person had prior to July 1, 1978, and such person's service shall be deemed to have been continuous. The position of secretary of the state historical society, the position of state librarian and the position of undercover narcotics investigator of the Kansas bureau of investigation shall become unclassified July 1, 1978.

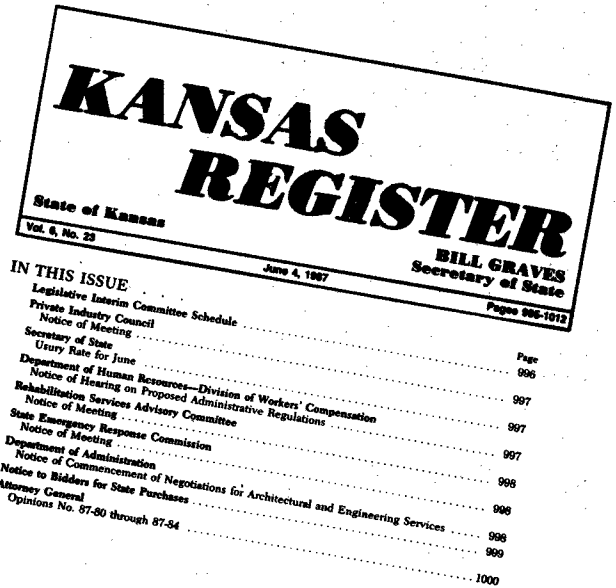
(c) A person employed in a classified position in the state historical society (except the position of assistant secretary) immediately prior to the effective date of this act shall continue in such position on and after such date. The position of assistant secretary of the state historical society shall become unclassified on the effective date of this act.

Sec. 4. K.S.A. 75-2935a and 75-3148 and K.S.A. 1988 Supp. 75-2935 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

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