

KANSAS REGISTER

BILL GRAVES
Secretary of State

State of Kansas

Vol. 8, No. 15

April 13, 1989

Pages 507-544

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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 27 through April 7:

Jefferson County Commissioner, 1st District

William Rhodes, Route 2, McLouth 66054. Effective 22, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Jody Hollis, resigned.

Kansas Commission on the Bicentennial of the United States Constitution

David M. Traster, 2112 S. Brooklyn, Topeka 66611. Effective March 29, 1989. Term expires December 31, 1991. Succeeds William Dreyer, resigned.

Christopher Columbus Quincentenary Jubilee Commission

Secretary of State Bill Graves, State Capitol, Topeka 66612. Effective March 24, 1989. Serves at the pleasure of the Governor.

Dealer Review Board

Bob Parrish, 1911 McKenney Drive, Great Bend 67530. Effective March 23, 1989. Term expires June 30, 1991. Succeeds Ralph Lewis.

Kansas Law Enforcement Training Center

Allen Bachelor, 504 Crestwood Road, Salina 67401. Effective March 31, 1989. Term expires April 1, 1993. Succeeds Rick Easter, resigned.

Ray Classen, P.O. Box 98, North Newton 67117. Effective March 1, 1989. Term expires July 1, 1992. Reappointment.

James B. Pearson Fellowship Selection Board

Cal James, 315 Pearl, Jewell 66949. Effective March 27, 1989. Term expires December 31, 1991. Succeeds Ralph M. Tanner.

BILL GRAVES
Secretary of State

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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
**SOCIAL AND REHABILITATION SERVICES
 GOVERNOR'S COMMISSION ON AUTISM**

NOTICE OF MEETING

The Governor's Commission on Autism will meet from 10 a.m. to 3 p.m. Thursday, April 27, at Sheltered Living, 2126 S.W. 36th, Topeka.

JANET SCHALANSKY
 Chairperson

Doc. No. 007687

State of Kansas
**STATE BANK COMMISSIONER
 STATE BANKING BOARD**

NOTICE OF MEETING

The State Banking Board will meet at 9:30 a.m. Monday, April 17, 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. 007644

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 technical services for various asbestos abatement projects in the Capitol Complex area, Topeka. Services may include the identification and location of asbestos, laboratory testing and confirmation, cost estimates of removal procedures, preparation of plans and specifications for competitive bidding of removal or encapsulization, and construction administration and air monitoring during removal or encapsulization work.

Any questions or expressions of interest should be directed to William Groth, AIA, Division of Facilities Management, 625 Polk, Topeka 66603, (913) 233-9367, on or before April 28.

ANN K. COLGAN
 Director, Division of
 Facilities Management

Doc. No. 007689

State of Kansas
KANSAS INSURANCE DEPARTMENT

NOTICE OF HEARING

A formal hearing will be conducted at 10 a.m. Friday, April 21, in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the application for the proposed merger of Old United Casualty Company, Austin, Texas, with Old United Casualty Company, Shawnee Mission, should be approved by the Commissioner of Insurance.

Both companies have requested that the Commissioner of Insurance approve the merger of the two pursuant to K.S.A. 40-309.

All interested parties may attend and will be given the opportunity to hear the details of the proposed merger, to present either oral or written testimony in favor of or in opposition to the proposed merger, and to ask any questions relative to the merger.

FLETCHER BELL
 Commissioner of Insurance

Doc. No. 007693

State of Kansas
KANSAS STATE UNIVERSITY

NOTICE TO BIDDERS

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

Interested parties are hereby notified the state of Kansas; Kansas State University, is requesting bids on the sale of 20 acres, more or less, of land located in Tract 309, Pueblo West, Colorado, South of Highway 50 West and West of Avineda del Oro towards the west end of the development, about 13 miles from downtown Pueblo. Zoning is A-3, Residential/Agricultural. Legal Description: The South half of the Southeast quarter of the Southeast quarter of Section 5, Township 20 South, Range 66 West in Pueblo County, Colorado.

Sealed bids will be received by the Kansas State University Purchasing Office, Anderson Hall, Room 224, Manhattan 66506, until 2 p.m. C.D.T. on the date indicated below and they will be publicly opened. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein. Interested bidders may call (913) 532-6214 for additional information.

Wednesday, May 17, 1989

#76454

Sale of Land Located in Colorado

WILLIAM H. SESLER
 Director of Purchases

Doc. No. 007690

State of Kansas
DEPARTMENT OF HUMAN RESOURCES
ADVISORY COMMITTEE ON
HISPANIC AFFAIRS

NOTICE OF MEETING

The Advisory Committee on Hispanic Affairs will meet at 9 a.m. Saturday, April 15, at the La Sanata Cruz Lutheran Mission Center, 2009 N. Main, Garden City. The public is invited to attend.

RAY D. SIEHNDEL
 Acting Secretary of Human Resources

Doc. No. 007691

State of Kansas
WICHITA STATE UNIVERSITY

NOTICE TO BIDDERS

Sealed bids for the following equipment will be received by The Wichita State University, Office of Purchasing, 1845 N. Fairmount, 201 Jardine Hall, Wichita 67208-1595, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (316) 689-3080 for additional information.

Thursday, April 27, 1989

Bid #9286-H
 Motion Analyzer

GARY D. LINK
 Director of Purchasing

Doc. No. 007696

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 30-April 5:

Senate Bills

SB 391, by Committee on Ways and Means: An act concerning certain employees of the state board of regents and institutions under its management; relating to retirement annuities and insured death and disability benefits; amending K.S.A. 1988 Supp. 74-4925 and 74-4927a and repealing the existing sections.

SB 392, by Committee on Ways and Means: An act providing for the financing of the state water plan; increasing the rate of the state retailers sales and compensating use taxes for such purpose; creating certain funds and providing for expenditures therefrom; amending K.S.A. 79-3620 and 79-3710 and K.S.A. 1988 Supp. 79-3603 and 79-3703 and repealing the existing sections.

SB 393, by Committee on Ways and Means: An act authorizing the exchange of real estate and improvements thereon in Topeka, Kansas, between the secretary of administration on behalf of the state of Kansas and the first Presbyterian church of Topeka; providing for the care and management of property acquired by the state.

SB 394, by Committee on Ways and Means: An act concerning mental retardation services; providing for increase in maximum mill levy therefor; authorizing matching of certain state moneys; amending K.S.A. 19-4004 and 19-4011 and K.S.A. 1988 Supp. 79-1947 and repealing the existing sections.

House Concurrent Resolutions

HCR 5023, by Committee on Education: A concurrent resolution commending school districts which provide civic and law-related education programs for their students and urging other school districts to do the same.

House Resolutions

HR 6083, by Representative Harder: A resolution congratulating and commending the Nickerson High School boys' basketball team and Coach Don Moeckel for winning the 1989 Class 4A State Basketball Championship in Kansas.

HR 6084, by Representative Braden: A resolution expressing anger and dismay regarding the comments of State Board of Education member Evelyn Whitcomb of Wichita against Wichita School Superintendent Stuart Berger and rejecting in the strongest terms anti-semitic slurs from any Kansas, elected or appointed to represent the State of Kansas, and whether directed at a resident Kansan, any other citizen of this country, or, indeed, of the world.

HR 6085, by Representative Bowden: A resolution congratulating and commending the Garden Plain High School boys' basketball team and Coach Rick Baker for winning the 1989 Class 2A State Basketball Championship in Kansas.

HR 6086, by Representative Gatlin: A resolution congratulating and commending the Atwood High School wrestling team and Coach Steve Woody for winning the 1989 Kansas State High School Activities Association Class 3-2-1A State Wrestling Championship in Kansas.

HR 6087, by Representative Gatlin: A resolution congratulating and commending the Hoxie High School Debate Team and Coach Benny Rosell for winning the 1989 3-2-1A Division State Debate Championship in Kansas.

HR 6088, by Representative Baker: A resolution congratulating and commending the Kansas Master Teachers for 1989.

HR 6089, by Representative Sader: A resolution proclaiming August 28, 1989, as "Railway Mail Service Day."

Senate Concurrent Resolutions

SCR 1621, by Committee on Assessment and Taxation: A concurrent resolution providing for a special committee to make a legislative study concerning the taxation of vehicles and motor carrier property.

SCR 1622, by Senator Yost: A concurrent resolution directing all county appraisers to reexamine each and every parcel of commercial property in which the valuation has been appealed by the owner of such property, and to adjust the appraisal for such property when appropriate to do so, in order to more accurately reflect fair market value.

SCR 1623, by Senator Johnston: A proposition to revise article 6 of the constitution of the state of Kansas, relating to education.

Senate Resolutions

SR 1849, by Senator Langworthy: A resolution congratulating the City of Westwood on its 40th anniversary.

SR 1850, by Senator Francisco: A resolution congratulating and commending the Garden Plain High School boys' basketball team and coach Rick Baker for winning the 1989 Class 2A State Basketball Championship in Kansas.

SR 1851, by Senator Oleen: A resolution congratulating and commending the Kansas Master Teachers for 1989.

SR 1852, by Senator Langworthy: A resolution congratulating and commending the Junior League of Kansas City, Missouri, on its 75th anniversary.

SR 1853, by Senator Johnston: A resolution making specific exceptions to the limitations prescribed by subsection (f) of Joint Rule 4 of the house and senate.

Doc. No. 007695

State of Kansas

BOARD OF AGRICULTURE

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9:30 a.m. Tuesday, May 16, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed temporary and permanent rules and regulations of the Kansas State Board of Agriculture. The proposed permanent rules and regulations will become effective 45 days after their publication in the *Kansas Register* unless a specified date is contained in the regulation. The proposed temporary regulation will become effective on July 1, 1989.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. In addition, the period of at least 30 days notice constitutes a public comment period for the purpose of receiving public comments on the proposed rules and regulations.

Written comments and requests for copies of the regulations and the complete economic impact statement should be sent to Kenneth M. Wilke, Chief Counsel, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulations is as follows:

K.A.R. 4-2-17. Will be revoked.

K.A.R. 4-2-17a. Sets fees for seed tests performed at State Seed Laboratory.

K.A.R. 99-25-1. Updates NBS Handbook 44 adopted by reference to January 1, 1989 edition.

K.A.R. 99-25-3. Deletes certificate of conformance requirement for law enforcement equipment.

Regarding the proposed revocation of K.A.R. 4-2-17 and the implementation of K.A.R. 4-2-17a, as both a temporary and a permanent regulation, there will be approximately \$14,400 additional revenue generated for the State Seed Laboratory. There will be no fiscal or economic impact on other governmental agencies, individuals, private businesses or the general public except for the increased fees charged for tests requested by those people or entities who wish to have seed tested by the State Seed Laboratory.

Regarding the proposed amendments to K.A.R. 99-25-1 and K.A.R. 99-25-3, there will be no economic impact on other governmental agencies, individuals, private businesses, or the general public.

Copies of these regulations and the complete fiscal impact statements may be obtained by writing to Kenneth M. Wilke, Chief Counsel, at the address given above.

SAM BROWNBACK
Secretary of Agriculture

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENTNOTICE 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, a tentative permit has been prepared for discharges to the waters of the United States and the state of Kansas for the applicant 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	Waterway	Type of Discharge
Natural Gas Pipeline Company of America Attn: L. R. Franck 701 E. 22nd P.O. Box 1208 Lombard, IL 60148 Cloud County, Kansas	Republican River via Oak Creek Via Unnamed Tributary	Hydrostatic Test Water
Kansas Permit No. I-LR08-PO06		Fed. Permit No. KS-0086398

Description of Facility: Water is discharged to Oak Creek after it is used to hydrostatically test an existing natural gas pipeline. This is a one-time discharge. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to May 12 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-16) and the name of applicant as listed when preparing comments.

If no objections are received, 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 may also be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 007697

Doc. No. 007694

State of Kansas
**SOCIAL AND REHABILITATION SERVICES
 DIVISION OF SERVICES FOR THE BLIND
 ADVISORY COMMITTEE**

NOTICE OF MEETING

The Division of Services for the Blind Advisory Committee will meet at 10 a.m. Friday, April 28, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

RICHARD A. SCHUTZ
 Director, Division of
 Services for the Blind

Doc. No. 007686

State of Kansas
**DEPARTMENT OF ADMINISTRATION
 DIVISION OF PURCHASES**

NOTICE TO BIDDERS

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

Monday, April 24, 1989

#25950

Osawatomic State Hospital—REFUSE
 COLLECTION SERVICES

#27325

Department of Social and Rehabilitation Services—
 INFLUENZA VACCINE

#27565

Department of Health and Environment—
 PAPANICOLAU SCREENING

#27996

Department of Wildlife and Parks—POLY SIGNS

#28001

Kansas State University—MISCELLANEOUS
 HERBICIDES

#28002

Kansas State Board of Nursing—PROGRAM FOR
 IMPAIRED LICENSEES

#78683

Department of Transportation—REFLECTIVE
 SHEETING

#78694

Kansas State University—PAVEMENT REPAIR

#78749

Ellsworth Correctional Work Facility—DENTAL
 EQUIPMENT

#78765

University of Kansas—CHILLER/CONDENSER
 AND FAN COIL UNITS

Tuesday, April 25, 1989

#A-6111(e)

Kansas State University—JARDINE PARKING LOT
 IMPROVEMENTS (LOTS C5, C6, C7, C8, C10, C11,
 C12 & C13)

#A-6111(c)

Kansas State University—PARKING LOT A-6
 RECONSTRUCTION 1989

#A-6111(b)

Kansas State University—B1 AND B2 PARKING
 LOT RENOVATION 1989

#27515

Statewide—FROZEN FOODS

#27524

University of Kansas—JUNE (1989) MEAT
 PRODUCTS

#27567

Statewide—TELEPHONE EQUIPMENT (SINGLE
 AND/OR MULTIPLE LINE)

#77399A

Winfield State Hospital and Training Center—
 PHARMACY CARDS AND LABELS

#78703

Kansas State University—LAB EQUIPMENT
 REPAIR

#78729

Kansas State University—SOYBEAN MEAL

Wednesday, April 26, 1989

#A-5961

Osawatomic State Hospital—TUNE UP AND LOAD
 DIESEL ENGINE AND GENERATOR AND
 REPLACE RADIATOR

#A-6111(f)

Kansas State University—B3 AND B16 PARKING
 LOT AND ROAD IMPROVEMENTS

#A-6111(g)

Kansas State University—D1 EAST AND WEST
 LOT IMPROVEMENTS

#27474

University of Kansas Medical Center—JUNE (1989)
 MEAT PRODUCTS

#78713

Department of Transportation—VAN

#78714

Wichita State University—TABLET ARM CHAIRS

#78723

Ellsworth Correctional Work Facility—SATELLITE
 SYSTEM

#78724

Kansas Correctional Industries—CHROMATE
 TREATED ALUMINUM SHEETS

Thursday, April 27, 1989

#A-6135

Department of Administration, Division of
 Architectural Services—REMODEL COMMITTEE
 ROOMS 527-S AND 531-N, STATEHOUSE

#78730

Kansas Highway Patrol—PLAIN PAPER COPIER,
 Salina

#78731

Department of Social and Rehabilitation Services—
 MICROCASSETTE RECORDER, TRANSCRIBER/
 RECORDER AND TAPE ERASERS, various locations

#78741

Topeka State Hospital—PLAIN PAPER COPIER

Friday, April 28, 1989

#27516

Statewide—JUNE (1989) MEAT PRODUCTS

#78754

Kansas State University—LAB WATER STILL

#78763

Hutchinson Correctional Work Facility—LAWN
TRACTOR

#78764

University of Kansas Medical Center—X-RAY
GENERATOR

#78768

Department of Transportation—VEHICLES,
Hutchinson

Monday, May 1, 1989

#27981

Adjutant General's Department—REAL PROPERTY
SERVICES

Tuesday May 2, 1989

#27999

Department of Health and Environment—
PETROLEUM, HAZARDOUS SUBSTANCE, OR
OTHER POLLUTANT CLEAN-UP SERVICES

Thursday, May 4, 1989

#A-5951(a)

University of Kansas—PEARSON SCHOLARSHIP
HALL RENOVATION-Arch

#A-5951(b)

University of Kansas—PEARSON SCHOLARSHIP
HALL RENOVATION-Kitchen

#A-5951(c)

University of Kansas—PEARSON SCHOLARSHIP
HALL RENOVATION-Elevator Equipment

#A-5951(d)

University of Kansas—PEARSON SCHOLARSHIP
HALL RENOVATION-Mechanical and Plumbing

#A-5951(e)

University of Kansas—PEARSON SCHOLARSHIP
HALL RENOVATION-Electrical

#26135

Department of Social and Rehabilitation Services—
HOSPITAL UTILITIZATION REVIEW SERVICES

Monday, May 15, 1989

#27033

Department of Wildlife and Parks—LEASE OF
LAND—NEMAHA WILDLIFE AREANICHOLAS B. ROACH
Director of Purchases

Doc. No. 007699

(Published in the *Kansas Register*, April 13, 1989.)

(Editor's Note: The following paragraph, which appeared in a notice of bond sale for the City of Shawnee, Kansas, published in its entirety on April 6, 1989, contained an error in the date of sale. The corrected date appears below.)

NOTICE OF BOND SALE

\$5,510,000

Internal Improvement Bonds, Series 1989A

of the

City of Shawnee, Kansas

(general obligations payable

from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned city clerk of the city of Shawnee, Kansas, on behalf of the governing body at the City Hall, 11110 Johnson Drive, Shawnee, KS 66203, until 6 p.m. C.D.T. on Monday, April 24, 1989, for the purchase of \$5,510,000 principal amount of Internal Improvement Bonds, Series 1989A, of the city as hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at 7:30 p.m. C.D.T. on the same day. No oral or auction bids will be considered.

CITY OF SHAWNEE, KANSAS
Debra Howel, City Clerk

Doc. No. 007698

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

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

Domestic Corporations

A Shade Better, Inc., Topeka, KS.
Allison & Company, Incorporated, Prairie Village, KS.
Alpha-Omega Electronics, Inc., Wichita, KS.
Animal Health Center, P.A., Hiawatha, KS.
B, B and R Investment Corporation,
Arkansas City, KS.
Bayes Scaffolding & Supply, Inc., Wichita, KS.
Branson Management, Inc., Wichita, KS.
Branson Property Management, Inc., Wichita, KS.
Branson Realty, Inc., Wichita, KS.
Broken Wheel Land and Cattle Company, Inc.,
Iuka, KS.
The Bronc Barn, Inc. (A Close Corporation),
Lakin, KS.
Brown's Furniture, Inc., Liberal, KS.
Buffalo Nickel, Inc., Shawnee Mission, KS.
C. B. F., Inc., Anthony, KS.
Carrell Machine Shop, Inc., Prairie Village, KS.
Cedarcliff, Ltd., Shawnee Mission, KS.
Complete Auto Repair, Inc., Kansas City, KS.
Computer Stores of America, Inc., Overland Park, KS.

(continued)

The Consolidated Companies (A Massachusetts Business Trust), Atlanta, GA.
 Credit Bureau of Liberal, Inc., Liberal, KS.
 Docco Oil Corporation, Arkansas City, KS.
 Double Eagle, Inc., Canada, KS.
 Feather-Horn, Co., Olathe, KS.
 Four-R Poultry, Inc., Frontenac, KS.
 Gates & Coffman, Inc., Cedar Vale, KS.
 H & R Crist Cattle, Inc., Scott City, KS.
 Indian Hills Hardware, Inc., Wichita, KS.
 Industrial Investments, Inc., Wichita, KS.
 Integrated Support, Inc., Shawnee, KS.
 International Beauty Laboratories, Inc., Wichita, KS.
 Investors Insurance Services, Inc., Overland Park, KS.
 J Double D Feedlot Management, Inc., Hoxie, KS.
 J. R. Company, Wichita, KS.
 Jack Poore Drilling, Inc., McDonald, KS.
 James Beckley Associates, Inc., Shawnee Mission, KS.
 James Grunder & Associates, Inc.,
 Westwood Hills, KS.
 Jan's Craftique, Inc., Garnett, KS.
 Johnston Investment Co., Shawnee, KS.
 Kansas Dental Association, Inc., Topeka, KS.
 Kansas Horizon Oil, Windom, KS.
 Kay's Korner, Ltd., Hill City, KS.
 Kendix Enterprises, Inc., Prescott, KS.
 Lawrence Jewelers Inc., Topeka, KS.
 Lica Oil Company, Inc., McPherson, KS.
 Louis Glodman Fine Arts, LTD., Wichita, KS.
 LSCO Securities, Inc., Wichita, KS.
 Lyons Medical Center, A Professional Association,
 Lyons, KS.
 M. B. Associates, Inc., Leawood, KS.
 The Mailing Service, Inc., Kansas City, MO.
 McKay's American Way Homes, Inc., Hutchinson, KS.
 Mid West Analytical Laboratories, Inc., Wichita, KS.
 Nall Development Company, Inc., Overland Park, KS.
 New York Pizza and Restaurant, Overland Park, KS.
 Noah's Ark Christian Day Care Center, Inc.,
 Chanute, KS.
 Northend Disposal Services, Inc., Dodge City, KS.
 Oz Corporation, Kansas City, KS.
 The Pearce Corporation, Merriam, KS.
 Pendragon, Inc., Lawrence, KS.
 Poor Boys Pantry, Inc., Kansas City, KS.
 R. C. P., Inc., Kansas City, KS.
 REBL, Inc., Lawrence, KS.
 Regent Construction Company, Inc.,
 Overland Park, KS.
 The Regent Corporation, Overland Park, KS.
 Rockey Manufacturing Corporation, Hiawatha, KS.
 The Roxy, Inc., Lenexa, KS.
 Royal Travel, Ltd., Fairway, KS.
 S. & W. Dairy, Inc., Quinter, KS.
 Safety Plus Insurance Plans, Inc., Pittsburg, KS.
 Safety Plus, Inc., Overland Park, KS.
 Selok North, Inc., St. Louis, MO
 Selok of Lawrence, Inc., Topeka, KS.
 Selok West, Inc., St. Louis, MO
 Southeast Kansas Health Services, Inc., Pittsburg, KS.
 Sportscents, Inc., Overland Park, KS.
 Standard Roofing of Wichita, Inc., Wichita, KS.
 Sunset Well Service, Inc., Windom, KS.

Theron Enterprises, Inc., Topeka, KS.
 Triple—T Foods, Inc., Wichita, KS.
 Triple—T Pipeline, Inc., Frontenac, KS.
 Truman's of Belleville, Inc., Belleville, KS.
 Vin-Mar Farms, Inc., Sharon, KS.
 Wesley Parking Towers Association, Wichita, KS.
 Wichita Water Ski Club, Inc., Wichita, KS.

Foreign Corporations

Accord Management and Distribution Company,
 Atlanta, GA.
 Bates and Sons Construction Company, Inc.,
 Kansas City, MO.
 Best Refrigerated Express, Inc., Omaha, NE.
 Bethlehem Supply Corporation, Tulsa, OK.
 Buell, Winter, Mousel & Associates, Inc., Omaha, NE.
 Colin Medical Instruments Corporation,
 S. Plainfield, NJ.
 The Consolidated Companies (A Massachusetts
 Business Trust), Atlanta, GA.
 Crimson Contractors, Inc., Tuscaloosa, AL.
 Dakota Drillers, Inc., Paola, KS.
 Envirosure Management Corp., Wilmington, DE.
 Fouts Builders and Interiors, Inc., Kansas City, MO.
 Genesco Inc., Nashville, TN.
 Geograph Pioneer Inc., Oklahoma City, OK.
 Grasen Energy, Inc., Amarillo, TX.
 The Great Atlantic & Pacific Tea Company,
 Montvale, NJ.
 Green Country Crop Dusting, Inc., Haskell, OK.
 Gulf Central Energy Corp., Houston, TX.
 Halliburton Oil Producing Company,
 Oklahoma City, OK.
 Holden & Holden Plumbing & Heating Co.,
 Olathe, KS.
 The Hoyt Companies, Inc., Mission, KS.
 Jim Walter Homes, Inc., Tampa, FL.
 Johnstown Capital Securities Corporation,
 Emeryville, CA.
 Johnstown Properties, Inc., Atlanta, GA.
 McGill Maintenance, Inc., Freeport, TX.
 Missouri-Illinois Roof Systems, Inc., Kirkwood, MO.
 National Three Way Electric Co., Broken Arrow, OK.
 Oakland Operating Company, Oklahoma City, OK
 Palletteers, Inc., Fort Collins, CO.
 Park Way Studios International, Inc.,
 McKees Rocks, PA.
 Professional Healthcare Systems, Inc.,
 Los Angeles, CA.
 Resources Investment Corporation, Denver, CO.
 Retail Data Systems of Kansas City, Inc., Omaha, NE.
 Retail Data Systems of Topeka, Inc., Omaha, NE.
 Strata Energy Resources Corporation, Irvine, CA.
 Strongheart Products, Inc., Oakbrook, IL.
 Sturgell Management Company, Springfield, MO.
 T V Tempo, Inc., Athens, GA.
 Turnkey Satellite Services Inc., Mississauga, CN.

BILL GRAVES
 Secretary of State

Doc. No. 007688

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-38

Constitution of the State of Kansas—Bill of Rights—Liberty of Press and Speech; School Newspapers. Representative Rick Bowden, 93rd District, Goddard, April 3, 1989.

Under the United States Supreme Court decision in *Hazelwood School District v. Kuhlmeier*, local public school officials and administrators may exercise reasonable control over activities sponsored by a public school such as publications, theatrical productions and other expressive activities so long as the educators' actions are reasonably related to legitimate pedagogical concerns and there is no intent to create a public forum. Also, Section 11 of the Kansas Bill of Rights does not provide an absolute right to freedom of speech and expression. Students in a private, accredited school are subject to reasonable school regulations. The *Hazelwood* decision applies to public schools on its facts, and does not apply to non-public schools. Cited herein: Kans. Const., B. of R., § 11; U.S. Const., Amend. I, XIV. MWS

Opinion No. 89-39

Schools—General Provisions—High School Activities Association; Policies. George Anshutz, Superintendent, Wabaunsee East U.S.D. 330, Eskridge, April 5, 1989.

It is our opinion that the Kansas State High School Activities Association is authorized by statute to make reasonable rules regarding activities. In effect, such rules become a civil contract between the members of the association and are valid if reasonable and not in contravention of the law. Those subject to the rule include the high schools and their employees, as well as students. A rule, as interpreted by the association, which defines sportsmanship, is constitutional and not violative of First Amendment rights so long as it is enforced only when conduct materially disrupts the school activity or involves substantial disorder or invasion of the rights of others. Student expression may be restricted to the extent of reasonable times, place and manner regulations imposed to conform with the forum's basic requirements. Cited herein: K.S.A. 72-130; 72-133; U.S. Const. Amend. I. MWS

ROBERT T. STEPHAN
Attorney General

Doc. No. 007692

State of Kansas

KANSAS INSURANCE DEPARTMENT

TEMPORARY ADMINISTRATIVE
REGULATIONSArticle 4.—ACCIDENT AND HEALTH
INSURANCE

40-4-35. Medicare supplement policies; minimum standards; requirements. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the national association of insurance commissioners' model regulation for minimum standards for medicare supplement insurance, September 1988 edition, are hereby adopted by reference, subject to the following additions or exceptions:

(a) Section 3 is hereby amended to read as follows: "C. This regulation shall not apply to:

(1) Medicare supplement policies issued to employees or members as additions to franchise plans in existence on the effective date of this regulation;

(2) a policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, or for employees or former employees, or a combination thereof, or for members or former members, or a combination thereof, of the labor organizations; and

(3) individual policies or contracts issued pursuant to a conversion privilege under a policy of contract of group or individual insurance when such group or individual policy or contract includes provisions which are inconsistent with the requirements of this regulation."

(b) Section 3 is hereby amended by the addition of subsection D, which reads: "This regulation shall supersede any other Kansas administrative regulation to the extent the regulation or any provision of it is inconsistent with or contrary to this regulation."

(c) Section 4 is hereby amended to read as follows: "For purposes of this regulation:

(A) "Applicant" means:

(1) in the case of an individual medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits; and

(2) in the case of a group medicare supplement policy or subscriber contract, the proposed certificate holder.

(B) "Certificate" means any certificate issued under a group medicare supplement policy which has been delivered or issued for delivery in this state.

(C) "Medicare supplement policy" means a group or individual policy of accident and sickness insurance or a subscriber contract of hospital and medical services which is advertised, marketed or designed primarily as a supplement to reimbursements under medicare for the hospital, medical and surgical expenses of persons eligible for medicare by reason of age.

(D) "Medicare" means the "Health Insurance for the Aged Act," Title XVIII of the social security amendments of 1965, as then constituted or later amended.

(d) Section 5(A)(2) is hereby amended to read as follows: "Such definition may provide that injuries shall not include injuries for which benefits are provided under any

(continued)

workers' compensation, employer's liability or similar law, or motor vehicle no-fault plan, unless prohibited by law."

(e) The proviso in section 6(A) is hereby amended to read as follows: "Medicare supplement policies, when issued, shall not contain limitations or exclusions of the type enumerated in subsections (1) through (10) above that are more restrictive than those of medicare, or with respect to group policies, limitations or exclusions that are prohibited by K.S.A. 40-2,105 and any amendments thereto. Medicare supplement policies may exclude coverage for any expense to the extent of any benefit available to the insured under medicare."

(f) Section 7(A)(3) is hereby amended to read as follows: "Each medicare supplement policy shall provide that benefits designed to cover cost sharing amounts under medicare will be changed automatically to coincide with any changes in the applicable medicare deductible amount and co-payment percentage factors. Subject to any applicable statutory requirements, premium modification on medicare supplement policies to correspond with these changes shall be permitted."

(g) Section 7(B)(1) is hereby amended to read as follows: "Minimum Benefit Standards. Each medicare supplement policy shall provide coverage for all of the medicare part A inpatient hospital deductible amount."

(h) Section 9(B) is hereby amended to read as follows: "At least 60 percent of the aggregate amount of premiums earned in the case of individual policies."

(i) Section 12(C)(3) is hereby amended by the addition of the following: "(9) The amount of premium for this policy. The premiums for the policy or certificate shall be shown separately from the premiums for each optional benefit provided by the contract. (10) The name and address of the insurance agent, or employees of the insurer who assumes responsibility for completing the outline."

(j) Section 10 is hereby amended to read as follows: "Every insurer providing group medicare supplement insurance benefits to a resident of this state shall file a copy of any certificate at least 30 days prior to its use in this state in accordance with the filing requirements and procedures applicable to group medicare supplement policies issued in this state."

(k) On and after April 14, 1989, section 11 is hereby amended to read as follows:

(1) "No entity shall provide compensation to its agents or other producers and no agent or producer shall receive compensation greater than the renewal compensation payable by replacing insurer on renewal policies if an existing policy is replaced unless the new policy benefits, premium charges, renewal and cancellation provisions or contractual services are clearly and substantially more beneficial to the insured than the benefits under the replaced policy."

(2) "No entity shall provide compensation to its agents or other producers and no agent or producer shall receive compensation greater than the renewal compensation payable by the new insurer on renewal policies if a new medicare supplement policy is sold to or purchased by an insured but an existing individual medicare supplement policy or policies remain in effect."

(3) "Any entity that has developed and implemented policy applications and procedures sufficient to comply with subsection (1) and (2) shall not be held responsible for the failure of its agents or other producers to follow

the prescribed processing requirements other than requiring the agents or producer to return the amount of any overpayments.

No agent or other producer who has followed the processing requirements established for the purpose of complying with this section shall be held responsible for receipt of any payment that is not in compliance with subsection (1) or (2) other than the return of any overpayment."

(1) Section 12(A)(5) is hereby amended to read as follows: "Medicare supplement policies or certificates shall have a notice prominently printed on the first page of the policy or certificate or attached thereto stating in substance that the policyholder or certificateholder shall have the right to return the policy or certificate within 30 days of its delivery and to have the premium refunded if, after examination of the policy or certificate, the insured person is not satisfied for any reason. Any refund made pursuant to this section shall be paid directly to the applicant by the insurer in a timely manner. Such notice shall be printed in not less than 10 point type and shall be printed in bold face type or in some other manner that distinguishes it from the point otherwise appearing in the policy."

(m) On and after April 14, 1989, section 13 is hereby amended by the addition of the following: "E. If a medicare supplement policy or certificate of insurance issued for delivery in this state replaces or is issued in addition to an existing medicare supplement policy, regardless of the company issuing the policy, the insurer issuing the new policy, in applying any preexisting conditions provisions, waiting periods, elimination periods, and probationary periods, shall give credit for the satisfaction or partial satisfaction of the same or smaller provisions under a previously existing plan. In the case of deductible provisions, the credit shall apply for the same or overlapping benefit periods and shall be given for expenses actually incurred and applied against the deductible provisions of the prior carrier's plan during the 90 days preceding the effective date of the succeeding carrier's plan, but only to the extent these expenses are recognized under the terms of the succeeding carrier's plan and are subject to a similar deductible provision." (Authorized by K.S.A. 40-103, 40-2221; implementing K.S.A. 40-2221; effective May 1, 1982; amended May 1, 1984; amended May 1, 1986; effective T-40-12-16-88, Dec. 16, 1988; amended T-40-3-31-89, March 31, 1989.)

Article 7.—AGENTS

40-7-21. Agents; examination fee; amount. From and after May 1, 1989, an examination fee in the amount of \$55 for each single line examination of 100 items or limited line examination of up to 50 items; or, \$75 for each combination examination of 130 items covering two or more lines of coverage included in two different classes of insurance as prescribed by L. 1988, Ch. 151, Sec. 3 shall be paid by each person for each attempt to pass the examination. (Authorized by and implementing L. 1988, Ch. 151, Sec. 3; effective, T-88-1, Jan. 5, 1987; effective May 1, 1987; amended T-40-3-31-89, May 1, 1989.)

FLETCHER BELL
Commissioner of Insurance

State of Kansas

STATE CORPORATION COMMISSION

TEMPORARY ADMINISTRATIVE
REGULATIONS

Article 11.—NATURAL GAS PIPELINE SAFETY

82-11-1. This temporary regulation shall be revoked on and after April 30, 1989. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, Oct. 28, 1989; effective T-82-2-25-89, Feb. 25, 1989; revoked T-82-3-31-89, April 30, 1989.)

82-11-2. This temporary regulation shall be revoked on and after April 30, 1989. (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-82-3-31-89, April 30, 1989.)

82-11-3, 4 and 5. This temporary regulation shall be revoked on and after April 30, 1989. (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-82-3-31-89, April 30, 1989.)

82-11-6. This temporary regulation shall be revoked on and after April 30, 1989. 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-82-3-31-89, April 30, 1989.)

82-11-7, 8, and 9. This temporary regulation shall be revoked on and after April 30, 1989. (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-82-3-31-89, April 30, 1989.)

JUDITH McCONNELL
Executive Secretary

Doc. No. 007683

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENTPERMANENT ADMINISTRATIVE
REGULATIONS

Article 16.—WATER POLLUTION CONTROL

28-16-110. Definitions. For the purposes of the regulations in this article, the following words, terms and phrases are defined as follows:

(a) "Best practicable waste treatment technology (BPWTT)" means a cost-effective technology that can treat wastewater, including combined sewer overflows and non-excessive infiltration and inflow, to meet the applicable provisions of Kansas water supply and sewage statutes, K.S.A. 65-161 to 65-171x; water pollution control statutes, K.S.A. 65-3301 to 65-3313; and the federal clean water act as amended on or before January 1, 1989, 33 USC 1251 *et seq.*

(b) "Department" means the Kansas department of health and environment.

(c) "Equivalency" means that portion of the Kansas water pollution control revolving fund which was directly made available by the federal government.

(d) "Equivalency project" means that portion of the project cost which is funded from the equivalency portion of the Kansas water pollution control revolving fund.

(e) "Facilities planning" means the necessary plans and studies directly related to the project financed from the Kansas water pollution control revolving fund. The content of a facilities plan shall be as described in the federal register 40 CFR 35.2030(b), as in effect on January 1, 1989.

(f) "Infiltration" means water other than sewage that enters a sewerage system from the ground through defective pipes, pipe joints, connections, or manholes.

(g) "Excessive infiltration" means the quantity of flow which is more than 120 gallons per capita per day or the quantity of infiltration which could be economically and effectively eliminated from a sewer system as determined in a cost-effectiveness analysis. Flow rates more than 120 gallons per capita per day when justified by water use records are not considered to be excessive infiltration.

(h) "Inflow" means water other than sewage that enters a sewerage system. Inflow does not include infiltration.

(i) "Excessive inflow" means a rainfall-induced flow rate in excess of 275 gallons per capita per day.

(j) "Loan applicant" means any county, city, sewer district, other public agency, or any combination thereof, created by or pursuant to Kansas statutes, filing an application for a loan pursuant to the Kansas water pollution control fund act of 1988.

(k) "Loan agreement" means an executed contract between a loan recipient and the secretary confirming the purpose of the loan, the amount and terms of the loan, the schedule of loan payments and repayments and any other agreed upon conditions set forth by the secretary.

(l) "Minority business enterprise" means a business certified as a minority business enterprise by a state or federal agency based on the authority of state or federal statutes.

(m) "Project" means the scope of work for which a loan is awarded.

(n) "Secretary" means the secretary of Kansas department of health and environment.

(o) "Sewerage" means the removal and treatment of surface water, sewage and other wastewater by sewers, a system of sewers, wastewater treatment processes or any other means such as recycling and reclamation.

(p) "Value engineering" means a cost control technique which uses a systematic approach to identify unnecessarily high costs in a project without sacrificing the reliability or efficiency of the project.

(q) "Women's business enterprise" means a business certified as a women's business enterprise by a state or federal agency based on the authority of state or federal statutes.

(r) "Wastewater treatment works" means any device, or system for the storage, treatment, recycling, and reclamation of sewage. These include:

(1) intercepting sewers, outfall sewers, sewage collection systems, pumping stations, facilities for sewage treatment and disposal of residues resulting from treatment,

(continued)

power and other equipment, their appurtenances, extensions, improvements, remodeling, additions and alterations thereof; and

(2) any works, including site acquisition of the land, that will be an integral part of the treatment process or are used for ultimate disposal of residues resulting from treatment. (Authorized by and implementing K.S.A. 1988 Supp. 65-3323; effective May 29, 1989.)

28-16-111. Reserved.

28-16-112. Fund use eligibility. (a) The fund shall be used only to finance all or any part of the following activities:

(1) loans to loan applicants for the planning, design, and construction of publicly-owned wastewater treatment works; and

(2) loans to loan applicants with taxing authority for the implementation of nonpoint source pollution control management programs developed in conformance with section 319 of the federal clean water act as amended on or before January 1, 1989, 33 USC 1251 *et seq.*

(b) Each project eligible to receive loans shall appear on the project priority list prepared by the department. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-113. Interest rate. Each loan shall bear interest for the entire life of the loan at a rate set by the secretary. The secretary may also set fees for servicing the loans. The interest rate together with the servicing fee shall be an amount equal to sixty percent of the previous three months' average "bond buyers 20 bond index" as published on the first Monday of each week of the preceding three months. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-114. Repayment of loans. (a) All principal and interest shall be repaid in accordance with the terms and conditions of the executed loan agreement. Principal and interest payments shall begin not later than two years after receipt of the first loan installment and in no case later than one year following the completion of the project. Repayment of the loan shall not exceed a 20-year repayment period as agreed upon in the loan agreement. Project completion is defined as initiation of operation or capability to initiate operation.

(b) Prepayment of principal in whole or part may be made in accordance with the terms and conditions of the executed loan agreement. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-115. Dedicated loan repayment source. (a) Each loan recipient shall adopt one or more dedicated sources of revenue for repayment of the loan including principal and interest. The dedicated sources of revenue may be in the form of user charges, ad valorem taxes, special tax assessments, another permanent source of revenue or some combination of these sources. Each dedicated source of revenue shall be legally available to the loan recipient over the life of the loan repayment obligation and pledged to the repayment of the loan. Each dedicated source of revenue shall be approved by the secretary.

(b) Each loan recipient shall conduct a revenue source review every fifth year following the date of the loan agreement during the entire life of the loan repayment obligation and shall implement the new revenue rates as approved by the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3326 and K.S.A. 1988 Supp. 65-3327; effective May 29, 1989.)

28-16-116. Failure to repay loan on schedule. Upon failure of a loan recipient to pay one or more installments of the loan repayment on schedule, the governing body of the loan recipient shall be consulted by the secretary, and thereafter the governing body shall adopt charges, as set by the secretary, to be levied against users of the project. These charges shall remain in effect until the full amount of the loan, including principal and interest, has been repaid. The governing body of each loan recipient shall collect any charges established by the secretary or required by the secretary and shall expeditiously forward the collected moneys to the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3327; effective May 29, 1989.)

28-16-117. Double benefits. (a) Projects receiving construction grants under the federal clean water act shall not be eligible to receive loans under the Kansas water pollution control revolving fund act for the nonfederal shares of the projects costs.

(b) Loans shall be made only for the publicly-owned portion of sewerage projects.

(c) If a project receives a loan for planning, preparation of design and construction documents or both, and subsequently receives a federal grant allowance for the same purposes, the loan recipient shall repay the loan to the extent of the allowance received by not later than 30 days from the receipt of the allowance. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-118. Project eligibility. (a) In order to receive a loan, each sewerage facility equivalency project shall comply or be consistent with:

(1) The best practicable waste treatment technology requirements defined in K.A.R. 28-16-110(a);

(2) The facilities planning process defined in K.A.R. 28-16-110(e);

(3) The type of projects described in K.A.R. 28-16-119;

(4) The alternative ultimate waste disposal procedure described in K.A.R. 28-16-120;

(5) The infiltration and inflow requirements described in K.A.R. 28-16-121;

(6) The alternative and innovative treatment provisions described in K.A.R. 28-16-122;

(7) The open space recreation requirement described in K.A.R. 28-16-123;

(8) The capital improvement plan described in K.A.R. 28-16-124; and

(9) The water quality management plan described in K.A.R. 28-16-125.

(b) In order to receive a loan, each nonpoint source pollution control equivalency project shall comply or be consistent with the nonpoint source pollution control management plan described in K.A.R. 28-16-126. (Authorized by and implementing K.S.A. 1988 Supp. 65-3323; effective May 29, 1989.)

28-16-119. Eligible project types. (a) An equivalency loan may be granted for:

(1) Projects providing secondary treatment, any part of secondary treatment or any cost-effective alternative to secondary treatment;

(2) Projects providing a treatment process or any part of a treatment process which is more stringent than secondary treatment or cost-effective alternatives;

(3) Other wastewater treatment works;

(4) New interceptors and their appurtenances;

(5) Excessive infiltration or inflow correction projects;

or
(6) Other sewerage facility projects, and nonpoint source pollution control management plan implementation projects, and groundwater quality protection projects. These type of projects shall not exceed 20% of equivalency funds, and require the specific designation of the governor.

(b) Any sewerage project or nonpoint source pollution control project may receive a loan from the nonequivalency portion of the Kansas water pollution control revolving fund upon approval of the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3324; effective May 29, 1989.)

28-16-120. Alternative ultimate disposal. Each loan applicant for a sewerage facility project shall evaluate alternative methods and technologies for the reuse or ultimate disposal of treated wastewater and residue material resulting from the waste treatment process. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-121. Infiltration and inflow. Each loan applicant for a sewerage facility project shall demonstrate that:
(a) the existing sewage collection systems related to the proposed project are not subject to excessive infiltration or inflow; or

(b) the loan applicant has been implementing an effective ongoing infiltration and inflow reduction program for those sewage collection systems. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-122. Alternative and innovative treatment. Each loan applicant for a wastewater treatment project shall demonstrate the consideration of cost effective alternative and innovative wastewater treatment processes and techniques during the planning, selection and design of the project. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-123. Open space recreation. Each loan applicant shall analyze and document the potential open space and recreation opportunities associated with the project. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-124. Capital improvement plan. Each loan applicant for a sewerage facility project shall submit to the secretary, with the loan application, a capital im-

provement financing plan for the applicant's projected sewerage facility needs. The plans shall cover not less than a five-year period and shall be approved by the governing body of the entity. The capital improvement financing plan shall be reviewed and kept current by the governing body during the entire life of the loan repayment obligation. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-125. Water quality management plan. Each sewerage facility project eligible for a loan shall be consistent with the applicable water quality management plan, the county-wide wastewater management plan or both, and the loan applicant shall be a designated wastewater management agency within the management plan. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-126. Nonpoint source pollution control management plan. Each nonpoint pollution control or groundwater quality protection project shall be consistent with applicable nonpoint pollution source control management planning approved by the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-127. Sewer use ordinance. Each loan applicant for a sewerage facility project shall develop, and subsequent to the secretary's approval, adopt a sewer use ordinance or other legally binding document to protect the integrity of the entire wastewater works system by:
(a) requiring the exclusion of excessive infiltration and inflows from the treatment works;

(b) prohibiting toxic concentrations of toxic materials in wastewater introduced into the treatment works; and

(c) prohibiting other pollutants in amounts or concentrations that:

(1) endanger public safety or the physical integrity of the treatment works; or

(2) cause violation of effluent or water quality limitations or cause residue or sludge processing or disposal problems. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-128. User charge system. Each loan applicant for a sewerage facility project shall develop, and subsequent to the secretary's review and approval, adopt a user charge system which shall produce adequate revenues for operation and maintenance of the entire wastewater works, including minor replacement. The user charge system shall be based on either actual use of the wastewater works, ad valorem taxes or a combination of the two. An ad valorem tax may only be used if that form of dedicated user charge had been in place prior to the initiation of the proposed project. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322 and K.S.A. 1988 Supp. 65-3326; effective May 29, 1989.)

28-16-129. Value engineering. Each loan recipient for a sewerage project shall conduct value engineering during the design phase of the project if the total esti-

(continued)

mated project cost exceeds \$10 million. The value engineering recommendations shall be implemented to the maximum extent possible as approved by the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-130. Project certification. Each loan recipient shall certify to the secretary whether the project meets the project's performance standards on the date one year after the initiation of operations of the project. The loan recipient shall be responsible for assuring timely correction and compliance, including recertification in case the initial certification was a negative declaration. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-131. Procurement. Each loan recipient shall follow applicable state procurement laws and regulations and procedures established by the secretary. The approval of the secretary is required prior to procurement. (Authorized by and implementing K.S.A. 1988 Supp. 65-3323; effective May 29, 1989.)

28-16-132. Fair labor standards. Bidding documents for each wastewater treatment works equivalency project shall include the prevailing wage rates established for the locality by the U.S. department of labor under the federal Davis-Bacon act. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-133. Small minority and women's business enterprises. Each loan recipient for a wastewater treatment works equivalency project shall assure that affirmative steps were taken to utilize small, minority and women's businesses as sources of supplies, construction and services. Affirmative steps shall be documented and submitted to the department. Project-specific goals may be set by the secretary. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-134. Projects documents. (a) Each loan applicant for a sewerage facility projects shall submit, for the secretary's review and approval, the following documents:

(1) A completed loan application on application forms furnished by the department;

(2) A facilities plan that establishes the need for the project;

(3) Complete design plans, specifications, and construction bidding documents, including detailed cost estimates necessary for competitive bidding, and projected construction and payment schedules;

(4) A plan of operation, including an overall project completion schedule, annual operating cost projections for a minimum of five years, a description of the financial management system, and projected revenues to operate and maintain the entire facility. Revenue projections shall also include the loan repayment obligations; and

(5) A facility operations manual, which shall be submitted before 90% of the project is completed.

(b) Each loan applicant for a nonpoint source pollution control management plan implementation or groundwater quality protection project shall submit, for the secretary's review and approval, the following documents:

(1) A completed loan application on application forms furnished by the department;

(2) Planning documents or any assessment which establishes the need for the project;

(3) Documents needed to plan the construction of the project.

(4) A plan of operation and maintenance to assure project performance for the design life of the project; and

(5) A binding assurance that adequate financial resources will be available for operation and maintenance of the project during the life of the project. (Authorized by and implementing K.S.A. 1988 Supp. 65-3323; effective May 29, 1989.)

28-16-135. Financial capability. As part of the loan application, each loan applicant shall demonstrate and certify to the secretary that the applicant has the financial capability to repay the loan and to cover the costs of operation and maintenance of the entire system of which the proposed project is an integral part. The financial assessment shall cover the life of the loan obligations and consider, as a minimum, changes in economic and population growth, existing in debt obligations, revenues, project costs, and effects on user charge rates. (Authorized by and implementing K.S.A. 1988 Supp. 65-3323; effective May 29, 1989.)

28-16-136. Public participation. Each loan recipient shall conduct a minimum of one public meeting and one public hearing prior to execution of the loan agreement.

(a) A public meeting shall be conducted during the preparation of the facilities plan, nonpoint source pollution control management plan or groundwater quality protection plan to discuss project alternatives. Public notice shall be given not less than 15 days before the public meeting.

(b) Prior to the adoption by the governing body and submission to the secretary for approval of the facilities plan, nonpoint source pollution control management plan or groundwater quality protection plan, a public hearing shall be conducted. Public notice shall be given not less than 30 days before the public hearing. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-137. Environmental review. Prior to completion of the loan agreement, each loan applicant shall conduct an environmental review in accordance with procedures established by the department. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

28-16-138. Project accounts. Each loan recipient shall maintain project accounts in accordance with or similar to generally accepted government accounting standards defined in the 1988 edition of the Government Accounting, Auditing, and Financial Reporting manual issued by the Government Finance Officers Association. (Authorized by K.S.A. 1988 Supp. 65-3323; implementing K.S.A. 1988 Supp. 65-3322; effective May 29, 1989.)

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 007685

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET**

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

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

Before Elliott, P.J.; Rees, J.; and Janice D. Russell,
District Judge, assigned.

Tuesday, April 18, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,301	State of Kansas, Appellee, v. Dale E. Roberts, Appellant.	Debra S. Byrd Attorney General Reid T. Nelson	Sedgwick
62,544	State of Kansas, Appellee, v. Ricky C. Hayden, Appellant.	Mona Furst Attorney General Thomas Jacquinet	Sedgwick
62,713	State of Kansas, Appellee, v. Jimmie Ray Pottorff, Sr., Appellant.	Mona Furst Attorney General Thomas Jacquinet	Sedgwick
2:00 p.m.			
62,285	Kelly L. North, Appellant, v. Tim Bulkley, M.D., and Hadley Memorial Hospital, Appellees.	Tom Kelley Robert D. Ochs William Tinker, Jr.	Sedgwick
62,776	In the Matter of the Estate of Ralph L. Blackburn, deceased.	Charles E. Orcutt Kerry J. Granger	Reno
62,746	In the Matter of the Hearing of Kenneth B. Gumm before the Police and Fire Retirement Board of the City of Wichita.	Herbert K. Dodd Dana J. Winkler	Sedgwick

Wednesday, April 19, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,570	Luther T. Harper, Appellant, v. City of Wichita, Appellee.	Norman I. Cooley Doug Moshier	Sedgwick

(continued)

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|--------|---|---|----------|
| 62,708 | Henry Eli, Appellee,
v.
Board of County Commissioners of
County of Sedgwick, Appellant. | Charles E. Watson

Edward L. Keeley | Sedgwick |
| 63,032 | Terry Irwin, dba Irwin Plumbing Co.
v.
Mid States Management & Development
Company, <i>et al.</i> , Appellants,
v.
Wichita Drywall & Acoustical Supply, Inc. | Edgar Wm. Dwire
Patricia Gilman
Phillip A. Miller | Sedgwick |

10:00 a.m.

- | | | | |
|--------|--|---|--------|
| 62,539 | Floyd C. Hauser, Appellant,
v.
Merle J. Fieser, M.D., and Central
Kansas Medical Center, Appellees. | Gary L. Conwell

Casey R. Law
Lee Turner | Barton |
| 63,014 | Ruth F. McLemore, Appellee,
v.
Barber County Savings & Loan
Association and First National Bank of
Medicine Lodge, Appellants. | Myrlen L. Bell

Gordon Penny
Alan C. Goering | Barber |

1:00 p.m.

- | | | | |
|--------|--|--|-----------|
| 63,023 | Jeffery T. Nichols, Appellant,
v.
Smoky Valley U.S.D. 400, Appellee. | Tim R. Karstetter

John W. Mize | McPherson |
| 61,830 | State of Kansas, Appellee,
v.
Walter Giessel and Raymond Hobbs,
Appellants. | Gerald Woolwine
Attorney General

Linda L. Eckelman
Barry K. Gunderson
Jack Focht | Clark |

Summary Calendar—No Oral Argument

- | | | | |
|--------|---|--|----------|
| 62,646 | Linda K. Young, formerly Linda K.
Fowler, Appellant,
v.
Stephen C. Fowler, Appellee. | Steven L. Boyce

Michael G. Patton | Lyon |
| 62,788 | State of Kansas, Appellee,
v.
James L. Jackson, Appellant. | Debra S. Byrd

Karen E. Mayberry | Sedgwick |

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

Before Davis, P.J.; Lewis, J.; and Terry L. Bullock,
 District Judge, assigned.

Tuesday, April 18, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,119	State of Kansas, Appellee, v. Laufranze Keoka Jones, Appellant.	Nick Tomasic Attorney General James F. Savage Jessica R. Kunen	Wyandotte
62,887	Ermil R. Miller, Appellant, v. Mary E. Alexander, <i>et al.</i> , Appellees.	David K. Fromme Marc Hurt Rudolf H. Beese	Johnson
10:00 a.m.			
62,968	State of Kansas, Appellee, v. Rita F. Redfern, aka Rita Schultz, Appellant.	John C. Fritz Steve Tatum Attorney General Wrightson J. Switz	Johnson
62,373	In the Matter of the Marriage of Joel G. Lareau and Robbie Lee Lareau.	Henry W. Green Douglas G. Waters	Leavenworth
1:00 p.m.			
62,797	Bob J. Settle, Appellant, v. Eugene R. Smith, Sr., Appellee.	Bob J. Settle, <i>pro se</i> Eugene R. Smith, Sr., <i>pro se</i>	Wyandotte
62,820	Josephine Macias, Appellant, v. City of Kansas City, <i>et al.</i> , Appellees.	J.R. Russell Maurice J. Ryan	Wyandotte
2:00 p.m.			
62,852	In the Matter of the Marriage of Judith Ann Schoneman and Norman Arnold Schoneman.	Karen L. Shelor Nicholas C. Vedros	Wyandotte
62,943	Dan Adams, Appellant, v. John Deere Co., Appellee.	John D. Tongier Kathryn H. Vratil	Johnson

(continued)

Wednesday, April 19, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,510	State of Kansas, Appellee, v. Daniel Steven Shaw, Appellant.	Steven J. Obermeier Bruce Beye Attorney General Jessica R. Kunen	Johnson
62,886	Pamela S. Eason, Appellant, v. Herman P. Sloan, Appellee, v. Farm Bureau Insurance Co., Inc., Appellant.	Dennis L. Horner Herman P. Sloan, <i>pro se</i> Paul Hasty, Jr. N. Jack Brown	Wyandotte
62,885	Mid-Central/Sysco Food Services, Appellee, v. Board of Tax Appeals, Appellant.	Charles W. Kiffin Mark W. Hinderks Bernis G. Terry	Johnson

Summary Calendar—No Oral Argument

63,078	Chester Irving, Appellant, v. Steven J. Davies, Director, and Kansas Parole Board, Appellees.	Sergio Delgado Carol R. Bonebrake Charles Simmons	Leavenworth
62,466	Anthony Nelson, Appellant, v. State of Kansas, Appellee.	Reid T. Nelson Attorney General Michael Grosko	Wyandotte
63,031	In the Interest of D.J.R. and C.R., minor children.	Terra D. Morehead John B. Knudsen Dee Tiday Craig A. Lubow Charles Filbert	Wyandotte
63,056	State of Kansas, Appellee, v. Luther Cumbie, Appellant.	Mary Murgia Attorney General Robert E. Jenkins	Wyandotte

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

Before Briscoe, P.J.; Rulon, J.; and Thomas H. Graeber,
 District Judge, assigned.

Tuesday, April 18, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,714	State of Kansas, Appellee, v. Roderick D. Bridwell, Appellant.	Steve M. Howe Gene M. Olander Attorney General Camille Nohe	Shawnee
62,970	Jerry Trotter, Appellant, v. Herb Maschner, Appellee.	Jerry Trotter, <i>pro se</i> Brian R. Johnson	Leavenworth
62,750	Bruce C. Adair and Charlotte M. Adair, his wife, and Narayana R. Atlura, Appellees, v. Wayne Ward and Sherry Ward, Appellees, and Robert M. Gaither, Sr., and Robert M. Gaither, Jr., Appellants.	Gary G. Miller Paul D. Post Natalie G. Haag	Shawnee
10:30 a.m.			
62,559	State of Kansas, Appellee, v. Chris L. Boten, Appellant.	David B. Debenham Kenneth R. Smith Attorney General John C. Humpage	Shawnee
1:30 p.m.			
61,556	Larry P. Thompson, <i>et al.</i> , Appellants, v. Mid-America Broadcasting of Topeka, Inc., <i>et al.</i> , Appellees.	Charles D. McAtee Michael W. Thompson Edward W. Dosh Stephen B. Higgins John C. Rubow	Neosho
62,778	V.C. Culver and Gene Grounds, Appellants, v. Phillip C. Lacey; Bremyer & Wise, P.A.; Delmar Knackstedt; Glennys J. Knackstedt; Iris F. Johnson; Maxine L. Lackey; and Ramon Carlson, Appellees.	Robert A. Schartz Bradley W. Denison Steven D. Gough Joseph Kennedy	McPherson

(continued)

2:30 p.m.

62,866	Annie Van Wincoop, Appellant, v. Indian Trails Manor, Inc., and Golden Years Health Care Services, Inc., Appellees.	Pieter A. Brower Max Gordon Larry G. Pepperdine	Shawnee
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Wednesday, April 19, 1989
9:00 a.m.

Case No.	Case Name	Attorneys	County
62,699	Kevin Irick, Appellant, v. Kansas Department of Revenue, Appellee.	Michael E. Riling Brian Cox	Douglas
62,889	David R. Broyles, Appellant, v. West Hills Homes Association, <i>et al.</i> , Appellees.	James E. Salyer James C. Wright John W. Brand, Jr. Edward G. Collister, Jr.	Douglas
62,218	Duane Kufahl, dba Onaga Cabinet Shop, Appellee, v. Dewey O. Booty, aka Dewey Booty and Patricia Ann Booty, his wife, and Farmers State Bank of Corning, Appellant.	Wayne M. Stallard William C. O'Keefe	Nemaha

Summary Calendar—No Oral Argument

62,665	State of Kansas, Appellee, v. Clark L. Brown, Appellant.	James Lusk Attorney General Jessica R. Kunen	Osage
62,782	State of Kansas, Appellee, v. Phillip Bliss, Appellant.	Gene Olander Attorney General Steven Zinn	Shawnee
63,055	Don Newton, Appellee, v. Cashco, Inc.; Travelers Insurance Co.; and Kansas Fire & Casualty Co., Appellees, and Kansas Workers' Compensation Fund, Appellant.	Patrik Neustrom Jeffrey E. King Jerry M. Ward David G. Shriver	Ellsworth
62,748	State of Kansas, Appellee, v. Walter R. Brown, Appellant.	Mike Ward Attorney General Ernest L. Tousley	Butler

62,981 Roy L. Cagle, Appellant, Roy L. Cagle, *pro se* Leavenworth
 v.
 Wayne Shipman, *et al.*, Appellees. Charles Simmons

Thursday, April 20, 1989
 9:00 a.m.

Before Abbott, C.J.; Brazil and Larson, JJ.

Case No.	Case Name	Attorneys	County
62,717	State of Kansas, Appellee,	Allen Boeh Attorney General	Doniphan
	v.		
	James Siard, Jr., Appellant.	Larry R. Mears	

9:30 a.m.

Before Brazil, P.J.; Larson and Gernon, JJ.

63,022	State of Kansas, Appellee,	Gregory G. Hough Attorney General	Geary
	v.		
	Heinz Wallace, Appellant.	Gaylon K. Kintner	
62,645	In the Matter of the Appeal of Bernie's Excavating Co., Inc.	Thomas E. Hatten Bruce D. Woolpert	Tax Appeal

Summary Calendar—No Oral Argument

62,966	State of Kansas, Appellee,	Michael F. Powers Attorney General	Morris
	v.		
	Elaine Nance, Appellant.	Rick Kittle	

Kansas Court of Appeals
 Main Courtroom, Finney County Courthouse
 Garden City, Kansas

Before Brazil, P.J.; Larson, J.; and John W. White,
 District Judge, assigned.

Tuesday, April 18, 1989
 9:00 a.m.

Case No.	Case Name	Attorneys	County
62,941	Juan Guevara, Appellee,	Harold Greenleaf	Finney
	v.		
	Packers Sanitation Service, Inc., and Liberty Mutual Insurance Co., Appellants.	Terry J. Malone	
62,766	Karl McLaughlin, Appellee,	Kelly W. Johnston James F. Johnston	Ford
	v.		
	Excel Corporation, Appellant.	David J. Rebein	
62,735	In the Matter of the Marriage of Larry W. Nelson and Barbara J. Nelson.	David J. Waxse Allen Shelton	Norton

(continued)

10:00 a.m.

62,848	Mike D. Hammit, Appellant, v. IBP, Inc., Appellee.	Daniel H. Diepenbrock E. Edward Brown	Finney
62,631	Scotty P. Williams, Appellant, v. Kansas Department of Revenue, Appellee.	Michael S. Holland Brian Cox	Russell
62,803	Loretta Morrison, Appellee, v. Clayton S. Morrison, Appellant.	M. John Carpenter L. Earl Watkins, Jr.	Barton

1:00 p.m.

62,674	In the Matter of the Appeal of Hawkins Oil & Gas, Inc., from Board of Tax Appeals.	William E. Waters Jay E. Fowler Gerald Woolwine	Clark
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Wednesday, April 19, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,900	In the Matter of the Estate of G. Myrl Saylor, deceased.	C. Stanley Nelson Harry Waite	Ford
62,736	John A. Wahrman, Appellee, v. Joe C. Wahrman, Raymond Wahrman, Joseph Wahrman, and Mary Wahrman Estate, Appellants.	Elmo Lund Robert A. Creighton Raymond Wahrman, <i>pro se</i>	Rawlins
62,731	Angela Millan, Appellant, v. Robert A. Millan, Appellee.	Karen L. Griffiths Harold T. McCubbin	Norton

10:00 a.m.

62,344	Billy K. Snodgrass and Auto. Insurance Co. of Hartford, Conn., Appellees, v. State Farm Mutual Auto. Insurance Co. and U.S. Fidelity & Guaranty Co., Appellants.	Jacob S. Graybill Stephen M. Kerwick	Sedgwick
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Summary Calendar—No Oral Argument

62,531	Octaviano Toby Rosas, Jr., Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen James A. Cleland Jay Hinkel Attorney General	Finney
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62,436	State of Kansas, Appellee, v. Kevin Atkinson, Appellant.	James A. Cleland Jay Hinkel Attorney General Shannon S. Crane	Finney
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**Kansas Court of Appeals
Law Enforcement Center Courtroom
Garden City, Kansas**

Before Abbott, C.J.; Gernon, J.; and Paul E. Miller,
District Judge, assigned.

Tuesday, April 18, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,106	State of Kansas, Appellee, v. Edward Rintoul Adams, Appellant.	Jay Hinkel Attorney General Lucille Marino	Finney
62,302	State of Kansas, Appellee, v. Gary F. Brown, Appellant.	Jay Hinkel Attorney General Jessica R. Kunen	Finney
62,751	State of Kansas, Appellee, v. Jay D. Roberts and Patty Sue Roberts, aka Patty Pfaff, Appellants.	Daniel L. Love Attorney General Shannon S. Crane	Ford

10:00 a.m.

62,692	State of Kansas, Appellee, v. Wayne H. Tittes, Jr., Appellant.	Perry Warren Attorney General Steven R. Zinn	Sherman
62,950	Joan P. Waldron, Appellant, v. Samuel A. Waldron, Appellee.	Perry Warren Perry Murray	Thomas
62,571	Everett Hess and JoElla Hess, Appellants, v. Francis R. Applegate and Haven Applegate, Appellees.	Gregory J. Herrman Donald F. Hoffman	Ellis

1:00 p.m.

62,476	In the Matter of the Marriage of Susan Margaret Kreller and James Byron Kreller.	John Bird Ross Wichman	Ellis
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(continued)

Wednesday, April 19, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,675	Patrick Wirtz, Appellant, v. Ernsting, Inc., and Western Insurance Co., Appellees.	Gail Carpenter Thomas J. Berscheidt	Barton
62,916	First National Bank and Trust Co., Dodge City, Appellee, v. Adrian Milford and Mary Milford, Appellants.	John E. Fierro David L. Patton	Ford

10:00 a.m.

62,710	Russell State Bank, Appellee, v. Gene Chrisler and Dorene Chrisler, Appellants.	Marvin E. Thompson John C. Woelk	Russell
62,611	James C. Murray and Bernice L. Murray, Appellees, v. Mary Grundeman, Appellant.	Lawrence A. Taylor Mary Grundeman, <i>pro se</i> Kenneth Clark	Thomas

Summary Calendar—No Oral Argument

62,596	In the Matter of the Marriage of Patricia Ann McPheter and Gordon Lee McPheter.	Gene F. Anderson John T. Bird	Ness
62,583	State of Kansas, Appellee, v. William W. Wheeler, Jr., Appellant.	John R. Stanley Attorney General Charles D. Dedmon	Hamilton

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 007682

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 1: DEPARTMENT OF ADMINISTRATION			AGENCY 4: BOARD OF AGRICULTURE		
Reg. No.	Action	Register	Reg. No.	Action	Register
1-2-25	Amended	V. 7, p. 1408	1-9-8	Amended	V. 7, p. 1410
1-2-81	New	V. 7, p. 1816	1-9-19a	New	V. 7, p. 1816
1-2-81	New	V. 7, p. 1879	1-9-19a	New	V. 7, p. 1879
1-5-11	Amended	V. 8, p. 130	1-14-11	Amended	V. 7, p. 1411
1-5-13	Amended	V. 8, p. 130	1-16-15	Amended	V. 7, p. 1411
1-5-15	Amended	V. 8, p. 130	1-16-18	Amended	V. 7, p. 1411
1-6-2	Amended	V. 7, p. 1816	1-16-18a	Amended	V. 7, p. 1412
1-6-2	Amended	V. 7, p. 1879	1-18-1a	Amended	V. 7, p. 1414
1-6-24	Amended	V. 8, p. 131	1-24-1	Amended	V. 7, p. 1414
1-6-31	New	V. 8, p. 131	1-24-2	Revoked	V. 7, p. 1414
1-6-32	New	V. 7, p. 1816			
1-6-32	New	V. 7, p. 1879			
1-9-5	Amended	V. 7, p. 1408			
1-9-6	Amended	V. 7, p. 1409			

4-2-18 New V. 7, p. 1839
 4-3-47 Amended V. 7, p. 315
 4-3-48 Amended V. 7, p. 315
 4-3-49 New V. 7, p. 315
 4-3-50 New V. 7, p. 315
 4-7-716 Amended V. 7, p. 1839
 4-8-14 Amended V. 7, p. 1839
 4-8-15

through
 4-8-27 Revoked V. 7, p. 316
 4-8-28

through
 4-8-39 New V. 7, p. 316, 317
 4-8-39 Amended V. 7, p. 1840
 4-8-40 Amended V. 7, p. 1840
 4-10-1 Amended V. 7, p. 317
 4-10-2d Amended V. 7, p. 1840
 4-10-2i Amended V. 7, p. 318
 4-10-2k Amended V. 7, p. 1840
 4-10-4 Amended V. 7, p. 319
 4-10-5 Amended V. 7, p. 320
 4-10-15 Amended V. 7, p. 322
 4-10-16 Amended V. 7, p. 1841
 4-10-17 New V. 7, p. 322
 4-13-9 Amended V. 7, p. 322
 4-13-11 Amended V. 7, p. 1841
 4-13-13 Amended V. 7, p. 1843
 4-13-14 Amended V. 7, p. 325
 4-13-16 Amended V. 7, p. 325
 4-13-20 Amended V. 7, p. 325
 4-13-33 Amended V. 7, p. 325

4-13-34 through
 4-13-37 New V. 7, p. 325, 326
 4-13-34 Amended V. 7, p. 1845
 4-13-35 Amended V. 7, p. 1845
 4-13-36 Amended V. 7, p. 1845
 4-13-38 New V. 7, p. 1846
 4-13-60

through
 4-13-65 New V. 7, p. 1846-1848
 4-16-1a Amended V. 7, p. 1848
 4-16-1c Amended V. 7, p. 1848
 4-16-3a New V. 7, p. 1849
 4-16-7a Amended V. 7, p. 1849
 4-16-252 New V. 7, p. 1849
 4-16-260 New V. 7, p. 327
 4-17-1a New V. 7, p. 1849
 4-17-1c New V. 7, p. 1850
 4-17-5 Revoked V. 7, p. 1850
 4-17-5a New V. 7, p. 1850
 4-25-1 Revoked V. 7, p. 1850
 4-33-1 New V. 8, p. 132

**AGENCY 5: BOARD OF AGRICULTURE—
 DIVISION OF WATER RESOURCES**

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5-10-2	Revoked	V. 7, p. 109
5-10-3	Revoked	V. 7, p. 109
5-25-4	Amended	V. 7, p. 109

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
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7-33-1	New	V. 7, p. 1606

**AGENCY 9: ANIMAL HEALTH
 DEPARTMENT**

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9-14-1 through 9-14-5	New	V. 7, p. 1400

**AGENCY 11: STATE CONSERVATION
 COMMISSION**

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11-1-6	New	V. 7, p. 111

11-1-7 New V. 7, p. 111
 11-1-8 New V. 7, p. 111
 11-2-1 Revoked V. 7, p. 111
 11-2-2 Revoked V. 7, p. 111
 11-2-3 Revoked V. 7, p. 111
 11-2-4 New V. 7, p. 111
 11-2-5 New V. 7, p. 111
 11-2-6 New V. 7, p. 111

**AGENCY 13: ALCOHOLIC BEVERAGE
 CONTROL BOARD OF REVIEW**

Reg. No.	Action	Register
13-1-1	Revoked	V. 7, p. 110
13-1-2	Revoked	V. 7, p. 110
13-2-1 through 13-2-15	Revoked	V. 7, p. 110
13-3-1	Revoked	V. 7, p. 110
13-3-2	Revoked	V. 7, p. 110
13-4-1 through 13-4-5	Revoked	V. 7, p. 110
13-5-1	Revoked	V. 7, p. 110
13-5-2	Revoked	V. 7, p. 110
13-6-1	Revoked	V. 7, p. 110

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

Reg. No.	Action	Register
14-1-1	Revoked	V. 7, p. 779
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14-3-1 through 14-3-20	Revoked	V. 7, p. 780
14-3-22 through 14-3-42	Revoked	V. 7, p. 780, 781
14-4-1 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
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14-5-3	Revoked	V. 7, p. 782
14-5-4	Amended	V. 7, p. 782
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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
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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

(continued)

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. 1338
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. 1340
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	New	V. 7, p. 716
28-39-400		
through		
28-39-411	New	V. 7, p. 716
28-50-1	Amended	V. 7, p. 716
28-50-2	Amended	V. 7, p. 716
28-50-4	Amended	V. 7, p. 716
28-50-5		
through		
28-50-9	Amended	V. 7, p. 716
28-50-9	Amended	V. 7, p. 1354
28-50-14	Amended	V. 7, p. 716
28-60-1		
through		
28-60-9	Amended	V. 7, p. 716
28-60-1		
through		
28-60-6	Amended	V. 7, p. 1740, 1741
28-60-7	Revoked	V. 7, p. 1742
28-60-9	Amended	V. 7, p. 1742
28-65-1	New	V. 7, p. 716
28-65-2	New	V. 7, p. 716
28-65-3	Amended	V. 7, p. 1399

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 7, p. 1402
30-4-34	Amended	V. 7, p. 716

30-4-35	Amended	V. 7, p. 717
30-4-36	Amended	V. 7, p. 717
30-4-41	Amended	V. 7, p. 717
30-4-50	Amended	V. 7, p. 1402
30-4-50	Amended	V. 7, p. 1437
30-4-54	Amended	V. 7, p. 717
30-4-56	Amended	V. 7, p. 717
30-4-57	Amended	V. 7, p. 1402
30-4-57	Amended	V. 7, p. 1437
30-4-58	Amended	V. 7, p. 1403
30-4-62	Amended	V. 7, p. 1403
30-4-62	Amended	V. 7, p. 1438
30-4-63	New	V. 7, p. 1403
30-4-63	Amended	V. 7, p. 1439
30-4-74	Amended	V. 7, p. 1404
30-4-75	Amended	V. 7, p. 717
30-4-78	Amended	V. 7, p. 717
30-4-80	Amended	V. 7, p. 1404
30-4-90	Amended	V. 7, p. 1404
30-4-91	Amended	V. 7, p. 718
30-4-95	Amended	V. 7, p. 1404
30-4-100	Amended	V. 7, p. 718
30-4-101	Amended	V. 7, p. 1404
30-4-102	Amended	V. 7, p. 1404
30-4-106	Amended	V. 7, p. 1404
30-4-108		
through		
30-4-113	Amended	V. 7, p. 718, 719
30-4-108	Amended	V. 7, p. 1404
30-4-110	Amended	V. 7, p. 1404
30-4-113	Amended	V. 7, p. 1404
30-4-120	Amended	V. 7, p. 1404
30-4-120	Amended	V. 7, p. 1440
30-4-130	Amended	V. 7, p. 719
30-5-58	Amended	V. 7, p. 1404
30-5-58	Amended	V. 7, p. 1441
30-5-58	Amended	V. 7, p. 1868
30-5-59	Amended	V. 7, p. 720
30-5-65	Amended	V. 7, p. 720
30-5-70	Amended	V. 7, p. 720
30-5-71	Amended	V. 7, p. 720
30-5-75	New	V. 7, p. 721
30-5-81	Amended	V. 7, p. 1405
30-5-81	Amended	V. 7, p. 1880
30-5-81	Amended	V. 7, p. 1868
30-5-81b	Amended	V. 7, p. 1405
30-5-81b	Amended	V. 7, p. 1444
30-5-81t	Amended	V. 7, p. 721
30-5-82	Amended	V. 7, p. 1868
30-5-83	Amended	V. 7, p. 1869
30-5-83a	Amended	V. 7, p. 721
30-5-84	Amended	V. 7, p. 721
30-5-84a	Amended	V. 7, p. 721
30-5-86	Amended	V. 7, p. 1869
30-5-86a	Amended	V. 7, p. 721
30-5-86b		
through		
30-5-86e	Revoked	V. 7, p. 721
30-5-87	Amended	V. 7, p. 1869
30-5-87a	Amended	V. 7, p. 1869
30-5-88	Amended	V. 7, p. 1405
30-5-88	Amended	V. 7, p. 1869
30-5-88	Amended	V. 7, p. 1881
30-5-89	Amended	V. 7, p. 1869
30-5-92	Amended	V. 7, p. 1869
30-5-100	Amended	V. 7, p. 1869
30-5-100	Amended	V. 7, p. 1445
30-5-101	Amended	V. 7, p. 1869
30-5-102	Amended	V. 7, p. 722
30-5-103	Amended	V. 7, p. 1869
30-5-104	Amended	V. 7, p. 1869
30-5-106a	Amended	V. 7, p. 722
30-5-108	Amended	V. 7, p. 1869
30-5-110	Amended	V. 7, p. 722
30-5-110a	Amended	V. 7, p. 722
30-5-112	Amended	V. 7, p. 1869
30-5-113	New	V. 7, p. 1869
30-5-113a	New	V. 7, p. 722
30-5-114	New	V. 7, p. 722
30-5-114a	New	V. 7, p. 723
30-5-150	Amended	V. 7, p. 723
30-5-151	Amended	V. 7, p. 723
30-5-152	Amended	V. 7, p. 723
30-5-154	Amended	V. 7, p. 723
30-5-155	Amended	V. 7, p. 1869
30-5-156	Amended	V. 7, p. 723

30-5-157	Amended	V. 7, p. 723
30-5-159		
through		
30-5-163	Amended	V. 7, p. 723, 724
30-5-67		
through		
30-5-171	Amended	V. 7, p. 724
30-6-35	Amended	V. 7, p. 724
30-6-36	Amended	V. 7, p. 724
30-6-41	Amended	V. 7, p. 1405
30-6-53	Amended	V. 7, p. 1405
30-6-53	Amended	V. 7, p. 1869
30-6-54	Amended	V. 7, p. 724
30-6-56	Amended	V. 7, p. 1405
30-6-57	Amended	V. 7, p. 724
30-6-58	Amended	V. 7, p. 1405
30-6-65	Amended	V. 7, p. 1405
30-6-65	Amended	V. 7, p. 1445
30-6-74	Amended	V. 7, p. 1405
30-6-77	New	V. 7, p. 1405
30-6-78	Amended	V. 7, p. 1406
30-6-79	Amended	V. 7, p. 725
30-6-86	New	V. 7, p. 1869
30-6-103	Amended	V. 7, p. 1406
30-6-103	Amended	V. 7, p. 1869
30-6-106		
through		
30-6-113	Amended	V. 7, p. 725, 726
30-6-106	Amended	V. 7, p. 1406
30-6-107	Amended	V. 7, p. 1406
30-6-107	Amended	V. 7, p. 1870
30-6-108	Amended	V. 7, p. 1406
30-6-109	Amended	V. 7, p. 1406
30-6-112	Amended	V. 7, p. 1406
30-6-113	Amended	V. 7, p. 1407
30-10-1a	Amended	V. 7, p. 1870
30-10-1b	Amended	V. 7, p. 1870
30-10-2	Amended	V. 7, p. 727
30-10-3	Amended	V. 7, p. 727
30-10-4	Amended	V. 7, p. 727
30-10-7	Amended	V. 7, p. 1870
30-10-9	Amended	V. 7, p. 727
30-10-11	Amended	V. 7, p. 1870
30-10-15a	Amended	V. 7, p. 1871
30-10-15b	Amended	V. 7, p. 1871
30-10-16	Amended	V. 7, p. 1871
30-10-17	Amended	V. 7, p. 1871
30-10-18	Amended	V. 7, p. 1871
30-10-19	Amended	V. 7, p. 1871
30-10-20	Amended	V. 7, p. 1871
30-10-21	Amended	V. 7, p. 1871
30-10-23a	Amended	V. 7, p. 727
30-10-24	Amended	V. 7, p. 1871
30-10-25	Amended	V. 7, p. 728
30-10-28	Amended	V. 7, p. 1873
30-10-29	Amended	V. 7, p. 728
30-22-30	Amended	V. 7, p. 728
30-22-32	Amended	V. 7, p. 729
30-31-2	Amended	V. 7, p. 729
30-31-3	Amended	V. 7, p. 729
30-31-4	Amended	V. 7, p. 729
30-46-1		
through		
30-46-6	New	V. 7, p. 729, 730
30-46-1		
through		
30-46-6	Revoked	V. 7, p. 1873
30-46-10		
through		
30-46-17	New	V. 7, p. 1873, 1874
30-51-1		
through		
30-51-5	New	V. 7, p. 730, 731

AGENCY 36: DEPARTMENT OF TRANSPORTATION

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

36-27-12	Amended	V. 7, p. 218
36-27-13	Amended	V. 7, p. 219

AGENCY 38: SAVINGS AND LOAN DEPARTMENT

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

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-29	Revoked	V. 7, p. 584
40-1-36	Amended	V. 7, p. 584
40-2-12	Amended	V. 8, p. 452
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
40-3-5	Amended	V. 8, p. 454
40-3-12	Amended	V. 7, p. 588
40-3-33	Amended	V. 7, p. 588
40-3-44	New	V. 8, p. 454
40-4-22	Amended	V. 7, p. 591
40-4-35	Amended	V. 7, p. 2058
40-4-35a	New	V. 7, p. 2059
40-4-35a	New	V. 8, p. 454
40-4-37	New	V. 7, p. 1329
40-4-38	New	V. 8, p. 455
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. 8, p. 455
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
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. 8, p. 451
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. 8, p. 451
44-11-122	Amended	V. 7, p. 2032
44-11-123	Amended	V. 8, p. 451
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

(continued)

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
74-5-202	Amended	V. 8, p. 493
74-5-203	Amended	V. 8, p. 493
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	Amended	V. 8, p. 493

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. 8, p. 423
82-3-103	Amended	V. 7, p. 420
82-3-103a	New	V. 8, p. 425
82-3-106 through 82-3-109	Amended	V. 7, p. 421-423
82-3-105	Amended	V. 8, p. 425
82-3-106	Amended	V. 8, p. 425
82-3-107	Amended	V. 8, p. 426
82-3-109	Amended	V. 8, p. 427
82-3-112	Amended	V. 7, p. 423
82-3-114	Amended	V. 8, p. 427
82-3-117	Amended	V. 7, p. 424
82-3-120	Amended	V. 8, p. 428
82-3-123	Amended	V. 8, p. 428
82-3-123a	New	V. 8, p. 429
82-3-124	Amended	V. 8, p. 429
82-3-130	Amended	V. 8, p. 430
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
82-3-139	Amended	V. 8, p. 430
82-3-140	Amended	V. 8, p. 430
82-3-141	New	V. 7, p. 427
82-3-142	New	V. 8, p. 430
82-3-143	New	V. 8, p. 430
82-3-202	Amended	V. 7, p. 427
82-3-203	Amended	V. 8, p. 431
82-3-204	Amended	V. 7, p. 428
82-3-205	Amended	V. 8, p. 431
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
82-3-305	Amended	V. 8, p. 431
82-3-306	Amended	V. 7, p. 429
82-3-311	Amended	V. 8, p. 431
82-3-312	Amended	V. 7, p. 429
82-3-400	Amended	V. 8, p. 432
82-3-401	Amended	V. 8, p. 432
82-3-402	Amended	V. 8, p. 434
82-3-405	Amended	V. 8, p. 434

82-3-407	Amended	V. 8, p. 435
82-3-408	Amended	V. 8, p. 435
82-3-409	Amended	V. 8, p. 435
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
82-11-1 through 82-11-9	New	V. 8, p. 377-383

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
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
91-1-128a	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
91-1-146c	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
91-16-30	New	V. 8, p. 423
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

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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
111-2-7	New	V. 8, p. 376
111-2-8	New	V. 8, p. 376
111-3-1	Amended	V. 7, p. 1061
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 7, p. 1190
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062
111-3-11	Amended	V. 8, p. 299
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 7, p. 1062
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19		
through		
111-3-22	Amended	V. 7, p. 1309, 1310
111-3-20	Amended	V. 7, p. 1434
111-3-21	Amended	V. 7, p. 1606
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206
111-4-22		
through		
111-4-40	Revoked	V. 7, p. 206, 207
111-4-41	Revoked	V. 7, p. 1435
111-4-42	Revoked	V. 7, p. 1435
111-4-43	Revoked	V. 7, p. 207
111-4-44	Revoked	V. 7, P. 1435

111-4-46		
through		
111-4-64	Revoked	V. 7, p. 207
111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-66	Amended	V. 8, p. 134
111-4-67	Amended	V. 7, p. 1064
111-4-68	Amended	V. 7, p. 931
111-4-69	Amended	V. 7, p. 931
111-4-70	Amended	V. 8, p. 134
111-4-71	Amended	V. 7, p. 1190
111-4-71a	Amended	V. 7, p. 1435
111-4-71b	New	V. 8, p. 333
111-4-72	Amended	V. 8, p. 134
111-4-73	Amended	V. 8, p. 134
111-4-73a	Revoked	V. 8, p. 134
111-4-74	Amended	V. 7, p. 931
111-4-77a	Amended	V. 8, p. 134
111-4-78		
through		
111-4-82	Revoked	V. 8, p. 13
111-4-82a	Revoked	V. 8, p. 13
111-4-83		
through		
111-4-87	Revoked	V. 8, p. 13
111-4-88		
through		
111-4-91	Revoked	V. 8, p. 210
111-4-92		
through		
111-4-95	Revoked	V. 8, p. 299
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-99a	New	V. 7, p. 1807
111-4-99b	New	V. 7, p. 1807
111-4-115		
through		
111-4-118	New	V. 7, p. 1946, 1947
111-4-118a	New	V. 8, p. 13
111-4-119		
through		
111-4-125	New	V. 8, p. 135, 136
111-4-126		
through		
111-4-129	New	V. 8, p. 376, 377
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
111-5-20	Revoked	V. 8, p. 212
111-5-21	New	V. 8, p. 299
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 8, p. 212
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-16	Revoked	V. 8, p. 212
111-6-17	New	V. 7, p. 1191
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-4	Amended	V. 7, p. 1610
111-7-5	Amended	V. 7, p. 1610
111-7-11	New	V. 7, p. 1224
111-7-12		
through		
111-7-32	New	V. 7, p. 1194-1196

111-7-12		
through		
111-7-27	Revoked	V. 7, p. 1436, 1437
111-7-28	Amended	V. 8, p. 300
111-7-32a	New	V. 7, p. 1196
111-7-32b	Amended	V. 8, p. 333
111-7-33		
through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33	Revoked	V. 7, p. 1437
111-7-33a	New	V. 8, p. 300
111-7-34a	Amended	V. 8, p. 333
111-7-37a	Amended	V. 8, p. 458
111-7-43	Revoked	V. 8, p. 212
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	New	V. 7, p. 1633
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5		
through		
111-8-13	New	V. 7, p. 1634
111-9-1		
through		
111-9-12	New	V. 7, p. 1714-1716
111-9-13		
through		
111-9-18	New	V. 8, p. 300, 301
111-10-1		
through		
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-1		
through		
112-3-20	New	V. 7, p. 1357-1370
112-4-1		
through		
112-4-14	New	V. 8, p. 92
112-4-1		
through		
112-4-14	New	V. 8, p. 255-257
112-4-16	New	V. 8, p. 92
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 92
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 92
112-4-18	New	V. 8, p. 258
112-4-20	New	V. 8, p. 92
112-4-20	New	V. 8, p. 259
112-5-1		
through		
112-5-9	New	V. 8, p. 92
112-5-1		
through		
112-5-9	New	V. 8, p. 258-260
112-6-1		
through		
112-6-8	New	V. 8, p. 92, 93
112-6-1		
through		
112-6-8	New	V. 8, p. 261-263
112-8-2		
through		
112-8-12	New	V. 8, p. 93
112-8-2		
through		
112-8-12	New	V. 8, p. 263-267
112-13-2	New	V. 8, p. 93
112-13-2	New	V. 8, p. 267

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*, April 13, 1989.)

HOUSE BILL No. 2273

AN ACT directing the secretary of state to convey certain lands in Atchison county and Doniphan county to certain persons claiming such lands under color of title.

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

Section 1. The secretary of state is hereby authorized and directed to cause to be conveyed by quitclaim deed, without consideration, any title of the state of Kansas in any tract of land located in Atchison county or Doniphan county between the west Missouri river meander line established by the Kansas survey of 1872 and the east Missouri river meander line established by the Missouri survey of 1862 to the person or persons claiming such tract under color of title.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

HOUSE BILL No. 2104

AN ACT concerning electric cooperatives; amending K.S.A. 17-4617 and 17-4618 and repealing the existing sections.

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

Section 1. K.S.A. 17-4617 is hereby amended to read as follows: 17-4617. (a) Any two or more cooperatives (~~each of which is hereinafter designated a "consolidating cooperative"~~) may consolidate into a new co-operative (~~hereinafter designated the "new cooperative"~~), by complying with the following requirements:

(a) (1) The proposition for the consolidation of the consolidating cooperatives into the new cooperative and proposed articles of consolidation ~~to give effect thereto~~ shall be submitted to a meeting of the members of each consolidating cooperative, the notice of which shall have attached ~~thereto~~ a copy of the proposed articles of consolidation; *and*

(b) (2) if the proposed consolidation and the proposed articles of consolidation, with any amendments, are approved by the affirmative vote of not less than ~~two-thirds~~ $\frac{2}{3}$ of the members of each consolidating cooperative *voting* at each such meeting, articles of consolidation in the form approved shall be executed and acknowledged on behalf of each consolidating cooperative by its president or vice-president and its seal shall be affixed thereto and attested by its secretary.

(b) *Voting on the proposed articles of consolidation shall be in accordance with subsection (e) of K.S.A. 17-4610 and amendments thereto.*

(c) The articles of consolidation shall recite that they are executed pursuant to this act and shall state:

(1) The name of each consolidating cooperative and the address of its principal office;

(2) the name of the new cooperative and the address of its principal office;

(3) a statement that each consolidating cooperative agrees to the consolidation;

(4) the names and addresses of the trustees of the new cooperative; *and*

(5) the terms and conditions of the consolidation and the mode of carrying the same into effect, including the manner in which the members of the consolidating cooperatives may or shall become members of the new cooperative; *and*.

Such articles may contain any provisions not inconsistent with this act deemed necessary or advisable for the conduct of the business of the new cooperative.

(d) The president or vice-president of each consolidating cooperative executing ~~such the~~ articles of consolidation shall make and annex thereto an affidavit stating that the provisions of this section in respect of such articles were duly complied with by such cooperative.

Sec. 2. K.S.A. 17-4618 is hereby amended to read as follows: 17-4618. (a) Any one or more cooperatives (~~each of which is hereinafter designated a "merging cooperative"~~) may merge into another cooperative (~~hereinafter designated the "surviving cooperative"~~), by complying with the following requirements:

(a) (1) The proposition for the merger of the merging cooperative into the surviving cooperative and proposed articles of merger ~~to give effect thereto~~ shall be submitted to a meeting of the members of each merging cooperative ~~and of the surviving cooperative~~, the notice of which shall have attached ~~thereto~~ a copy of the proposed articles of merger; *and*

(b) (2) if the proposed merger and the proposed articles of merger, with any amendments, are approved by the affirmative vote of not less than ~~two-thirds~~ $\frac{2}{3}$ of the members of each cooperative *voting* at each such meeting, articles of merger in the form approved shall be executed and acknowledged on behalf of each such cooperative by its president or vice-president and its seal shall be affixed thereto and attested by its secretary.

(b) *Voting on the proposed articles of merger shall be in accordance with subsection (e) of K.S.A. 17-4610 and amendments thereto.*

(c) The articles of merger shall recite that they are executed pursuant to this act and shall state:

(1) The name of each merging cooperative and the address of its principal office;

(2) the name of the surviving cooperative and the address of its principal office;

(3) a statement that each merging cooperative and the surviving cooperative agree to the merger;

(4) the names and addresses of the trustees of the surviving cooperative; *and*

(5) the terms and conditions of the merger and the mode of carrying the same into effect, including the manner in which members of the merging cooperatives may or shall become members of the surviving co-operative; *and*.

Such articles may contain any provisions not inconsistent with this act deemed necessary or advisable for the conduct of the business of the surviving cooperative.

(d) The president or vice-president of each cooperative executing ~~such the~~ articles of merger shall make and annex thereto an affidavit stating that the provisions of this section in respect of such articles were duly complied with by such cooperative.

Sec. 3. K.S.A. 17-4617 and 17-4618 are 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, April 13, 1989.)

(Published in the Kansas Register, April 13, 1989.)

HOUSE BILL No. 2010

HOUSE BILL No. 2006

AN ACT relating to documents filed in the office of the register of deeds; amending K.S.A. 1988 Supp. 28-115 and repealing the existing section.

AN ACT concerning crimes and punishments; defining and classifying the crime of commercialization of wildlife.

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

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

Section 1. K.S.A. 1988 Supp. 28-115 is hereby amended to read as follows: 28-115. The register of deeds of each county shall charge and collect the following fees:

Section 1. (a) Commercialization of wildlife is knowingly committing any of the following, except as permitted by statute or rules and regulations:

For recording deeds, mortgages or other instruments of writing, for first page, not to exceed legal size page — 8 1/2" x 14"	\$6.00
For second page and each additional page or fraction thereof	2.00
Recording town plats, for each page	20.00
Recording release or assignment of real estate mortgage	5.00
Certificate, certifying any instrument on record	1.00
Acknowledgment of a signature50
For filing notices of tax liens under the internal revenue laws of the United States	5.00
For filing releases of tax liens, certificates of discharge, under the internal revenue laws of the United States or the revenue laws of the state of Kansas filed both prior to and after the effective date of this act	5.00
For filing liens for materials and services under K.S.A. 58-201, and amendments thereto	5.00

- (1) Capturing, killing or possessing, for profit or commercial purposes, all or any part of any wildlife protected by this section;
- (2) selling, bartering, purchasing or offering to sell, barter or purchase, for profit or commercial purposes, all or any part of any wildlife protected by this section;

For any filing or service provided for in the uniform commercial code, the amount therein provided, shall be charged and collected. No fee shall be charged or collected for any filing made by the department of revenue as required under the provisions of the Kansas inheritance tax act, and amendments thereto. All fees enumerated in this section, except those charged for the filing of liens and releases of tax liens under the internal revenue laws of the United States, shall be due and payable before the register of deeds shall be required to do the work. If the register of deeds fails to collect any of the fees provided in this section, the amount of the fees at the end of each quarter shall be deducted from the register's salary. The register of deeds shall bill the United States internal revenue service on the last day of each month for the amount of fees accrued in the filing and releasing of federal tax liens. If the name or names of the signer or signers or any notary public to any instrument to be recorded are not plainly typed or printed under the signatures affixed to the instrument, the register of deeds shall charge and collect a fee of \$1 in addition to all other fees provided in this section.

- (3) shipping, exporting, importing, transporting or carrying; causing to be shipped, exported, imported, transported or carried; or delivering or receiving for shipping, exporting, importing, transporting or carrying all or any part of any wildlife protected by this section, for profit or commercial purposes; or
- (4) purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

If sufficient space is not provided for the necessary recording information and certification on a document, such recording information shall be placed on an added sheet and such sheet shall be counted as a page. The size of print or type on any document to be recorded shall not be smaller than 8 point. Should any document to be recorded contain type smaller than 8 point, such document shall be accompanied by an exact typewritten copy thereof which will be recorded contemporaneously with the document and shall be counted as additional pages. The document shall be of sufficient legibility so as to produce a clear and legible reproduction thereof. If a document is judged not to be of sufficient legibility so as to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy thereof which will shall be of sufficient legibility so as to produce a clear and legible reproduction thereof and which shall be recorded contemporaneously with the document and shall be counted as additional pages. The register of deeds may reject any document which is not of sufficient legibility so as to produce a clear and legible reproduction thereof.

- (b) The wildlife protected by this section and the minimum value thereof are as follows:

Any document which was filed on or after January 1, 1989, which was of a size print or type smaller than 8-point type but which otherwise was properly filed shall be deemed to be validly filed.

- (1) Eagles, \$500;
- (2) deer or antelope, \$200;
- (3) elk or buffalo, \$500;
- (4) furbearing animals, \$25;
- (5) wild turkey, \$75;
- (6) owls, hawks, falcons, kites, harriers or ospreys, \$125;
- (7) game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, \$10 unless a higher amount is specified above;
- (8) fish, the value for which shall be no less than the value listed for the appropriate fish species in the monetary values of freshwater fish and fish kill counting guidelines of the American fisheries society (special publication number 13);
- (9) turtles, \$8 each for unprocessed turtles or \$6 per pound or fraction of a pound for processed turtle parts;
- (10) bullfrogs, \$2, whether dressed or not dressed;
- (11) any wildlife classified as threatened or endangered, \$200 unless a higher amount is specified above; and
- (12) any other wildlife not listed above, \$5.

Except as otherwise provided, all fees provided for in this section shall be paid by the register of deeds to the county treasurer and deposited into the general fund of the county.

(c) Possession of wildlife, in whole or in part, captured or killed in violation of law and having an aggregate value of \$500 or more, as specified in subsection (b), is prima facie evidence of possession for profit or commercial purposes.

Sec. 2. K.S.A. 1988 Supp. 28-115 is hereby repealed.

(d) Commercialization of wildlife having an aggregate value of \$500 or more, as specified in subsection (b), is a class E felony. Commercialization of wildlife having an aggregate value of less than \$500, as specified in subsection (b), is a class A misdemeanor.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

- (1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to 10 years all licenses and permits issued to the convicted person by the Kansas department of wildlife and parks; and
- (2) order restitution to be paid to the Kansas department of wildlife and parks for the wildlife taken, which restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that said wildlife was illegally harvested.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

HOUSE BILL No. 2076

AN ACT concerning the emergency medical services board; relating to the membership thereof; amending K.S.A. 1988 Supp. 65-6102 and repealing the existing section.

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

Section 1. K.S.A. 1988 Supp. 65-6102 is hereby amended to read as follows: 65-6102. (a) There is hereby established the emergency medical services board. The office of the emergency medical services board shall be located in the city of Topeka, Kansas.

(b) The emergency medical services board shall be composed of 13 members to be appointed as follows:

(1) *Nine members shall be appointed by the governor. Of such members:*

(1) (A) One shall be a member of the Kansas medical society who is actively involved in emergency medical services;

(2) (B) two shall be county commissioners of counties making a levy for ambulance service, at least one of whom shall be from a county having a population of less than 15,000;

(3) ~~four shall be legislators to be selected from recommendations submitted by the president of the senate, minority leader of the senate, the speaker of the house of representatives and the minority leader of the house of representatives;~~

(4) (C) one shall be an instructor-coordinator;

(5) (D) one shall be a hospital administrator actively involved in emergency medical services;

(6) (E) one shall be a member of a firefighting unit which provides emergency medical service; and

(7) (F) three shall be attendants who are actively involved in emergency medical service. ~~Not more than one of such members shall represent the same classification of attendants. At least two classifications of attendants shall be represented.~~ At least one of such members shall be from a volunteer emergency medical service; and

(2) *four members shall be appointed as follows:*

(A) *One shall be a member of the Kansas senate to be appointed by the president of the senate;*

(B) *one shall be a member of the Kansas senate to be appointed by the minority leader of the senate;*

(C) *one shall be a member of the Kansas house of representatives to be appointed by the speaker of the house of representatives; and*

(D) *one shall be a member of the Kansas house of representatives to be appointed by the minority leader of the house of representatives.*

All members of the board shall be residents of the state of Kansas. Appointments to the board shall be made with due consideration that representation of the various geographical areas of the state is ensured. The governor may remove any member of the board upon recommendation of the board. *Any person appointed to a position on the board shall forfeit such position upon vacating the office or position which qualified such person to be appointed as a member of the board.*

(c) Of the members first appointed to the board, four shall be appointed for terms of one year, three for terms of two years, three for terms of three years and three for terms of four years. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and qualified. In the case of a vacancy in the membership of the board, the vacancy shall be filled for the unexpired term.

(d) The board shall meet at least six times annually and at least once each quarter and at the call of the chairperson or at the request of the administrator of the emergency medical services board or of any six members of the board. At the first meeting of the board after January 1 each year, the members shall elect a chairperson and a vice-chairperson who shall serve for a term of one year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. Members of the board attending meetings of the board or attending a subcommittee meeting thereof authorized by the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(e) Members of the emergency medical services council appointed pursuant to K.S.A. 65-4316, and amendments thereto, shall

continue to serve until the members of the emergency medical services board are appointed and qualified pursuant to this section.

(f) Except as otherwise provided by law, all vouchers for expenditures and all payrolls of the emergency medical services board shall be approved by the emergency medical services board or a person designated by the board.

(g) The first person appointed by the governor to the board shall call the first meeting of the board and shall serve as temporary chairperson of the board until a chairperson and vice-chairperson are elected by the board at such meeting.

Sec. 2. K.S.A. 1988 Supp. 65-6102 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

SENATE BILL No. 64

AN ACT concerning children; relating to residence for purposes of school attendance; amending K.S.A. 72-1046 and repealing the existing section.

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

Section 1. K.S.A. 72-1046 is hereby amended to read as follows: 72-1046. (a) Any child who has attained the age of eligibility for school attendance may attend school in the district in which the child lives if (1) the child lives with a resident of the district and the resident is the parent, or a person acting as parent, of the child; or (2) *subject to the provisions of subsection (c), the child lives in the district as a result of placement therein by a district court or by the secretary of social and rehabilitation services; or (3) the child is a homeless child.*

(b) Any child who has attained the age of eligibility for school attendance may attend school in a school district in which the child is not a resident if the school district in which the child resides has entered into an agreement with such other school district in accordance with and under authority of K.S.A. 72-8233, and amendments thereto.

(c) *Any child who has attained the age of eligibility for school attendance and who lives at the Judge James V. Riddell Boys Ranch as a result of placement at such ranch by a district court or by the secretary of social and rehabilitation services shall be deemed a resident of unified school district No. 259, Sedgwick county, Kansas, and any such child may attend school which shall be maintained for such child by the board of education of such school district as in the case of a child who is a bona fide resident of the district.*

~~(d)~~ (d) As used in this section, ~~the term:~~

(1) "Parent" means and includes natural parents, adoptive parents, stepparents, and foster parents; ~~and the term~~

(2) "person acting as parent" means a legal guardian or a person, other than a parent, who has physical custody of a child and has legal custody of the child, or is by law liable to maintain, care for, or support the child, or is contributing the major portion of the cost of support of the child; and

(3) "homeless child" means a child who lacks a fixed, regular, and adequate nighttime residence and whose primary nighttime residence is (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); or (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Sec. 2. K.S.A. 72-1046 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

SENATE BILL No. 329

AN ACT concerning the Kansas age discrimination in employment act; authorizing the adoption of certain rules and regulations.

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

Section 1. The commission on civil rights may adopt suitable rules and regulations to carry out the provisions of the Kansas age discrimination in employment act.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

SENATE BILL No. 236

AN ACT amending the federal uniform assistance and real property acquisition policies act; amending K.S.A. 58-3501 and repealing the existing section.

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

Section 1. K.S.A. 58-3501 is hereby amended to read as follows: 58-3501. The purpose of this act is to authorize compliance with the provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970 (P.L. 91-646, 42 U.S.C.A. 4601 *et seq.*), and amendments thereto, and as used in this act, the term "federal act" shall mean said means such act and amendments thereto.

Sec. 2. K.S.A. 58-3501 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

SENATE BILL No. 218

AN ACT relating to the transfer of certain state property located in Topeka, Kansas, to the Shawnee community mental health center.

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

Section 1. (a) The secretary of social and rehabilitation services shall convey to the Shawnee community mental health center the following described state property located in the city of Topeka, Shawnee county, Kansas, described as follows:

A tract of land situate in the southeast quarter of section 26, township 11 south, range 15 east of the 6th principal meridian, in Shawnee county, Kansas, more particularly described as follows: Commencing at the southwest corner of the southeast quarter; thence on a bearing of north 00°15'09" east, along the west line of the southeast quarter, a distance of 1,148.90 feet to the point of beginning; thence continuing on a bearing of north 00°15'09" east, along the west line, a distance of 654.21 feet; thence on a bearing of north 89°08'13" east, a distance of 278.01 feet; thence on a bearing of south 01°03'45" east, a distance of 497.95 feet; thence on a bearing of south 43°17'11" west, a distance of 233.28 feet; thence on a bearing of north 85°55'06" west, a distance of 130.48 feet to the point of beginning. The above described tract contains 4.033 acres, more or less. Said tract of land is subject to all restrictions, reservations, easements, and covenants of record, if any.

(b) Such land shall be used for construction and operation of facilities to provide services and treatment for the mentally ill and drug and alcohol dependent persons.

(c) The deed conveying the above-described land shall be approved by the attorney general and shall be executed by the secretary of social and rehabilitation services. Such deed shall provide that in the event the above-described land shall cease to be used by the Shawnee community mental health center, or its successors, then all right, title and interest in such land shall revert to the state of Kansas.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 13, 1989.)

SENATE BILL No. 295

AN ACT concerning the employment security law; relating to certain disqualifications for benefits; amending K.S.A. 1988 Supp. 44-706 and repealing the existing section.

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

Section 1. K.S.A. 1988 Supp. 44-706 is hereby amended to read as follows: 44-706. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection (a). The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection (a) if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing physician health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing physician health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available; as used in this paragraph (1) "physician health care provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the individual left work because of the voluntary or involuntary transfer of the individual's spouse from one place of work job to another place of work job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's place of work job;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph (5), "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of (A) the safety measures used or the lack thereof, and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the federal trade act of 1974), and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of (A) the rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted, (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted, and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating; or

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification.

(b) If the individual has been discharged for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection (b), "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment. In order to sustain a finding that such a duty or obligation has been violated, the facts must show: (A) Willful and intentional action which is substantially adverse to the employer's interests, or (B) carelessness or negligence of such degree or recurrence as to show wrongful intent or evil design. The term "gross misconduct" as used in this subsection (b) shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection (b).

(2) An individual shall not be disqualified under this subsection (b) if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to: (i) Inefficiency, (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience, (iii) isolated instances of ordinary negligence or inadvertence, (iv) good-faith errors in judgment or discretion, or (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of human resources, or to accept suitable work when offered to the individual by the employment office, the secretary of human resources, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of human resources, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable em-

ployment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization.

(d) For any week with respect to which the secretary of human resources, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of human resources, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection (d), be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection (d), failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of one year beginning with the first day following the last week of unemployment for which the individual received benefits, or for one year from the date the act was committed, whichever is the later, if the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of human resources.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in subsection (v) of K.S.A. 44-703 and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such

(continued)

individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in subsection (v) of K.S.A. 44-703 and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection (j) and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection (j).

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in subsection (v) of K.S.A. 44-703 and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 203(a)(7) or section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that: (1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced (but not below zero) by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to such week; or (2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced (but not below zero) by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or (3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer (or any person or organization) who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection (n); or (4) whatever portion of

contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection (n). The conditions specified in clause (4) of this subsection (n) shall not apply to payments made under the social security act or the railroad retirement act of 1974, or the corresponding provisions of prior law. Payments made under these acts shall be treated as otherwise provided in this subsection (n). If the reduced weekly benefit amount is not a multiple of \$1, it shall be reduced to the next lower multiple of \$1.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) which an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection (o), the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in subsection (v) of K.S.A. 44-703 and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection (p) for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in subsection (v) of K.S.A. 44-703 and amendments thereto, while the individual is in the employ of an employer which is a governmental entity or any employer described in section 501(c)(3) of the federal internal revenue code of 1954 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection (r) provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance; or
 (2) the individual is attending approved training as defined in subsection (s) of K.S.A. 44-703 and amendments thereto; or
 (3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under subsection (c) of K.S.A. 44-705 and amendments thereto.

(s) For any week commencing after June 30, 1989, with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks in which such remuneration, in the judgment of the secretary, would have been paid.

Sec. 2. K.S.A. 1988 Supp. 44-706 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 13, 1989.)

SENATE BILL No. 187

AN ACT authorizing the secretary of social and rehabilitation services to sell certain real estate owned by the state and located in Mitchell county; amending K.S.A. 75-3355 and repealing the existing section.

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

Section 1. K.S.A. 75-3355 is hereby amended to read as follows: 75-3355. (a) The secretary of social and rehabilitation services is hereby authorized to sell and convey on behalf of the state of Kansas in the manner hereinafter provided the following described real estate:

A tract of land and the improvements thereon located in the North 1/2 of Section 4, Township 7 South, Range 7 West of the 6th P.M. in Mitchell county, Kansas, described as follows: Beginning at a point on the center section line 92.3 feet South of the N 1/4 corner of Section 4, thence Easterly along the highway right-of-way line 478 feet to a point 98.0 feet South of the North line of Section 4, thence South parallel to the West line of the NE 1/4 of Section 4, 451.4 feet, thence West 260.0 feet, thence South 234.0 feet, thence West 217.7 feet to a point on the West line of the NE 1/4, thence North along the center section line (West line of the NE 1/4) 692.7 feet to the point of beginning.

(b) Such The real estate described in subsection (a) shall be sold and conveyed subject to an easement granted to the city of Beloit on October 31, 1973. That portion of such real estate which is subject to such easement is described as follows: Commencing at a point formed by the intersection of the South right-of-way line of US Highway 24 with the East right-of-way line of Walnut Street, extended North; thence Easterly along the said South right-of-way line of US Highway 24 a distance of 100 feet; thence Southerly on a line parallel to and 100 feet East of the East right-of-way line of said Walnut Street, extended North, a distance of 100 feet; thence Westerly on a line parallel to and 100 feet South of the South right-of-way line of US Highway 24 a distance of 100 feet to intersect with the East right-of-way line of Walnut Street, extended North; thence Northerly along the said East line of the right-of-way of Walnut Street, extended North, a distance of 100 feet to the point of beginning. All references to US Highway 24 and Walnut Street being as described in the recorded plat of the city of Beloit, in Mitchell county, Kansas.

(c) The secretary of social and rehabilitation services is hereby authorized to sell and convey the real estate described in subsection (a) as a single tract or parcel or may sell any part or parts of such real estate as individual tracts or parcels of real estate as the secretary may deem advisable to unified school district No. 273, Mitchell county, Kansas, for a purchase price to be negotiated and agreed upon by the secretary and the board of education of the unified school district.

(d) Before any property shall be sold under the provisions of this act, the real estate described in subsection (a) shall be appraised by three disinterested appraisers acquainted with real estate values in Mitchell county and appointed as provided in K.S.A. 75-3043a. Such appraisal shall be in writing and filed with the secretary, and the cost of the appraisal shall be paid from the proceeds of the sale. Upon the filing of such appraisal the secretary of social and rehabilitation services shall advertise for sealed bids on the real estate described in subsection (a) for not less than three consecutive weeks by publication in a newspaper of general circulation in Mitchell county, Kansas, and authorized by law to publish legal notices. Such sale shall be made to the highest responsible bidder whose bid is submitted within 30 days after the last publication of such notice, except that the secretary may reject any and all bids, and in case all bids are rejected, bids may be called for again as in first instance. Each bid shall be accompanied by a certified check in the amount of 5% of such bid which sum shall be forfeited in case of default by any bidder whose bid is accepted. In no event shall such real estate be sold for less than the appraisal thereof. Upon acceptance of any such bid, a The deed conveying such the real estate described in subsection (a) shall be executed and duly acknowledged by the secretary before an officer authorized by law to take acknowledgments. Such deed shall contain a recital of all proceedings in compliance

with this act, and such recital shall be prima facie evidence that the proceedings were had in the manner and form recited. Such deed shall be approved as to form by the attorney general. When such real estate is sold, the proceeds thereof, after deduction of the expenses of such sale and the cost of the appraisal of the real estate, shall be paid into the state treasury to the credit of the state general fund.

(e) The sale and conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

Sec. 2. K.S.A. 75-3355 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 13, 1989.)

SENATE BILL No. 266

AN ACT concerning water; relating to minimum streamflows; amending K.S.A. 1988 Supp. 82a-703c and repealing the existing section.

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

Section 1. K.S.A. 1988 Supp. 82a-703c is hereby amended to read as follows: 82a-703c. In accordance with the provisions of K.S.A. 82a-703a, and amendments thereto, the legislature hereby establishes the following minimum desirable streamflows:

Table—MINIMUM DESIRABLE STREAMFLOWS (cfs)

Watercourse	Month											
	J	F	M	Apr	May	Jun	J	A	S	O	N	D
Marais des Cygnes	15	15	15	15(40)	20(50)	25(30)	25	25	20	15	15	15
Ottawa	20	20	20	20(50)	20(150)	25(150)	25	25	20	20	20	20
Neosho	5	5	5	5(30)	5(30)	5(30)	5	5	5	5	5	5
Americus	40	40	40	40(60)	40(200)	40(200)	40	40	40	40	40	40
Iola	50	50	50	50(100)	50(300)	50(300)	50	50	50	50	50	50
Parsons	10	10	10	10(30)	10(60)	10(60)	10	10	10	10	10	10
Cottonwood	20	20	20	20(60)	20(150)	20(150)	20	20	20	20	20	20
Florence	8	8	8	8	8	8	8	8	8	8	8	8
Plymouth	20	20	20	20	20	20	20	20	20	20	20	20
Little Arkansas	2	2	2	2	2	2	2	2	2	2	2	2
Alta Mills	2	2	2	2	2	2	2	2	2	2	2	2
Valley Center	3	3	3	3	3	3	3	3	3	3	3	3
Arkansas River	80	80	100	100	100	100	80	80	60	60	60	60
Kinsley (h)	5	5	5	5	5	5	5	5	5	5	5	5
Great Bend (h)	10	10	10	10	10	10	10	10	10	10	10	10
Hutchinson	5	5	5	5	5	5	5	5	5	5	5	5
Rattlesnake Creek	15	15	15	15	15	15	15	15	15	15	15	15
Macksville (h)	40	40	40	40	40	40	40	40	40	40	40	40
Zenith	10	10	10	10	10	10	10	10	10	10	10	10
North Fork Nimeskah	10	10	10	10	10	10	10	10	10	10	10	10
Cheney	10	10	10	10	10	10	10	10	10	10	10	10
South Fork Nimeskah	10	10	10	10	10	10	10	10	10	10	10	10
Frank	100	100	100	100	100	100	100	100	100	100	100	100
Murderk	100	100	100	100	100	100	100	100	100	100	100	100
Nimeskah	100	100	100	100	100	100	100	100	100	100	100	100
Peck	100	100	100	100	100	100	100	100	100	100	100	100
Saline	5	5	5	5	5	5	5	5	5	5	5	5
Russell	20	20	25	30	35	45	35	15	15	15	20	20
Smoky Hill	50	50	60	60	40	30	6	1	1	4	40	50
Smoky Hill (e)	30	45	50	45	40	30	16	5	5	8	30	30
Medicine Lodge	100	100	125	150	150(d)	150(d)	80	90	65	80	80	80
Kiowa	100	100	125	150	150(d)	150(d)	75	90	60	80	80	80
Chilaskia	100	100	125	150	150	150	150	150	80	65	80	100
Corbin	125	150	200	250	250	250	200	200	100	90	100	125
Big Blue River	8	8	8	25	30	35	10	5	5	2	5	8
Republican	10	10	20	20	20	20	5	3	3	2	10	10
Concordia (e)	30	35	40	65	100	100	30	25	20	20	30	30
Clay Center	10	15	15	20	25	25	10	5	5	5	6	10
Mill Creek	175	200	250	300	450	350	200	180	120	120	150	175
Passco	10	15	15	15	15	15	10	10	10	10	10	10
Delaware	40	50	60	60	90	90	50	50	40	40	40	40
Muscotah	10	10	20	20	20	20	5	3	3	2	10	10
Walnut River	30	35	40	65	100	100	30	25	20	20	30	30
Windsor	10	15	15	20	25	25	10	5	5	5	6	10
Whitewater River	175	200	250	300	450	350	200	180	120	120	150	175
Toscanda	10	15	15	15	15	15	10	10	10	10	10	10
Spring River Baxter	40	50	60	60	90	90	50	50	40	40	40	40
Springs (f)												
Chapman Creek												
Solomon River												
Niles												

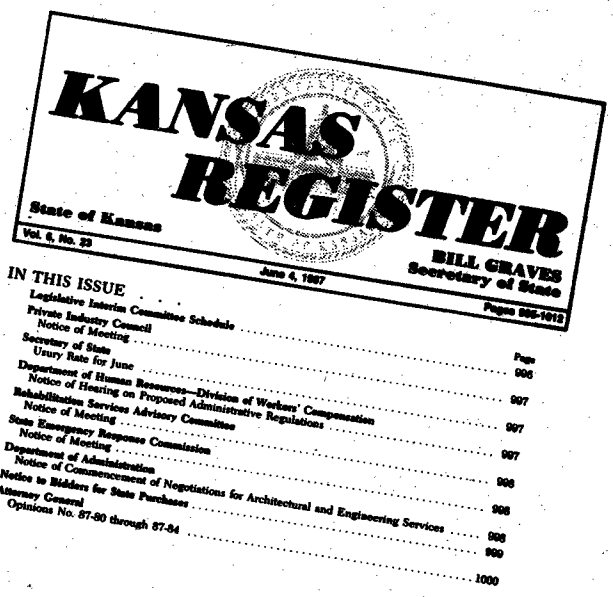
- (a) Spawning flows to be managed if reservoirs in flood pool, otherwise use lower flows.
- (b) Subject to subsequent assessment of lagged effects of extensive groundwater appropriations in regional aquifer.
- (c) Subject to subsequent assessment of lagged effects of upstream depletions.
- (d) Subject to the stateline flows contained in the Blue River Compact.
- (e) Subject to subsequent assessment of Harlan County reservoir operations, development of compact stateline flows and lagged effects of upstream depletions.
- (f) Flows measured at Quapah, Oklahoma; may need review if a new station is established.

Sec. 2. K.S.A. 1988 Supp. 82a-703c is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

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