

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 8, No. 18

May 4, 1989

Pages 631-690

## IN THIS ISSUE . . .

	Page
<b>State Banking Board</b>	
Notice of Meeting . . . . .	632
<b>State Emergency Response Commission</b>	
Notice of Meeting . . . . .	632
<b>Kansas Council on Employment and Training</b>	
Notice of Meeting . . . . .	632
Notice of Planning Subcommittee Meeting . . . . .	632
<b>Kansas Water Authority</b>	
Notice of Meeting . . . . .	633
<b>Executive Appointments</b>	633
<b>Attorney General</b>	
Opinions No. 89-50 through 89-52 . . . . .	633
<b>Kansas State University</b>	
Notice to Bidders . . . . .	634
<b>Northwest Kansas Groundwater Management District No. 4</b>	
Notice of Meeting and Public Hearing . . . . .	634
<b>Department of Administration</b>	
Notice of Hearing on Proposed Administrative Regulations . . . . .	634
Request for Proposals for Office Facility Space . . . . .	634
Notice of Commencement of Negotiations for Architectural and Engineering Services . . . . .	635
<b>State Corporation Commission</b>	
Notice of Motor Carrier Hearings . . . . .	635
<b>Wichita State University</b>	
Notice to Bidders . . . . .	636
<b>Kansas Arts Commission</b>	
Notice of Quarterly Meeting . . . . .	636
<b>Notice to Bidders for State Purchases</b>	636
<b>State Board of Agriculture—Division of Water Resources</b>	
Notice of Hearing on Proposed Administrative Regulations . . . . .	638
<b>State Board of Agriculture</b>	
Notice of Hearing on the Adoption of a Permanent Quarantine . . . . .	638
Statement of Quarantine . . . . .	639
<b>State Board of Indigents' Defense Services</b>	
Notice of Hearing on Proposed Administrative Regulations . . . . .	640
<b>Department of Transportation</b>	
Notice of Public Auction . . . . .	640
<b>Social and Rehabilitation Services</b>	
Request for Proposals . . . . .	641
<b>Historic Sites Board of Review</b>	
Notice of Meeting . . . . .	641
<b>Secretary of State</b>	
Usury Rate for May . . . . .	641
<b>Permanent Administrative Regulations</b>	
Kansas Racing Commission . . . . .	641
<b>Temporary Administrative Regulations</b>	
State Board of Healing Arts . . . . .	654
The Kansas Lottery . . . . .	654
<b>Court of Appeals Docket</b>	657
<b>Index to Administrative Regulations</b>	663
<b>New State Laws</b>	
House Bill 2040, making and concerning appropriations . . . . .	669
Governor's line-item veto message . . . . .	671
House Bill 2534, relating to property taxation . . . . .	672
Senate Bill 80, making and concerning appropriations . . . . .	674
House Bill 2063, making and concerning appropriations . . . . .	679
Governor's line-item veto message . . . . .	685
Substitute for House Bill 2492, concerning state representative districts; providing for the reapportionment thereof . . . . .	685

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

**NOTICE OF MEETING**

The State Banking Board will meet at 9:30 a.m. Monday, May 15, 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. 007787

**State of Kansas  
DEPARTMENT OF HEALTH  
AND ENVIRONMENT  
STATE EMERGENCY RESPONSE  
COMMISSION**

**NOTICE OF MEETING**

The State Emergency Response Commission will meet at 9 a.m. Tuesday, May 16, in the State Defense Building, 2800 S. Topeka Blvd., Topeka.

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

Doc. No. 007796

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

**NOTICE OF MEETING**

The Kansas Council on Employment and Training will meet from 9 a.m. to noon Friday, May 12, at the Wichita Plaza Hotel, 250 W. Douglas, Wichita.

The meeting agenda includes a presentation by Dennis R. Taylor, Chief of Staff, Office of the Governor, and reports from the Planning, Apprenticeship, Dislocated Worker, Evaluation, Job Service and Targeted Groups subcommittees.

The meeting is open to the public.

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

Doc. No. 007812

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

**NOTICE OF PLANNING  
SUBCOMMITTEE MEETING**

The Planning Subcommittee of the Kansas Council on Employment and Training will meet from 4 to 6 p.m. Thursday, May 11, at the Wichita Plaza Hotel, 250 W. Douglas, Wichita, to review SDA Plan Modifications, Economic Dislocation and Worker Adjustment Assistance (EDWAA) State Plan and Wagner-Peyser State Plan.

The meeting is open to the public.

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

Doc. No. 007813

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

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

© Kansas Secretary of State 1989. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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



**Phone: (913) 296-3489**

State of Kansas  
**KANSAS WATER AUTHORITY**

**NOTICE OF MEETING**

The Kansas Water Authority will meet Wednesday, May 17, in Hays. Persons not on the Kansas Water Authority mailing list may obtain an agenda by contacting Dotty Kester, Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

JOHN BALDWIN  
 Chairman

Doc. No. 007819

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 April 24 through April 30:

**Morton County Attorney**

James A. Kuharic, 112 E. 6th, Hugoton 67951. Effective April 19, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Darrel E. Johnson.

**Education Commission of the States**

Michael Meacham, 250 N. Kansas, Wichita 67214. Effective April 18, 1989. Term expires April 30, 1991. Succeeds Harry Stephens.

**Northwest Kansas Regional Library System**

Max Alderman, Route 2, Box 93, Goodland 67735. Effective April 20, 1989. Term expires April 20, 1993. Fills vacancy.

Howard Votapka, Route 3, Box 11, Oberlin 67749. Effective April 20, 1989. Term expires April 20, 1993. Succeeds Ann Gallentine.

Barbara Waters, Route 2, Bird City 67731. Effective April 20, 1989. Term expires April 20, 1993. Succeeds Jan Mills.

**Kansas Water Authority**

Kyle Bauer, Morganville 67468. Effective July 1, 1989. Term expires June 30, 1991. Reappointed by the Speaker of the House.

BILL GRAVES  
 Secretary of State

State of Kansas  
**ATTORNEY GENERAL**

**Opinion No. 89-50**

**Cities and Municipalities—Miscellaneous Provisions—Employee Benefits Contribution Fund in Certain Taxing Subdivisions; Public Libraries.** Duane F. Johnson, State Librarian, Topeka, April 20, 1989.

Once an employee benefits contribution fund is created by a taxing subdivision may not decline to levy for the fund amounts necessary, within authorized limits, to allow the fund to be used for the purpose for which it was created. Cited herein: K.S.A. 12-1220; K.S.A. 1988 Supp. 12-16,102; 74-4920. JLM

**Opinion No. 89-51**

**Cities of the First Class—Municipal Universities—Board of Regents; Composition; Appointment; Qualifications; Resignations; Vacancies.** Representative Joan Wagnon, 55th District, Topeka; Kenneth P. Hackler, Washburn University Counsel, Topeka, April 21, 1989.

Under the provisions of K.S.A. 1988 Supp. 13-13a04, a person appointed to the office of district member of the Washburn University Board of Regents must be a resident of the senatorial district which he or she is appointed to represent. Residence in that district must continue throughout the term of office, and voluntary failure of a person to maintain such residency results in such person's disqualification to hold the office of district member of the Washburn University Board of Regents and creates a vacancy therein. Cited herein: K.S.A. 1988 Supp. 13-13a04, K.S.A. 77-201. TRH

**Opinion No. 89-52**

**Corporations—Cemetery Corporations—Cemetery Lots; Disposition.**

**Public Health—Regulation of Embalmers and Funeral Directors; Funeral Establishments; Funeral Directors—Funeral Establishment Defined.** Representative Ginger Barr, 51st District, Auburn, April 25, 1989.

In our opinion, based on the facts presented, the operation of a chapel at Roselawn Memorial Park Cemetery in Salina is not contrary to the judgment affirmed in *Connolly v. Frobenius*, 2 Kan.App.2d 18 (1978). Cited herein: K.S.A. 1988 Supp. 65-1713a; U.S. Const., First Amend. TRH

ROBERT T. STEPHAN  
 Attorney General

Doc. No. 007803

## State of Kansas

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

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

**Monday, May 15, 1989**

#90110

High Speed Ultracentrifuge and Scanning UV/VIS Spectrophotometer

**WILLIAM H. SESLER**  
Director of Purchasing

Doc. No. 007797

## State of Kansas

**DEPARTMENT OF ADMINISTRATION****NOTICE OF HEARING  
ON PROPOSED****ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10 a.m. Monday, June 12, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of a new permanent rule and regulation of the Department of Administration.

The proposed regulation would update the handicapped accessibility standards for public or governmental buildings and facilities from national standards approved in 1980 to updated standards approved in 1986. It is not felt that there will be any appreciable economic impact upon governmental agencies, persons subject to the regulation or the general public resulting from the adoption of this regulation.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. 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 rule and regulation.

A copy of the proposed regulation and economic impact statement may be obtained from the Division of Architectural Services, 625 Polk, Topeka. Written comments should be addressed to Daniel J. Carroll, Staff Attorney, Department of Administration, 625 Polk, Topeka 66603. If a large number of people desire to be heard, a restriction on the time allowed for each presentation may be imposed to ensure everyone has an opportunity to speak. Prior notice to Daniel J. Carroll of intent to present testimony at the hearing would be helpful in arranging an agenda.

**SHELBY SMITH**  
Secretary of Administration

Doc. No. 007791

## State of Kansas

**NORTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 4****NOTICE OF MEETING AND  
PUBLIC HEARING**

The Northwest Kansas Groundwater Management District No. 4 will meet at 10 a.m. C.D.T. Wednesday, May 10, the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed. Also scheduled the same day is a public hearing at 11 a.m. to consider the 1990 proposed operating budget.

**WAYNE A. BOSSERT**  
Manager

Doc. No. 007818

## State of Kansas

**DEPARTMENT OF ADMINISTRATION  
DIVISION OF FACILITIES MANAGEMENT****REQUEST FOR PROPOSALS FOR  
OFFICE FACILITY SPACE**

The state of Kansas will entertain proposals for the provision of office facilities located within the city of Topeka. An informational packet outlining the functional needs for the facility will be distributed from the Division of Facilities Management, Room 305-N, Landon State Office Building, 900 S.W. Jackson, Topeka, beginning at 1:30 p.m. Tuesday, May 9.

Preliminary space requirements include the need for a gross square footage of 35,500 leasable square feet. The use of the requested space is typical to administrative office functions, including private office, open office, conference room, etc. (configurations of various sizes).

Auxiliary spaces supporting these functions are required. Parking to accommodate the facility per governing requirements as well as the potential occupancy is required—minimum 150 employee spaces and 35 visitor spaces.

The proposers/responders are allowed to deviate from the requirements. The state of Kansas reserves the right to deviate from these published requirements and the information summarized within the informational packet. All potential responders are required to review the informational packets; responders are not allowed to deviate from this requirement.

Five copies of the proposal shall be submitted for evaluation to the Division of Purchases, Ann Colgan, Director, Division of Facilities Management, Department of Administration, Landon State Office Building, 900 S.W. Jackson, Room 102-N, Topeka 66612, no later than 4 p.m. Tuesday, June 20. Questions related to acquiring the informational packet may be directed to Jan Brown, Division of Facilities Management, (913) 296-1318.

**ANN COLGAN**  
Director, Division of  
Facilities Management

Doc. No. 007801

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT OF
NEGOTIATIONS FOR ARCHITECTURAL
AND ENGINEERING SERVICES

Notice is hereby given of the commencement of negotiations for consultant services for the Division of Architectural Services.

An individual consultant, either an engineer or an architect with broad practice experience and/or experience in the energy conservation field, is being sought to provide full-time services for a period of two years. The contract for services will be in the range of \$42,000 to \$49,000 per annum.

Any questions or expressions of interest should be directed to Ed De Vilbiss, AIA, Director, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before May 19.

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

Doc. No. 007815

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF MOTOR
CARRIER HEARINGS

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

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

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

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

Applications set for May 16, 1989

Application for Abandonment of Certificate of
Convenience and Necessity:

Double G, Inc. ) Docket No. 149,841 M
402 W. 11th )
Box 518 )
Hugoton, KS 67951 ) MC ID No. 123787

Applicant's Attorney: None

\*\*\*\*\*

Application for Extension of Certificate of
Convenience and Necessity:

C.W. & W.L. Oglesby ) Docket No. 149,840 M
1301 Grand )
Lamar, MO 64759 ) MC ID No. 103329

Applicant's Attorney: None

Grain and soybeans,

Between all points and places in Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Franklin, Montgomery, Johnson, Labette, Lynn, Lyon, Miami, Neosho, Wilson, Wyandotte and Woodson counties, Kansas.

\*\*\*\*\*

Application for Abandonment of Certificate of
Convenience and Necessity:

Prairie Transport, Inc. ) Docket No. 151,505 M
113 E. Avenue A )
Kingman, KS 67068 ) MC ID No. 121210

Applicant's Attorney: None

\*\*\*\*\*

Application for Abandonment of Certificate of
Convenience and Necessity:

Waring, Inc. ) Docket No. 163,136 M
Route 2, Box 182 )
Belleville, KS 66935 ) MC ID No. 132464

Applicant's Attorney: None

\*\*\*\*\*

Application for Certificate of Convenience
and Necessity:

Tiger Tow, Inc. ) Docket No. 165,913 M
1011 S.E. 2nd St. Terrace )
Lee's Summit, MO 64063 ) MC ID No. 133534

Applicant's Attorney: Wm. A. Cleaver, Chtd., 8000 Foster, Overland Park, KS 66204

Wrecked, disabled, repossessed and replacement vehicles,

Between points and places in Jefferson, Leavenworth, Shawnee, Douglas, Johnson, Wyandotte, Miami, Franklin, Osage, Lyon, Coffey, Anderson, Atchison, Jackson, Linn, Greenwood and Bourbon counties, on the one hand, and on the other hand, all points and places in Kansas.

\*\*\*\*\*

Application for Extension of Certificate of
Convenience and Necessity:

Orley M. Whitaker, dba ) Docket No. 163,888 M
Orley M. Whitaker Trucking )
801 LaSalle )
Dodge City, KS 67801 ) MC ID No. 132477

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

Machinery,

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

(continued)

Applications set for May 23, 1989

Application for Certificate of Convenience and Necessity:

Ed Duggan, Inc., dba ) Docket No. 165,912 M
Greeley Truck Line Corp. )
P.O. Box 118 )
Windsor, CO 80550 ) MC ID No. 101966

Applicant's Attorney: Julieann Kimball Nespor, 1775 Sherman, Suite 1500, Denver, CO 80203

Livestock,

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Griffin Transport, Inc. ) Docket No. 165,915 M
3261 S.W. Randolph, No. C )
Topeka, KS 66611 ) MC ID No. 133535

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

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

Between points and places in the Kansas counties of Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Douglas, Wyandotte, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee.

Also,

Between points and places in the above-referenced counties, on the one hand, and on the other, points and places in Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Midcom Trucking, Inc. ) Docket No. 165,909 M
2830 E. 31st St. South )
Wichita, KS 67216 ) MC ID No. 133532

Applicant's Attorney: Larry Gregg, 3401 Harrison, Topeka, KS 66611

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

Between points and places in the state of Kansas.

\*\*\*\*\*

ALFONZO A. MAXWELL
Administrator
Transportation Division

Doc. No. 007806

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.

Tuesday, May 23, 1989

#9368-H

Power Electronics Laboratory Modules

GARY D. LINK
Director of Purchasing

Doc. No. 007817

State of Kansas

KANSAS ARTS COMMISSION

NOTICE OF QUARTERLY MEETING

The Kansas Arts Commission will meet Friday, May 12, in the City Council Chambers at Overland Park City Hall, 8500 Santa Fe Drive, Overland Park, from 9 a.m. to 3 p.m.

The commission will act upon funding recommendations from the review panels in all major grant categories and the Arts In Education Program for fiscal year 1990. Reports on current programs and projects will be presented.

The meeting is open to public observation.

DOROTHY L. ILGEN
Executive Director

Doc. No. 007811

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, May 15, 1989

#A-6120, #A-6126(A)

Wichita State University—REROOFING OF MORRISON HALL

#A-6121(b), A-6123, A-6125(A)

Wichita State University—REROOFING OF WILNER AUDITORIUM

#28019

Wichita State University—MISCELLANEOUS NURSERY STOCK

#78988

Parsons State Hospital and Training Center—LAUNDRY FOLDER

#79001

University of Kansas Medical Center—RESEARCH  
MICROSCOPE

#79007

Department of Transportation—ACRYLIC TRAFFIC  
PAINT—Salina

Tuesday, May 16, 1989

#A-4740(A)

Parsons State Hospital and Training Center—ADD  
MAINTENANCE CATWALKS IN HEATING PLANT

#27205

University of Kansas—SMALL ANIMAL FEED

#27432

Statewide—DAIRY PRODUCTS

#27608

Kansas State University—LIQUID HELIUM, bulk  
purchase

#28020

Department of Social and Rehabilitation Services,  
Kansas Industries for the Blind—MOP YARN

#79010

University of Kansas—LAB STERILIZER

#79011

Department of Transportation—SPREADERS, various  
locations

#79012

Kansas State University—LABORATORY  
FURNITURE, Garden City

#79013

Wichita State University—HPLC

Wednesday, May 17, 1989

#27657

Department of Social and Rehabilitation Services,  
Kansas Industries for the Blind—MUSLIN

#79020

Department of Administration, Division of Printing—  
AIR COMPRESSOR

#79021

Department of Social and Rehabilitation Services—  
ENHANCED DESK TOP VIDEO WORKSTATION

#79057

University of Kansas—1989 GENERAL  
INFORMATION CATALOG

#79076

Department of Wildlife and Parks—BOATHOUSES,  
various locations

Thursday, May 18, 1989

#27596

Statewide—WATER SOFTENER SALT

#27922

Topeka State Hospital—FLOOR CARE PRODUCTS

#79025

Kansas Correctional Industries—SAW, Hutchinson

#79039

Kansas Correctional Industries—SANDBLAST  
CABINET, Hutchinson

#79040

Kansas Correctional Industries—SEWING  
MACHINES AND UPHOLSTERY PRESS,  
Hutchinson, Ellsworth

#79044

Statewide—USED EQUIPMENT

#79060

Department of Transportation—WOOD SIGN  
POSTS, Salina

#79061

Kansas Correctional Industries—FURNISH AND  
INSTALL SPRINKLER SYSTEM, Hutchinson

#79062

Kansas State University—FURNISH AND INSTALL  
IRRIGATION SYSTEM, Colby

#79069

Kansas State University—FURNISH ALL LABOR  
AND MATERIALS TO RETUB BOILER

#79081

Department of Transportation—PREASSEMBLED  
RADIO EQUIPMENT SHELTERS, various locations

Friday, May 19, 1989

#A-5990

Emporia State University—STUDENT HEALTH  
CENTER REMODEL

#79049

Kansas State University—KABSU

#79050

Pittsburg State University—FTIR  
SPECTROPHOTOMETER

#79064

University of Kansas—TRUCKS

#79065

University of Kansas Medical Center—SKID STEER  
LOADER

Monday, May 22, 1989

#27146

Statewide—TIRES AND TUBES

Thursday, May 25, 1989

#79047

University of Kansas—INSTALL  
TELECOMMUNICATION SYSTEM (Parking Garage)

#79048

University of Kansas—INSTALL  
TELECOMMUNICATION SYSTEM (Science Library)

Monday, June 5, 1989

#28017

Department of Corrections—LEASE OF  
FARMLAND, Norton

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 007809

## State of Kansas

**BOARD OF AGRICULTURE  
DIVISION OF WATER RESOURCES**

**NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10 a.m. Wednesday, June 14, at the Southwest Kansas Groundwater Management District No. 3 office, 409 Campus Drive, Suite 106, Garden City, at which time all interested persons will have an opportunity to be heard regarding the adoption of two amended rules and regulations promulgated under authority of the Water Appropriation Act, K.S.A. 28a-701 *et seq.*, and the Groundwater Management District Act, K.S.A. 82a-1028(o), as permanent rules and regulations of the Division of Water Resources, Kansas State Board of Agriculture. These regulations will become effective as amended regulations 45 days after adoption and publication in the *Kansas Register*. There will also be the opportunity to be heard concerning the revocation of one permanent rule and regulation.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. This period of at least 30 days notice constitutes a public comment period for the purpose of receiving public comments on the proposed amended and revoked rules and regulations. Written comments may be submitted by persons unable to attend to the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before 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 amended regulations and revoked regulation is as follows:

**5-23-3.** Amends the minimum well spacing requirements.

**5-23-4.** Changes the aquifer depletion *exemption* from 25 acre feet to five acre feet per calendar year.

**5-23-9.** Revokes the requirement for capping open or uncovered wells.

There should be no fiscal impact from the amendment of K.A.R. 5-23-3 or the revocation of K.A.R. 5-23-9 on the State Board of Agriculture, other governmental agencies, private businesses, individuals or the general public.

The amendment of K.A.R. 5-23-4 will cause no economic impact to the State Board of Agriculture or other governmental agencies. Applicants proposing to withdraw more than five acre feet but less than 25 acre feet per calendar year in fully appropriated areas will be unable to do so. Economic impact on those individuals will have to be determined on a case by case basis.

Copies of these amended and revoked regulations and the fiscal impact statements may be obtained by writing to David L. Pope, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, or

Gary Baker, Manager, Southwest Kansas Groundwater Management District No. 3, at the addresses given above.

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

Doc. No. 007802

## State of Kansas

**BOARD OF AGRICULTURE**

**NOTICE OF HEARING  
ON THE ADOPTION OF  
A PERMANENT QUARANTINE**

A hearing will be conducted pursuant to the provisions of K.S.A. 2-2117 to determine whether a temporary quarantine issued on April 27, 1989, prohibiting the importation of and the distribution or spread of the seed or any portion of the Serrated Tussock (*Nassella trichotoma*) plant within the state of Kansas should become a permanent quarantine. The public hearing will begin at 10 a.m. Wednesday, June 14, in conference room A of the 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 a proposed permanent quarantine concerning the importation of and the distribution or spread of the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant within the state of Kansas. The proposed permanent quarantine will become effective upon issuance or upon the expiration of the existing temporary quarantine, which will expire on July 25, 1989.

All interested persons may attend the hearing and those attending will be given the opportunity to express comments either orally or in writing, or both. Interested parties may appear in person or by counsel.

The proposed quarantine would affect the entire state of Kansas and prohibit the importation of or distribution or spread of the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant.

Written comments and requests for information concerning the proposed quarantine should be directed to Dale Lambley, Director, Division of Plant Health, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before the time of hearing. For persons intending to present oral testimony 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 oral presentation to five minutes.

Copies of the Temporary Quarantine regarding Serrated Tussock (*Nassella trichotoma*) may be obtained by writing Dale Lambley, Director of the Division of Plant Health.

SAM BROWBACK  
Secretary of Agriculture

Doc. No. 007804



## State of Kansas

**BOARD OF AGRICULTURE  
DIVISION OF PLANT HEALTH**
**QUARANTINE**
**Serrated Tussock (*Nassella trichotoma*)**

WHEREAS it has been determined that Serrated Tussock (*Nassella trichotoma*) is a noxious weed under the Federal Noxious Weed Law (7 USCA 2801 *et seq.*),

WHEREAS Serrated Tussock (*Nassella trichotoma*) is a plant pest as defined in K.S.A. 1988 Supp. 2-2113,

WHEREAS the recent lack of action by the Federal Government has permitted seed lots which may contain Serrated Tussock (*Nassella trichotoma*) to be distributed in the United States,

WHEREAS each of the States of Alabama, Illinois, Maryland, Mississippi, Missouri, North Carolina, Oregon, Tennessee and West Virginia have issued quarantines or taken other regulatory action against this plant pest to prevent its introduction in the respective States, and

WHEREAS if Serrated Tussock (*Nassella trichotoma*) becomes established in Kansas, it will drastically and adversely affect the seed, livestock and turfgrass industries within this State.

NOW THEREFORE the Secretary of the Kansas State Board of Agriculture, pursuant to authority vested in him by K.S.A. 2-2117, hereby determines that quarantine action is necessary to prevent the introduction of this plant pest into the State of Kansas, and to prevent and retard the spread of this plant pest within this state. The Secretary does hereby immediately establish a quarantine to prevent the establishment of Serrated Tussock (*Nassella trichotoma*) in the State of Kansas. Any movement of Serrated Tussock (*Nassella trichotoma*) into or across the State of Kansas from any of the aforementioned States or any other States within the United States into the State of Kansas is hereby prohibited.

**Definitions:**

All terms used within this quarantine shall have the meanings described to them in K.S.A. 2-2113 *et seq.* as amended and supplemented.

**Regulated Articles:**

Articles and products, the movement of which shall be controlled and regulated by this quarantine include but are not limited to:

1. Seed mixtures containing Serrated Tussock (*Nassella trichotoma*) seed;
2. Soil, separately or with other things, which contains the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant;
3. Hay containing the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant;
4. Mechanized cultivating equipment and harvesting machinery which has been used and which may harbor the seed of or portion of the Serrated Tussock (*Nassella trichotoma*) plant;
5. Mechanized soil moving equipment which has been used and which may harbor the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant;
6. Any other article, product or thing capable of being a means of conveyance of the seed of or any portion of

the Serrated Tussock (*Nassella trichotoma*) plant when it is determined that such article presents a hazard, either actual or potential, for the spread of Serrated Tussock (*Nassella trichotoma*), and when the person in possession thereof has been so notified.

Any person who resists or impedes or otherwise hampers the Secretary of the State Board of Agriculture or the Secretary's authorized representative in carrying out the provisions of this quarantine or enforcing this quarantine shall be subject to criminal penalties as provided in the Kansas Plant and Pest Act (K.S.A. 2-2113 *et seq.* as amended and supplemented). Any duly authorized inspector or agent of the Secretary may enlist the aid of any law enforcement official to enforce and carry out the provisions of this quarantine and the provisions of the Kansas Plant Pest Act in relation thereto.

**Conditions and Restriction governing the movement of regulated articles:**

Any article or product which has been contaminated with the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant is hereby prohibited from being moved into the State of Kansas, unless each lot or shipment thereof is accompanied by a certificate issued by the authorized plant protection official of the state of origin wherein such official affirms that the regulated article or product accompanied hereby has originated in and has been or is being shipped from a noninfested area within that official's state or district, or that the regulated article or product accompanied thereby has been treated under the supervision of such official prior to movement of the regulated article or product into the State of Kansas, in a manner and by a method which will insure freedom from the seed of or any portion of Serrated Tussock (*Nassella trichotoma*) plant. In addition, no seed lot or any other article contaminated with the seed of or any portion of the Serrated Tussock (*Nassella trichotoma*) plant may be moved, sold or disposed of within the State of Kansas without written permission from the Secretary of the State Board of Agriculture or the Secretary's authorized representative.

**Effective date of Quarantine:**

The Order of Quarantine is effective upon the date signed by the Secretary of the State Board of Agriculture as set forth below and shall remain in effect for a period of ninety (90) days. During this time the Secretary of the State Board of Agriculture shall hold a public hearing to determine whether or not this quarantine should be made permanent and if so under what conditions.

Dated and signed this 27th day of April, 1989.

SAM BROWNBACK  
Secretary of Agriculture

Doc. No. 007805

## State of Kansas

**BOARD OF INDIGENTS'  
DEFENSE SERVICES****NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS**

The State Board of Indigents' Defense Services will conduct a public hearing at 1 p.m. Friday, June 9, at the Johnson County Public Defender's office, first floor, 139 S. Kansas, Olathe, to consider the adoption of proposed amendments to the permanent rules and regulations of the board. These amendments will take effect on November 1, 1989. One rule, K.A.R. 105-10-1 as amended, will take effect on a temporary basis as of July 1, 1989, and will become a permanent rule on November 1, 1989. The following summarizes the proposed changes.

Changes to K.A.R. 105-3-2 provide an exemption from the continuing legal education requirement for those persons who have graduated from an accredited law school during the three years preceding appointment. The regulation also allows all judges to waive any of the requirements if the attorney selected for the appointment has sufficient training and experience.

Amendments to K.A.R. 105-5-6, 105-5-7 and 105-5-8 involve clean-up of language regarding the reasonable levels of compensation. K.A.R. 105-5-7 clarifies the reasonable level of compensation for class A and B felony cases tried to a judge or jury.

The change to K.A.R. 105-7-5 allows the director to approve a higher rate of compensation in advance for psychiatrists and psychologists.

The change to K.A.R. 105-8-4 includes clean-up language to facilitate ordering and timely payment of certain types of transcripts.

K.A.R. 105-10-1 is changed to add the tenth judicial district to existing public defender districts.

None of the proposed regulations appear to have a fiscal impact on any person or organization with the exception of K.A.R. 105-10-1. This regulation, once fully implemented, will reduce the total expenditures for defense services in the tenth judicial district in excess of \$50,000 per year. This savings will occur during the second year of operation and continue each year thereafter.

The 30-day notice before this public hearing constitutes a public comment period for the purpose of receiving written comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Ronald E. Miles, Director, State Board of Indigents' Defense Services, Room 506, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views orally in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentations to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the board as the basis for making changes to these regulations.

Interested persons should contact the administrative of-

fice to verify the location of the public hearing in the event the designated space becomes unavailable.

Complete copies of the amended regulations and fiscal impact statements may be obtained from Ronald E. Miles at the address given above.

RONALD E. MILES  
Director

Doc. No. 007799

## State of Kansas

**DEPARTMENT OF TRANSPORTATION****NOTICE OF PUBLIC AUCTION  
AT SITE**

11 A.M. MONDAY, JUNE 5, 1989

The Kansas Department of Transportation will offer for sale at public auction the following land located in Neosho County, Kansas, described as follows:

A tract of land in the Northwest Quarter of Section 19, Township 27 South, Range 18 East of the 6th P.M., described as follows: BEGINNING at a point 463.8 feet East of the West line and 50.0 feet North of the South line of said Quarter Section; thence South 88 degrees 39 minutes West, 161.8 feet; thence North 01 degree 53 minutes West to a point on a line 640.0 feet North of said South line of said Quarter Section; thence North 87 degrees 53 minutes East, 143.4 feet; thence South 03 degrees 40 minutes East to the place of beginning. The above contains 2.06 acres, more or less. The party of the first part hereby retains any and all abutters' rights of access to Highway US-169.

This tract is located on the north side of Main Street and approximately 150 feet east of U.S. 169.

**Terms of the Sale:**

Certified or cashier's check for full price. Purchaser will receive a Quitclaim Deed only.

**Option:**

Certified or cashier's check for 10 percent of the purchase price the day of the sale. The balance of the purchase price will be paid by certified or cashier's check on or before July 5. If the balance is paid on or before said date, a Quitclaim Deed will be given to the successful bidder. If the balance of the purchase price is not paid on or before said date, the 10 percent down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

For additional information contact Beverly Lee, Bureau of Right of Way, Kansas Department of Transportation, (913) 296-3501.

HORACE B. EDWARDS  
Secretary of Transportation

Doc. No. 007814

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES**

**REQUEST FOR PROPOSALS**

The Department of Social and Rehabilitation Services will accept applications for the provision of social services to refugees in the Wichita area by mutual assistance associations. Interested entities must meet the definition of a mutual assistance association as indicated in the request for proposal (RFP).

Applications must be received in the local SRS office by 3 p.m. June 1. Instructions for completing an application are described in the RFP, which is available from the Wichita area SRS office or from Philip P. Gutierrez, Department of Social and Rehabilitation Services, Room 624-S, Docking State Office Building, Topeka 66612, (913) 296-3349.

WINSTON BARTON  
 Secretary of Social and  
 Rehabilitation Services

Doc. No. 007810

State of Kansas  
**STATE HISTORICAL SOCIETY  
 HISTORIC SITES BOARD OF REVIEW**

**NOTICE OF MEETING**

The Kansas Historic Sites Board of Review will meet at 10 a.m. Friday, May 26, in the classroom at the Kansas Museum of History, 6425 S.W. 6th, Topeka.

The agenda includes consideration of the following properties for nomination to the National Register of Historic Places and/or the Register of Historic Kansas Places:

- Edgar Schermerhorn House, 803 E. 5th, Galena, Cherokee County
- Christian and Congregational Church, 117 E. 3rd, Eureka, Greenwood County (State Register only)
- J. L. Abernathy House, 508 S. Broadway, Leavenworth, Leavenworth County (State Register only)
- Santa Fe Depot, 3rd and Neosho, Emporia, Lyon County (State Register only)
- Blakeslee Building, 211 W. Myrtle, Independence, Montgomery County
- Fox Theater, 18 E. 1st, Hutchinson, Reno County
- (Old) Post Office and Federal Building (Smoky Hill Museum), 211 W. Iron, Salina, Saline County
- Dr. A. C. Flack House, 303 N. 8th, Fredonia, Wilson County

RAMON POWERS  
 Executive Director

Doc. No. 007789

State of Kansas  
**SECRETARY OF STATE**

**NOTICE**

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of May 1, 1989, through May 31, 1989, shall be 12.49 percent.

In testimony whereof: I have hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 28th day of April, A.D. 1989.

BILL GRAVES  
 Secretary of State

Doc. No. 007798

State of Kansas  
**KANSAS RACING COMMISSION**

**PERMANENT ADMINISTRATIVE  
 REGULATIONS**

**Article 7.—RULES FOR RACING**

**112-7.2. Ownership.** (a) The legal ownership of each horse, and the name of each owner that is printed on the official program for the horse, shall conform to the ownership declaration on the horse's certificate of registration, eligibility certificate or lease agreement on file with the organization licensee. Any stable name may be registered with the commission as the owner or owners. If the owner is a syndicate, corporation, partnership or other association or entity, the horseowner whose name is printed on the official program shall be the responsible manager owner, officer or partner who assumes all responsibilities of the owner.

(b) Each horse owned in whole or in part or under the care and control of an individual who is excluded from a racetrack or who has a suspended license shall be ineligible to enter or to start in any race. The horse's eligibility may be reinstated when the individual's penalty terminates or when the horse is transferred through a bona fide sale to an owner approved by the stewards. Each individual who is excluded from a racetrack or who has a suspended license, whether acting as an agent or otherwise, shall not be qualified to subscribe for, to enter or to run any horse in any race either in his or her own name or in the name of any other person until the termination of the penalty. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7.3. Deceased owners.** (a) Any personal representative of a deceased owner may exercise and transfer the deceased owner's nominations, entries and rights of nomination and entry subject to the regulations of the commission. Each personal representative shall be

(continued)

deemed to hold an owner's license with respect to horses belonging to the estate of the deceased until the commission declares that the deceased owner's license is no longer effect.

(b) When a horse is held by multiple ownership and a number of the multiple ownership dies, any nominations, entries and rights of nomination and entry continue and may be exercised by any remaining members.

(c) Nominations and all entries or rights of entry under them become void when the nominator dies subject to the following exceptions:

- (1) When the horse is held by multiple ownership; or
- (2) when the personal representative of an estate requests in writing that the benefits of the nominations accrue to the estate of the deceased nominator for the purpose of selling or transferring a horse, and the personal representative agrees to assume any and all obligations incident to the original entries, and the stewards approve the request. (Authorized by an implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-4. Documents.** (a) Each win sheet, certificate of registration, certificate of eligibility, entry card or other document of ownership or registration shall have no information omitted and any required signature on the documents shall not be willfully altered or forged by any person.

(b) Each certificate of registration or document of ownership that is filed with the racing secretary to establish a horse's eligibility to enter a race shall be released only to the horse's trainer of record, except that the trainer may authorize the release of the certificate to the owner named on the certificate or the authorized owner's agent on a form provided by the racing secretary. Each dispute concerning a right to the registration certificate shall be decided by the stewards. (Authorized by an implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-5. Horses sold or transferred with engagements.** (a) Each racing secretary shall require evidence of any sale or transfer when a horse is sold or transferred with its engagements, and the failure to produce evidence shall render the horse ineligible to start in any race.

(b) No person shall make or receive the transfer of a horse or engagement of a horse for the purpose of avoiding any disqualification. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-6. Registration and eligibility.** (a) Each horse shall not enter or start a race unless:

(1) It is duly registered with and approved by the registry offices of:

- (A) The jockey club, if a thoroughbred;
- (B) the American quarter horse association, if a quarter horse;
- (C) the appaloosa horse club, if an appaloosa;
- (D) the Arabian horse club registry of America, if an Arabian;
- (E) the American paint horse association, if a paint;
- (F) the pinto horse association of America, Inc., if a pinto;

(G) the American trotter's association, if a standardbred; or

(H) any successors to any of the registries named in subparagraphs (A) through (G) or other registry recognized by the commission;

(2) the horse's registration certificate, showing the tattoo number of the horse, is filed with the racing secretary by entry time for the race. In stakes races, the registration certificate shall be filed not less than two hours prior to the scheduled post time for the race, except as provided in subparagraph (b) (4) of the regulation;

(3) it is owned by a licensed owner and is in the care of licensed trainer;

(4) at the time of entry, the horse is eligible under the conditions of the race as specified by the racing secretary and remains eligible until the race; and

(5) if the horse's name is changed, its new name is registered with the appropriate registry listed in subsection (a), paragraph (1) (A) through (G) of this regulation. Both the horse's previous name and new name shall be stated in every entry list until the horse has run three races. Both names shall be printed in the official programs for those three races.

(b) Each horse shall not enter or start a race if:

(1) The horse is suspended;

(2) the horse is on the steward's list, starter's list or veterinarian's list;

(3) the identification markings of the horse do not agree with the identification as set forth on the registration certificate to the extent that a correction is required from the appropriate breed registry, unless the permission of the stewards and the identifier are given;

(4) the horse has not been lip tattooed by a commission-approved tattooer;

(5) the entry of the horse is not in the name of the true owner;

(6) the horse has drawn into the field or has started in a race on the same day;

(7) the horse's age, as determined by an examination of its teeth by the official veterinarian, does not correspond to the age shown on its registration certificate;

(8) the horse's certificate of registration reflects an unknown sire or dam; or

(9) an ownership transfer for a horse is being forwarded to a breed registry.

(c) Each horse shall not start in any race unless it has been properly entered in the race. Each horse that is improperly entered shall not be entitled to any part of the purse. However, once the "official" sign is posted, this regulation shall not affect the wagering on the race.

(d) Each commission licensee exercising a horse shall, upon the request of the clocker or assistant clockers employed to tabulate the workout times, correctly state the distance over which the horse is to be worked and the point on the race track where the workout will start. The licensee shall identify the horse if requested to do so. The clocker or assistant clockers shall not wager on the outcome of any race conducted by the association at the race track. The clocker or assistant clockers shall file on a daily basis with the commission a report listing the date, track condition, name of each horse worked and the time and distance for each workout.

(e) Each trainer shall be responsible for the eligibility

of horses entered by the trainer or an authorized agent of the trainer and each owner shall be responsible for the eligibility of horses personally entered by the owner or an authorized agent of the owner.

(f) Any nomination or entry of a horse or the transfer of any nomination or entry may be refused by the organization licensee for reasonable cause. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-7. Entries** (a) Each horse entered for the first time at a race meet shall be identified by its name, color, sex, age and the name of its sire or sires and dam as registered. For every other race, each horse shall be identified by its name, color, sex and age.

(b) Each nomination and entry shall be made in writing and signed by the owner or trainer of the horse, or the owner's authorized agent. Each organization licensee shall provide forms upon which entries, scratches and declarations are to be made for all races.

(1) Each steward, racing secretary and secretary's designee shall be the only persons authorized to receive entries, scratches and declarations.

(2) Any entry may be made by telephone or telegraph, but each entry shall be confirmed in writing within a reasonable time.

(3) In a stakes race, the closing of nominations, entries, interim payments and declarations shall be in accordance with the conditions published by the organization licensee sponsoring the race.

(4) Each signed entry blank shall be prima facie evidence that the contents of the entry blank express the desire and intent of the person making the entry.

(c) Each nominator shall be liable for entrance money or stakes. A mistake in the entry of a horse when eligible shall not release the subscriber or the subscriber's transfer from liability for stakes or entrance money. Entrance money or stakes shall not be refunded because of the death of a horse or because of its failure to start a race.

(d) Each person shall not:

(1) Enter in the person's name a horse of which the person is not the actual owner;

(2) enter or cause to be entered or start a horse that the person knows or believes to be ineligible or disqualified;

(3) enter a horse in more than one race on any day, except stakes races; or

(4) enter a horse in a race if it is wholly or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, or a person who acts in concert with or under the control of a person whose license is under suspension.

(e) Each entry from an unlicensed person or a person whose license is suspended and each entry of an ineligible horse is void, and any money paid for the entry shall be paid to the purse of the race.

(f) Except for decisions regarding disqualification for interference during the running of the race, each dispute, claim and objection relating to the race and the interpretation of commission regulations shall be decided by the stewards or, upon review, by the commission. (Authorized by and implementing K.S.A. 1988 Supp. 74-

8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-8. Coupled entries.** (a) Not more than two horses of the same licensed ownership or interest shall be entered and started in a race, except in stakes races and races that are conditioned for horses eligible for specified stakes.

(b) Each owner or trainer shall not enter more than two horses in an overnight event. Two horses shall not start to the exclusion of a single horse subject to K.A.R. 112-7-12.

(c) Horses trained by a public stable trainer shall not be coupled with horses trained by another public stable trainer unless the horses are owned by the same person or are coupled as a field for wagering purposes.

(d) All horses owned wholly or in part by the same person or the person's spouse or trained by the same trainer and entered and started in a race except as noted in subsection (a) shall be coupled and run as an entry.

(e) If two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, any organization licensee may run the horses as separate interests, and the provisions of subsections (a) through (d) above, shall not govern. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-9. Loss of entries.** Each person who alleges loss of an entry or declaration for a stakes race shall provide satisfactory proof to the racing secretary that it was mailed or telegraphed within a reasonable time before the designated time for closing, or it shall not be considered received. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-10. Closing of entries and drawing of post positions.** (a) Each entry and declaration for stakes races shall not be considered if received after the hour designated for closing. If an hour for closing is not designated, any entries and declarations may be mailed or telegraphed until midnight of the day designated for closing, if the entries and declarations comply with every other condition of the race.

(b) Each drawing of entries for post positions shall be governed by the following procedures:

(1) If entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by the preferred date system. The date system may be used for the entire race or for each division of the race at the option of the organization licensee.

(2) The racing secretary shall select an owner or a trainer who is present in the entry office to draw the entry sheets and post position numbers in public view within a reasonable time following each closing of entries. Each entry shall be drawn from its approved receptacle before the number ball is released from the number box.

(3) In divided and split races, the starters in the separate divisions shall be selected by the preferred date system. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

(continued)

**112-7-11. Changing of races.** Any organization licensee may withdraw or change any race with the permission of the stewards. If a race is declared off because of insufficient entries, the organization licensee may split any other race. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-12. Preference system.** (a) Each racing secretary shall keep a list of all horses excluded from races because of excessive entries, and each excluded horse shall have preference in any later race in which they may be entered in accordance with a date system adopted by the racing secretary and approved by the stewards. This shall be known as the "preferred date system."

(b) When a horse is entered on one day and has an opportunity to start other than in a stakes race, as required in K.A.R. 112-7-7(d)(3), and is also entered for the following race day, the second entry shall be classified as an "in-today" and shall not be considered unless there are insufficient entries in the race. Such a horse shall not be placed on the preferred list.

(c) If a race overfills, the second part of an entry shall receive preference over horses classified as "in-today" on the "also eligible" list.

(d) Each horse's name shall not be placed on the preferred list and all preference shall be forfeited if the owner does not accept, when presented, the opportunity to start the horse. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-13. Declarations and scratches.** (a) Each declaration and scratch shall be made in writing and signed by the owner or trainer of the horse or the owner's authorized agent. Each organization licensee shall provide forms on which scratches and declarations shall be made.

(1) No horse shall be scratched without permission of the stewards.

(2) Each scratch shall be made before the scratch time set by the organization licensee, except as provided in subsections (c) through (f) of this regulation.

(3) In thoroughbred races, if a scratch reduces the number of horses in the race, each horse left in the race shall move into the lower numbered post positions before any horse is drawn from the also eligible list. In other horse races, each horse drawn in shall be placed in the position vacated.

(b) If a scratch reduces the number of horses in the race below the number designated for the race, the designated number of horses shall be maintained by the drawing of lots from the also eligible list after the scratch has occurred, and each horse drawn by this procedure shall be required to race.

(c) Each scratch from an early-closing stakes race shall be made not less than one hour before post time of the race. Any steward or animal health officer may scratch a horse at any time before post time of the race.

(d) If a horse is not named through the entry box at the usual time of closing in a stakes race, that horse shall be scratched from the race.

(e) Any nomination of a horse to a stakes race may be altered or withdrawn at any time before the closing time for nominations.

(f) Despite paragraph (a) (2) of this regulation, the stewards may permit the withdrawal of any horse after it has left the paddock for any reason that they determine to be in the best interests of racing.

(g) The stewards may declare a horse a nonstarter for any occurrence before the running of a race.

(h) If any horse is so unruly in the saddling paddock that the identifier cannot read the tattoo number to properly identify the horse, or if any trainer or assistant is uncooperative in the effort to identify the horse, the horse may be scratched by order of the stewards.

(i) Each declaration of a horse out of an engagement shall be irrevocable. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-14. Penalties and allowances.** (a) Penalties and allowances shall be determined as follows:

(1) Penalties and allowances shall not be cumulative unless they are declared to be so in the conditions of the race. They shall be effective at the start except in overnight events when a horse shall have only the allowance to which it was entitled at the time of entry.

(2) Penalties and sex allowances shall be obligatory. Penalties or allowances shall be claimed at the time of entry. Each horse shall not enter or start a race with less than 102 pounds unless the race is a handicap or stakes.

(3) Each horse shall not receive an allowance of weight or be relieved from extra weight because it has been beaten in one or more races, but this shall not prohibit the awarding of a maiden allowance or allowances to horses that have not won a race within a specified period or a race of specified value.

(4) Failure to claim a weight allowance by oversight or omission shall not be cause for disqualification. Claims of weight allowance to which a horse is not entitled shall not disqualify the horse unless an incorrect weight is carried in the race. However, a fine may be imposed upon the person who claims an allowance to which the horse is not entitled.

(5) Eligibility, penalties and allowances of weight for all races shall be determined from the reports, records and statistics published by the daily racing form and from the horse registries identified in K.A.R. 112-7-6. However, responsibility for weight carried and eligibility shall remain with the owner and the trainer as stated in K.A.R. 112-7-6 (c).

(6) Each horse shall not incur a weight penalty for a placement from which it is disqualified, but each horse that places because of the disqualification of another horse shall incur the weight penalties of the placement. Each horse that places because of the disqualification of another horse shall not be ruled ineligible in a race that has already been run.

(b) For thoroughbreds only, in all races against male horses, two year old fillies shall be allowed three pounds and three year old and older fillies and mares shall be allowed five pounds before September 1 and three pounds after September 1. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-15. Claiming races.** (a) In a claiming race, each horse shall be subject to claim for its entered price

by any person who is eligible to claim or by the claimant's authorized agent. The following persons shall be eligible to claim:

(1) A licensed owner who has a horse registered to race at the current meeting or the owner's duly authorized agent.

(2) A licensed owner by open claim.

(b) Each claim shall be made in writing on a form provided by the organization licensee and approved by the commission. Each claim shall be signed and sealed in an envelope having no identification marks except:

(1) The name of the track;

(2) the number of the race from which the claim is being made; and

(3) a time stamp provided by the track, which demonstrates that the claim was made not later than 12 minutes before the post time of the race in which the horse to be claimed is entered.

(c) The claims clerk shall open the claim box, search for, open and examine the claim envelopes no sooner than 12 minutes before post time for each race.

(d) Information concerning the claims shall not be divulged to anyone other than the racing secretary's staff, the "horsemen's bookkeeper" and the stewards until after the race has been run.

(e) If more than one claim is filed for the same horse, the successful claimant shall be determined by lot under the supervision of the stewards.

(f) Each claim deposited in the claim box shall not be withdrawn or revoked by the claimant.

(g) Each stakes engagement of a claimed horse shall transfer automatically with the horse to the claimant.

(h) The title to a horse that is claimed shall be vested in the successful claimant from the time the field has entered the racetrack for the race in which the horse is scheduled to run, unless the race is canceled or the horse is excused by the stewards. Each claimant shall be the owner of the horse at that time whether it is alive or dead, sound or unsound or injured during the race or after it.

(i) On the day it is claimed, each horse shall run in the interest of and for the account of the owner from whom the horse was claimed.

(j) When an authorization issues from the racing secretary, the claimed horse shall be delivered by the original owner or trainer to the successful claimant or his agent.

(k) Each claimed horse that has been designated for post-race testing shall remain in the responsibility of its trainer until after the collection of a test specimen at the test barn. After the specimen and required signature are given, the trainer shall deliver the horse to the successful claimant.

(l) If a horse is excused by the stewards in a claiming race, each claim for the horse shall be void. However, in its next start, the horse shall race in a claiming race for a claiming price not greater than the amount for which it could have been claimed in the race from which it was excused. If the horse is entered in an allowance or stakes race in its next start, the horse shall be subject to claim for the claiming price from the previous race from which it was excused. The provisions of this paragraph shall apply for a period of 90 days from the date of the claiming race in which the horse was excused.

(m) For 30 days after it is claimed, a horse shall not start in a race in which the eligibility price is less than 25 percent more than the price at which it was claimed. The day the horse was claimed shall not count, and the horse may be entered whenever necessary so that it may start on the thirty-first calendar day following the original claim for any claiming price. In thoroughbred racing, this provision shall apply to starter handicaps and starter allowances.

(n) No claimed thoroughbred shall race at any other racetrack until after the close of the race meeting at which it was claimed or for 60 days, whichever is shorter, except to fulfill a previously committed stakes engagement.

(o) Each horse claimed in a claiming race shall not be sold or transferred wholly or in part to anyone within 30 days after the day it was claimed, except in another claiming race.

(p) If a horse is claimed at a recognized meeting governed by the rules of another racing jurisdiction, the claiming rules of the jurisdiction where the horse was claimed shall be recognized. However, while the horse races in Kansas, this regulation shall apply. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989 effective June 19, 1989.)

**112-7-16. Invalid or void claims and prohibitions on claims.** (a) Each claim be invalid if:

(1) The name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form;

(2) the claimant does not have at least the amount of the claim and any applicable state sales tax on deposit or credited with the "horsemen's bookkeeper;"

(3) the claim form does not specify the designated price as printed in the program or is not signed, or does not fully indicate the name of the party making the claim, or is otherwise incorrectly completed; or

(4) the claim envelope is inaccurate.

(b) If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all of the claim money to the unsuccessful claimant.

(c) Each person or racing interest shall not:

(1) Claim more than one horse from any one race;

(2) claim their own horse or cause the horse to be claimed, directly or indirectly, for their own account;

(3) refuse to deliver a claimed horse to the successful claimant;

(4) remove any horse that has been entered in a claiming race from the racetrack facility where it has been entered to race, or fail or refuse to comply with any rule or any condition of the meeting for the purpose of avoiding or preventing a claim for the horse;

(5) offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;

(6) attempt to intimidate or prevent anyone from running a horse in any claiming race;

(7) claim horses owned or trained by the claimant's trainer's spouse, child, sibling, parent, mother-in-law, or father-in-law;

(continued)

(8) claim a horse from an owner whose horse is trained by the claimant's trainer;

(9) if a trainer, claim a horse from an owner for whom the trainer trains; or

(10) enter or allow to be entered any horse against which any claim is held, either by mortgage or lien of any kind, without having filed the written consent of the holder of the mortgage or lien with the racing secretary and "horsemen's bookkeeper" before the entry.

(d) If the stewards have reasonable doubt about the validity of a claim, the claimant shall be required by the stewards to execute an affidavit stating that the claimant is claiming the horse for the claimant's own account or as an authorized agent, and not for any other person.

(e) Each claimant shall be solely responsible for determining the true age and sex of a claimed horse, and mistakes in the regard printed in the official program or elsewhere shall not be considered a basis for invalidating the claim.

(f) If a filly or mare has been bred, she shall be ineligible to enter a claiming race, unless:

(1) Full disclosure of the fact she has been bred is on file with and posted in the office of the racing secretary;

(2) the breeding slip has been deposited with the racing secretary;

(3) all payments due for the service in question and for any live progeny resulting from the service are paid in full; and

(4) the release of the breeding slip to the successful claimant at the time of the claim is guaranteed; or

(5) as an alternative to subparagraphs (1) through (4) above, a licensed veterinarian's certificate dated at least 40 days after the last breeding of the mare or filly is on file with the racing secretary that states that the mare or filly is not in foal.

(g) Not later than 24 hours after the race is run, written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-17. Claiming authorization.** (a) Each person who makes an application for a claiming authorization on the forms provided shall receive a claiming authorization from the commission or its appointed representatives, provided the person:

(1) Is licensed as an owner or an owner by open claim;

(2) has an agreement with a licensed trainer to take charge of, care for the train any horse claimed pursuant to the claiming authorization; and

(3) has at least the amount of the claim and applicable taxes on deposit or credited with the "horsemen's bookkeeper."

(b) Each holder of a claiming authorization and each trainer shall promptly notify the stewards in writing if the agreement is terminated before a horse is successfully claimed.

(c) Each claiming authorization shall be valid for 30 days or until the person to whom the authorization was issued becomes a horse owner either through use of the claiming authorization or through a private purchase, whichever is sooner.

(d) Each applicant for a claiming authorization shall pay to the commission the same fee that is charged for an owner's license before the authorization is issued. Each holder of a claiming authorization shall not be entitled, by virtue thereof, to admission to the grandstand, clubhouse or other spectator facility at prices less than those charged to the general public. The holder of a claiming authorization who previously has not been granted an owner's license shall be issued an owner's license without payment of any additional fees.

(e) An application for claiming authorization may be denied or revoked for any reason that would justify denial, suspension or revocation of an owners' license. Each person whose claiming authorization is denied or revoked shall have the same rights to notice and hearing as an owner would have whose license is denied, suspended or revoked. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-18. Jockeys.** (a) Each jockey engaged to ride in a race shall report to the jockey room at least one hour before post time of the first race and shall weigh out at the appointed time. After reporting to the jockey room, the jockey shall not leave it until all of that jockey's riding engagements have been fulfilled, unless the jockey is excused by the stewards.

(b) Only jockeys, jockey attendants, racing officials, security officers on duty and organization employees performing required duties may enter the jockey room from one hour before post time for the first race until after the last race subject to the following exception. Only with the permission of the stewards or the commission may any other person enter the jockey room at the time identified in this subsection.

(c) Each jockey mount fee for a horse in the race shall be on deposit with the "horsemen's bookkeeper" before the time for weighing out. Failure to deposit the minimum fee shall be cause for disciplinary action and cause for the stewards to scratch the horse for with the fee is to be deposited. Each organization licensee shall assume the obligation to pay the jockey fee when it is earned by the engaged jockey. The jockey mount fee shall be earned when the jockey is weighed out by the clerk of scales unless a jockey who is capable of riding elects to take himself off the horse without proper cause in the opinion of the stewards.

(d) Each jockey who is engaged for a certain race or for a specified time shall not fail or refuse to abide by the agreement unless the jockey is excused by the stewards. Each jockey agent shall maintain a record of all engagements made for the jockeys they represent. The record shall specify first and second calls in each race. The officials may require that the jockey agent file the first and second calls with the racing secretary and display their record of engagements. Any trainer or owner may demand from a jockey or jockey agent written confirmation of an engagement. Each jockey shall be bound by agreements made on the jockey's behalf by the jockey's agent. Each conflicting claim for the services of a jockey shall be decided by the stewards. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)



**112-7-19. Jockey mount fees.** (a) In the absence of a written contract or special agreement between the parties, jockey mount fees shall be:

Purse	Winning Mount	Second Mount	Third Mount	Losing Mount
\$499 & Under	27.00	19.00	17.00	16.00
500 - 599	30.00	20.00	17.00	16.00
600 - 699	36.00	22.00	17.00	16.00
700 - 999	10%-Win Purse	25.00	22.00	20.00
1,000 - 1,499	10%-Win Purse	30.00	25.00	22.00
1,500 - 1,999	10%-Win Purse	35.00	30.00	28.00
2,000 - 3,499	10%-Win Purse	45.00	35.00	33.00
3,500 - 4,999	10%-Win Purse	55.00	45.00	35.00
5,000 - 9,999	10%-Win Purse	65.00	50.00	40.00
10,000 - 14,999	10%-Win Purse	5%-Place Purse	5%-Show Purse	45.00
15,000 - 24,999	10%-Win Purse	5%-Place Purse	5%-Show Purse	50.00
25,000 - 49,999	10%-Win Purse	5%-Place Purse	5%-Show Purse	60.00
50,000 - 99,999	10%-Win Purse	5%-Place Purse	5%-Show Purse	75.00
100,000 & up	10%-Win Purse	5%-Place Purse	5%-Show Purse	100.00

(b) If the parties enter an agreement regarding the jockey mount fee, the parties shall deliver a written contract or agreement, which is signed by the jockey or his agent and the owner or his authorized agent, that details the mount fee for a winning mount, a second place mount, a third place mount and a losing mount, to the "horsemen's bookkeeper" prior to running of the race. Each "horsemen's bookkeeper" shall debit the owner's purse account in accordance with the provisions of the written contract or agreement. If no written contract or agreement is executed and delivered to the "horsemen's bookkeeper" prior to the running of the race, the "horsemen's bookkeeper" shall debit the owner's purse account in accordance with the fee scale set forth in this regulation. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-20. Safety helmets required.** Each person who is mounted on a race horse within the enclosure or riding in a race shall wear a properly fastened safety helmet. Any other person mounted on any horse may be required by the stewards to wear a safety helmet within the enclosure. All required safety helmets are subject to the approval of the stewards or the commission. Each person who is mounted on a race horse within the enclosure shall have on file at the racetrack commission office a record of physical examination, including vision and hearing tests, conducted by a duly licensed physician within the year immediately preceding. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-21. Paddock to post.** (a) Each horse in a race shall carry a conspicuous saddle-cloth number and a head number corresponding to the horse's number on the of-

ficial program. In the case of a coupled entry, each horse making up the entry shall bear the same number as the first part of the entry and also a distinguishing letter immediately following the number on the head and saddlecloth. In the case of a field, the horses comprising the field shall bear an individual number or a particular number immediately followed by a distinguishing letter.

(b) Each trainer shall have the entered horse in the paddock not less than 15 minutes before post time. The trainer shall attend the horse in the paddock and be present to supervise its saddling unless the trainer has obtained the permission of a steward to send an assistant trainer or another trainer as a substitute. Each horse shall be saddled in the paddock unless permission has been granted by the stewards to saddle elsewhere.

(c) Each blanket and bandage except any bandage that will be worn during a race shall be removed immediately upon arrival in the paddock. If weather conditions dictate, blankets may be worn after saddling with the permission of the paddock judge.

(d) The stewards may permit a horse to be led directly to the post and to be excused from the post parade. However, each horse shall pass the steward's stand on its way to the post.

(e) Each lead pony and each rider shall be permitted to enter the saddling paddock or walking ring only after the stewards have given permission.

(f) Each post parade shall not last longer than 14 minutes after the horses enter the racetrack, except in cases of unavoidable delay. When the horses reach the post, they shall be started without unnecessary delay.

(g) After the horses enter the racetrack, no jockey shall dismount and no horse shall be entitled to the care of an attendant without the permission of the stewards or the starter. Each horse shall be free of all hands other than those of the jockey, lead pony rider, assistant starter or header before the field is dispatched by the starter. In case of accident to a jockey or to the horse or equipment, any steward or any starter may permit the affected jockey to dismount and the horse to be cared for during the delay and also may permit any other jockeys to dismount and any other horses to be attended during the delay.

(h) Each horse shall carry its assigned weight from paddock to post and from post to finish. If a jockey is thrown on the way from the paddock to the post, the horse shall be remounted, returned to where the jockey was thrown and shall proceed over the route of the parade to the post.

(i) If the jockey sustains an injury on the way to the post that requires substitution of another jockey, the horse shall be returned to the paddock. Another jockey shall mount and then ride the horse over any uncompleted portion of the exact route of the parade to the starting point.

(j) If a horse leaves the course while proceeding from paddock to post, the horse shall return to the course at the nearest practical point where it left the course. It shall then complete its parade to the post from the point at which it left the course.

(k) No person shall willfully delay the arrival of a horse at the post.

(l) Only the jockey shall be permitted to strike a horse

(continued)

to assist in starting. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-7-22. Post to finish.** (a) Each horse shall not be permitted to start unless it has been tattooed and fully identified.

(b) Each horse shall take a position in numerical order from the inside rail. The order shall be determined by post positions.

(c) Each horse shall be a starter after the doors of the starting gate in front of it open when the official starter dispatches the horses.

(d) Each horse shall be ridden past the finish line in every race and shall carry the assigned weights from the post to finish, unless disqualified.

(e) Each horse that leaves the course during a race shall be disqualified.

(f) The following rules shall apply to the running of a race:

(1) In a straightaway race, each jockey shall maintain the horse as nearly as possible in the lane in which it starts.

(2) Each jockey shall make a best effort to control and guide the mount in such a manner as not to cause a foul.

(3) Each jockey shall not willfully strike or touch another jockey or another jockey's horse or equipment during a race for the purpose of interfering with the horse or jockey. No jockey shall strike the jockey's horse on or about the head.

(4) Any rider may be fined or set down, or both, by the stewards for willful fouling or careless riding. The nature and seriousness of the offense shall be considered by the stewards.

(5) Any jockey whose horse has been disqualified or who unnecessarily causes the horse to change or shorten its stride for the purpose of losing a race may be fined or suspended.

(g) The stewards shall be vested with the discretion to determine the propriety and nature of a disqualification and whether it applies to any other part of an entry. The stewards' decision shall be final.

(1) To determine the disqualification of a horse in any race, the stewards may either place the horse behind the horse or horses with which they believe it interfered, or they may place it last, or they may unplace it.

(2) When a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one shall not necessarily affect the placing of the other.

(h) Each jockey shall give the best effort in races. Any instructions or advice to jockeys to ride or handle their mounts except for the purpose of winning shall be prohibited and shall subject each person giving or following those instructions or advice to disciplinary action by the stewards and the commission. If two horses run in one interest in any race, each horse shall be ridden to give its best effort.

(i) Only the owner, trainer, or jockey alleged to be aggrieved shall make a protest relating to the running of the race. Each protest shall be made to the stewards or the clerk of scales before or immediately after weighing

in. Any owner, trainer or jockey who makes a frivolous protest may be fined.

(j) No person shall help a jockey remove the equipment that is to be included in the jockey's weight from the jockey's horse unless the stewards give permission.

(k) No person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in the jockey's weight.

(l) Each dead heat shall be governed in the following manner:

(1) If two or more horses run a dead heat, the dead heat shall not be run off.

(2) Each horse shall be considered a winner in a dead heat for first place.

(3) If two or more horses finish in a dead heat and a protest is filed and allowed against a horse that finished in front of the dead heat, the horses that ran the dead heat shall be deemed to have run from the higher position.

(4) Owners of horses that finish in a dead heat for any position shall divide equally all money and other prizes. If no agreement is reached as to which of them shall receive an indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

(m) If a race is run by all of the horses at the wrong weights or over a wrong distance, and if a protest is filed and allowed before the flashing of the "official" sign on the totalisator board, the stewards shall declare the race no contest.

(n) Each of the following procedures shall apply if any horse is disabled or otherwise is unable to finish a race:

(1) The horse shall be dismounted, unsaddled and removed from the racetrack without passing the stand. The horse shall not be destroyed on the racetrack or in the presence of the public without the permission of the stewards.

(2) If a bone is broken and the horse is disabled, the horse shall remain on the racetrack until the horse ambulance arrives and removes it.

(3) If destruction of the horse is necessary, the animal health officer shall destroy the horse by use of an intravenous injection out of the vision of the public. If destruction in the view of the public is necessary, an ambulance screen shall be made available by the organization licensee.

(4) If a horse is disabled, a drug test for prohibited substances shall be performed on the horse. If destruction of the horse is necessary, a postmortem examination may be performed upon order of the stewards at the expense of the owner. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

## Article 11.—SECURITY AND SAFETY

**112-11-1. Definitions.** As used in regulations concerning security and safety, unless the context otherwise requires:

(a) "Ambulance" means any aircraft or motor vehicle, whether privately or publicly owned, that is specially constructed, equipped and intended to be used for the purpose of transporting sick, injured, disabled or otherwise incapacitated human beings.

(b) "Basic course" means a training course for security guards given before they assume their official duties.

(c) "Continuing education" means refresher training given to security guards annually.

(d) "Firearms course" means a training course that includes instruction on the use of deadly force and that is conducted by a person who has completed a firearms instructor's course recognized by the Kansas law enforcement training commission.

(e) "First aid course" means any of the following officially recognized courses: red cross advanced first aid course, emergency medical technician course or emergency medical services first responder course.

(f) "Security guard" means a person whose principal duty is to protect persons or property at a racetrack facility licensed by the commission. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-2. Minimum requirements for security guard.** (a) Each person who is licensed by the commission as a security guard shall have met the following requirements before licensure:

- (1) Be a citizen of the United States;
- (2) complete a comprehensive written application approved by the commission;
- (3) submit to a background investigation conducted by the director of security, director of the Kansas bureau of investigation or other person designated by the commission. Each applicant shall execute and verify a personal background disclosure form provided by the commission and fully cooperate in any investigation it may undertake;
- (4) undergo a thorough medical assessment conducted by a licensed physician approved by the commission;
- (5) demonstrate by the medical assessment that the individual is free from any physical defect that might adversely affect the applicant's performance as a security guard;
- (6) undergo an evaluation conducted by a licensed psychologist approved by the commission;
- (7) demonstrate by the evaluation that the individual is free from any emotional or mental condition that might affect the applicant's performance as a security guard;
- (8) pass an oral examination approved by the commission's director of security and conducted by the organization licensee's director of security; and
- (9) demonstrate by the oral examination that the applicant possesses adequate communication skills to clearly convey information and instructions to the public at a racetrack in regular and emergency situations.

(b) Each organization licensee's director of security shall submit a proposed text of the oral examination to the commission's director of security for approval each year not later than 90 days before the first day of the race meet that the organization licensee proposes to conduct. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-3. Security guard license.** Each security

guard license shall expire one year from the date the license is issued. Each security guard shall be licensed as an occupation licensee and shall pay the fee approved by the commission. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-4. Basic course for security guard.** (a) Each security guard applicant shall submit to the commission satisfactory proof, upon a form approved by the commission, that the applicant has successfully completed a basic course that includes at least 40 hours of instruction in the following areas:

- (1) Kansas criminal statutes;
- (2) Kansas parimutuel racing act, K.S.A. 1987 Supp. 74-8801 *et seq.*, and amendments to it;
- (3) criminal procedure;
- (4) constitutional rights;
- (5) human behavior;
- (6) security operations and procedures;
- (7) first aid;
- (8) firearms;
- (9) defense tactics;
- (10) report writing;
- (11) court and administrative procedures; and
- (12) emergency procedures.

(b) Any security guard applicant's instruction in a subject area listed in subsection (a) may be waived by the commission if the applicant has been certified by the Kansas law enforcement training commission or if the Kansas law enforcement training commission notifies the commission that the individual is eligible for certification by the Kansas law enforcement training commission.

(c) Each organization licensee's director of security shall be responsible for the instruction of each security guard applicant in the subject areas listed in subsection (a) using resources, training personnel and standards approved by the commission. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-5. Continuing education for security guard.** (a) Each security guard's license shall not be renewed unless the licensee furnishes the commission proof that the licensee has successfully completed at least 20 hours of continuing education within the 12 months before the renewal date in the following areas:

- (1) Physical protection;
- (2) laws of arrest;
- (3) constitutional law;
- (4) handling of citizen complaints;
- (5) firearms training;
- (6) fire safety;
- (7) evacuation plans; and
- (8) first aid.

(b) Each organization licensee's director of security shall submit to the commission's director of security a

(continued)

detailed outline of the continuing education courses and a description of the instructors' credentials before any security guard may receive credits for participating in continuing education. Continuing education credits shall be granted at the rate of one hour for each 50 minutes of instruction.

(c) Continuing education courses shall be approved by the commission's director of security based on their relevance to the knowledge, skills and abilities needed for security guards. Each Kansas law enforcement training commission course shall qualify for continuing education credits. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804; as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816; as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-6. Standards of conduct for security guard.**

(a) Each security guard who carries a firearm shall comply with the provisions of K.S.A. 1987 Supp. 74-5604a and amendments to it or commission security guard training requirements. Each security guard who carries a firearm shall comply with any local ordinances that may apply.

(b) Each security guard shall not:

- (1) Use unreasonable force;
- (2) obstruct, hinder, interfere or prevent an investigation by the commission or any law enforcement agency;
- (3) be on the backstretch unless engaged in official duties during an assigned tour of duty or unless authorized by track security to enter; or

(4) place a wager at any time on a race conducted at the racetrack facility where the guard is employed. (Authorized K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; K.S.A. 1987 Supp. 74-8810 (e) (2) effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-7. Security guard and other law enforcement cooperation.** Each security guard shall cooperate fully with federal, state and local law enforcement agencies that have jurisdiction to enforce the criminal laws and regulations at racetrack facilities. Each security guard shall submit a racetrack incident report for each crime suspected, investigated or prevented at a racetrack facility to the organization licensee's director of security. The director of security shall file two copies of the report with the commission, and a copy with the designated local law enforcement agency within 24 hours of the incident's occurrence or discovery of its occurrence. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-8. Written security and safety procedures manual.** (a) Each organization licensee shall file a written security and safety procedures manual with the commission for approval not later than 120 days before the first day of the race meet that the organization licensee proposes to conduct. Each security and safety procedures manual shall include all information required in K.A.R. 112-3-14 and any additional information required by the

commission in article 112 of the Kansas administrative regulations.

(b) Each organization licensee shall maintain a comprehensive security and safety plan for its premises. Each security and safety plan shall be detailed in the written security and safety procedures manual.

(c) Each organization licensee's security and safety procedures manual shall be subject to periodic review and approval as determined by the commission or the commission's director of security.

(d) Each licensee's security and safety procedures manual shall be filed with the commission as confidential security information. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3 and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-9. Physical requirements for premises security.** (a) Each organization licensee shall include in its security and safety procedures manual a detailed description of the physical elements of its security plan, including a schematic floor plan.

(b) Each description shall include the location and type of:

- (1) Fencing and barbed wire;
- (2) security office and detention room;
- (3) buildings, gates, doors, locks, hinges, ceilings, skylights, walls, windows and furnishings;
- (4) parking lots, including size;
- (5) loading docks or loading zones;
- (6) access roads;
- (7) landscaping;
- (8) exterior lighting;
- (9) interior lighting;
- (10) main electrical switches, fuses, or circuit breakers;
- (11) emergency power system and its service area;
- (12) safe or vault, or both, including rating and anchor system;
- (13) parimutuel wagering equipment;
- (14) utility control points;
- (15) attics, basements, crawl spaces, air conditioning and heating ducts, including sizes;
- (16) elevators and stairs;
- (17) fire protection devices;
- (18) alarm systems;
- (19) surveillance systems;
- (20) roof access; and
- (21) trash storage. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-10. Identification and credentials.** (a) Each person shall not be admitted to a restricted area without a license issued by the commission or a visitor's pass. Visitor's passes may be issued by the organization licensee in accordance with procedures outlined in the written security and safety procedures manual. Each license or visitor's pass shall be prominently attached to an outer garment.

(b) Each license or visitor's pass shall be used only by the individual to which it was issued. Licenses and visitor's passes shall not be loaned to any other person.

(c) This regulation shall not prevent a law enforcement officer or other public safety official when on duty or an individual authorized by the commission from entering a restricted area.

(d) The restricted areas at a racetrack facility shall be as follows:

- (1) Administrative offices, if labeled a restricted area;
- (2) the backside;
- (3) behind the mutuels line;
- (4) commission offices;
- (5) the concessions work area;
- (6) the delivery areas;
- (7) the detention barn;
- (8) the infield, if labeled a restricted area;
- (9) the jockeys' room;
- (10) the judges' stand and photo finish;
- (11) the kennel compound;
- (12) the lockout kennel;
- (13) the owners' and trainers' lounge;
- (14) the lure operator's office;
- (15) the money room;
- (16) the mutuels room;
- (17) the paddock;
- (18) the press box;
- (19) the printing office;
- (20) the security office and detention room;
- (21) stables;
- (22) the starting gate and boxes;
- (23) the stewards' stand;
- (24) the test areas;
- (25) the totalisator;
- (26) the track;
- (27) the vault;
- (28) veterinarian offices; and
- (29) the video patrol.

(e) Each security and safety procedures manual shall describe the procedure for issuing a license or visitor's pass. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-11. Access to restricted areas.** Each organization licensee shall prevent access to and shall remove or cause to be removed from its restricted areas any person who is unlicensed or who has not been issued a temporary visitor's pass or whose presence in the restricted area is unauthorized. The provisions of this regulation shall not prevent a public safety official when on duty or an individual authorized by the commission from entering a restricted area. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-12. Search and seizure.** (a) Each applicant who secures an occupation license shall be deemed to consent, as a condition of the license, to a search without warrant by the commission's security personnel or by the agents of the Kansas bureau of investigation, of:

- (1) the licensee's person while the licensee is within

the racetrack facility or within adjacent facilities under the control of the organization licensee; and

- (2) the licensee's personal property or work area that is within the racetrack facility or within adjacent facilities under the control of the organization licensee.

(b) Each applicant who secures a concessionaire license shall be deemed to consent, as a condition of the license, to the conduct of a search without warrant of the licensee's work area and personal property and the persons of its owners, officers and employees by the commission's security personnel or by the agents of the Kansas bureau of investigation while the licensee is engaged in business within the racetrack facility or within the adjacent facilities under the control of the organization licensee.

(c) Each occupation licensee's or concessionaire licensee's consent to a search shall apply only to the commission's security personnel or agents of the Kansas bureau of investigation investigating possible criminal violations of the Kansas racing act or article 112 of the Kansas administrative regulations.

(d) Each agency conducting a search without warrant in compliance with this regulation shall provide the licensee searched with a post-search written notice of:

- (1) Date and time of search;
- (2) places and items searched; and
- (3) items seized.

(e) When an agency, in compliance with this regulation, is to search an area containing racing animals, the agency shall, to the extent permitted by the circumstances, provide notice to the person responsible for the area so that this person can observe the search. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4, K.S.A. 1987 Supp. 74-8817; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-13. Controlled substance and alcohol testing.** (a) If directed by the stewards or racing judges, and upon reasonable suspicion of intoxication while actively engaged in employment, each occupation licensee or any other employee of the licensee shall submit to a breathalyzer test. Each licensee or employee whose breathalyzer test indicates a blood alcohol content of .05 percent or more shall be temporarily suspended by the stewards or racing judges, pending procedures in accordance with the provisions of the Kansas administrative procedure act and article 112 of the Kansas administrative regulations.

(b) If directed by the stewards or racing judges, each occupation licensee or employee of the licensee shall submit to a urine test to determine whether any controlled substances are present.

(1) Each licensee or employee who refuses to submit to the urine test procedures shall be temporarily suspended by the stewards or racing judges in accordance with K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4, and the provisions of the Kansas administrative procedure act, and article 112 of the Kansas administrative regulations.

(2) Each occupation licensee or employee of the licensee who is directed to submit to a urine test shall provide the urine sample, in accordance with the procedure out-

(continued)

lined in the security and safety procedures manual, to the individual approved by the stewards or racing judges.

(A) Each sample shall be immediately sealed and tagged on the form approved by the commission and each occupation licensee or employee who was tested shall sign the sample tag where indicated.

(B) Each portion of the tag form that is provided to the laboratory for analysis shall not identify the tested licensee by name.

(C) Each occupations licensee or employee shall fully cooperate with the testing procedures.

(3) Each test laboratory shall forward a written report of testing results to the stewards or racing judges.

(4) Each occupation licensee or employee whose test reflects controlled substances shall be temporarily suspended by the stewards or racing judges in accordance with K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4, the provisions of the Kansas administrative procedure act and article 112 of the Kansas administrative regulations until further action by the commission.

(c) Information elicited in the process of obtaining a breathalyzer sample or a urine sample shall be treated as confidential, except as necessary for a ruling issued in compliance with this regulation, and for any administrative or judicial hearing related to the ruling. Access to the test results and reports shall be limited to the commission, the executive director, security director, counsel to the racing commission, the tested licensee and any one to whom the licensee publishes the information.

(d) Test results and reports in this regulation shall be stored in a locked, secured area located in the office of the commission. This regulation shall not prevent the commission from compiling a record from the information and reports for the purpose of recording the number of violations committed by a licensee or employee of a licensee. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-14. Ambulances.** (a) Each organization licensee shall provide at least one ambulance on the premises of the racetrack facility. Each ambulance shall be staffed and on duty during horse training periods and the scheduled horse or greyhound races. Each ambulance shall have:

(1) A Kansas board of emergency medical services type I ambulance license if the county in which the racetrack facility is located has Kansas board of emergency medical services type I ambulance service; or

(2) a Kansas board of emergency medical services type II ambulance license if the county in which the racetrack facility is located does not have Kansas board of emergency medical services type I ambulance service.

(b) Each organizational licensee shall close the track to horses unless the required ambulance service is present at the racetrack facility.

(c) Each ambulance shall have ready access to all parts of the track in each horse race run.

(d) For horse race meetings, each organization licensee

shall provide a staffed horse ambulance each day horses are on the racetrack. When necessary, each organization licensee shall dispose of deceased horses expediently and in a humane manner.

(e) Any greyhound races on the daily schedule may continue when the required ambulance service is transporting sick or injured persons to a place where medical care is furnished. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-15. Fire prevention.** Each organization licensee shall submit plans and specifications for fire prevention to the Kansas state fire marshal and any required local authorities for approval before commencement of construction, remodeling or alteration of any location at a racetrack facility. Each organization licensee shall post in a conspicuous place the fire regulations applicable to the stable area or kennel area, or both, the fire regulations applicable to all other locations and any other notice required by the Kansas state fire marshal and any local authorities. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-16. Smoking in the shedrow and the kennels.** (a) Smoking shall be prohibited in each shedrow, stall or feed storage area inside a barn.

(b) Smoking shall be prohibited in each kennel building. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-17. Emergency procedures.** (a) Each organization licensee shall submit a comprehensive emergency procedures and evacuation plan as part of the security and safety procedures manual.

(b) Each emergency procedure and evacuation plan shall describe potential emergencies and the planned response to the emergency situation.

(c) Each organization licensee shall plan and execute a rehearsal of all emergency procedures and responses before the first performance of each race meet each year and at any other time required by the commission's director of security. Each rehearsal shall be approved and observed by the commission's director of security or the director of security's designee. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-18. Obedience to security guards and commission representatives.** Each licensee and individual at a racetrack facility shall not willfully ignore or refuse to obey or interfere with any order issued by the commission, the commission's representatives, the stewards or

racing judges, any security guard of the facility or any law enforcement officer or other public safety official when the order is given in the performance of duty. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-19. Racetrack safety standards, horse race meets.** (a) Unless excused by the commission for good cause, each organization licensee shall meet the following racetrack standards at horse race meets.

- (1) Each racing surface shall have inner and outer rails.
- (2) Each rail shall:
  - (A) Be constructed of a material that will bear the impact of a horse without breaking away;
  - (B) be maintained at a height that measures 40" from the top of the cushion to the top of the rail;
  - (C) be bolted or welded to the rail posts; and
  - (D) have a smooth surface.
- (3) Each rail post upon which inner and outer rails are mounted shall:
  - (A) Be set in concrete at least 6" below the racetrack surface, and at least 24" deep; and
  - (B) have a continuous smooth cover over the posts.
- (4) Each gate opening in a rail, including the gap, shall:
  - (A) Have the same appearance as the rest of the rail;
  - (B) be less than 10 feet in length unless it has a center support;
  - (C) have a top gate rail that is secured to the top of the rail for which the gate provides an opening;
  - (D) except for "on" and "off" gates during training, be closed during racing and training; and
  - (E) if an "on" or "off" gate, be placed at 50-foot intervals.
- (5) Each starting gate used for morning schooling shall be placed far enough from the "on" and "off" gates so that horses entering and leaving the track will not interfere with or distract horses in schooling or breaking from the gate.
  - (b) Each distance pole marker, electrical box, timer, starters' stand, patrol judges' stand or other obstacle or device shall be placed more than 15 feet from the back of the bottom of the rail post.
  - (c) Each drainage ditch or hole within 15 feet of the back of the bottom of the inside rail shall be covered with a soft material installed level with the ground surface that will not allow a horse or jockey to fall below the level of the ground surface.
  - (d) Each racetrack lighting system for nighttime racing shall have an operational emergency generator back-up system that is serviced and tested at least once each month during the race meet. The results of each test shall be documented in a written report that shall be submitted to the commission within 24 hours.
  - (e) Each organization licensee that has 21 or more race days per year shall have a safety committee.
    - (1) Each safety committee shall be made up of two representatives from the management of the organization licensee, two representatives from the jockeys riding at the track, two representatives from the "horsemen" registered in the racetrack office and at least one of the stewards.
    - (2) Each safety committee shall identify unsafe condi-

tions at the racetrack facility and recommend remedies in writing to the organization licensee, the executive director and the commission.

(f) For each scheduled race, the starting gate shall be placed at an approximately equal distance from the outside rail and the inside rail. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

**112-11-21. Prohibited acts.** When on the grounds of a race track facility, no person shall: (a) Violate a federal, state or local criminal or civil law;

- (b) unless authorized by the commission, possess a firearm or other dangerous weapon;
- (c) damage or destroy property of the race track facility or adjoining facilities;
- (d) smoke in nonsmoking areas as designated by the commission;
- (e) unless authorized by the stewards or racing judges, communicate or attempt to communicate with a jockey or driver during racing hours, or attempt to gain entrance to the jockeys' and drivers' quarters at any time;
- (f) fail to secure an occupation license if required for performance of duties at the racetrack facility;
- (g) employ unlicensed personnel;
- (h) alter or forge a prescription for medication for a racing animal;
- (i) mar or alter any identification mark on any racing animal;
- (j) unless authorized by the stewards or racing judges, use any radio transmitter or other transmitting device at a race track facility during a race meet;
- (k) unless authorized by the commission, transmit or receive or attempt to transmit or receive wagering information through the use of a communication device; or
- (l) participate in a race meet while suspended by the official racing body of any racing jurisdiction. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

JIMMY D. GRENZ  
Executive Director

Doc. No. 007762

(continued)

## State of Kansas

## BOARD OF HEALING ARTS

TEMPORARY ADMINISTRATIVE  
REGULATIONS

## Article 11.—FEES

**100-11-1. Amount.** The following fees shall be collected by the Board:

- (a) Licensed based upon an examination given by the Board ..... \$150.00
- (b) License based upon endorsement ..... \$150.00
- (c) License based upon certificate issued from national boards ..... \$150.00
- (d) License based upon certificate issued by the federation of state medical boards ..... \$150.00
- (e) (1) Annual renewal of a license ..... \$150.00
- (2) Late renewal ..... \$ 50.00
- (3) Reinstatement renewal ..... \$250.00
- (f) Temporary permit ..... \$ 30.00
- (g) Institutional license ..... \$150.00
- (h) Visiting professor license ..... \$ 15.00
- (i) Certification fee ..... \$ 15.00
- (j) Duplicate license ..... \$ 15.00
- (k) Examinations:
  - (1) Medical or osteopathic
    - (A) FLEX I and FLEX II ..... \$460.00
    - (B) FLEX I ..... \$250.00
    - (C) FLEX II ..... \$300.00
  - (2) Chiropractic ..... \$ 95.00
  - (1) Special permit (out-of-phase) ..... \$ 15.00
- (m) Postgraduate training temporary permit... \$ 25.00
- (n) Annual renewal of exempt license ..... \$115.00

(Authorized by K.S.A. 1988 Supp. 65-2865; implementing K.S.A. 1988 Supp. 65-2809, K.S.A. 1988 Supp. 65-2833, K.S.A. 1988 Supp. 65-2852, K.S.A. 1988 Supp. 65-2811; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Feb. 15, 1977; amended May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended, T-83-33, Nov. 10, 1982; amended May 1, 1983; amended, T-85-50, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-42, Dec. 19, 1986; amended May 1, 1987; amended, T-88-11, May 18, 1987; amended May 1, 1988; amended T-100-4-24-89, April 24, 1989.)

## Article 49.—FEES

**100-49-4. Fees.** The following fees shall be collected by the Board:

- (a) License based on an examination given by the board ..... \$150.00
- (b) License based on endorsement ..... \$150.00
- (c) (1) Annual renewal ..... \$150.00
- (2) Late renewal ..... \$ 50.00
- (3) Reinstatement ..... \$100.00
- (d) Temporary permit ..... \$ 30.00
- (e) Temporary license ..... \$ 25.00
- (f) Examination ..... \$ 50.00
- (g) Certification fee ..... \$ 15.00
- (h) Duplicate license ..... \$ 15.00
- (i) Annual renewal of exempt license ..... \$115.00

(Authorized by K.S.A. 65-2013; implementing K.S.A.

1988 Supp. 65-2012; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended T-100-4-24-89, April 24, 1989.)

RICHARD G. GANNON  
Executive Director

Doc. No. 007792

## State of Kansas

## THE KANSAS LOTTERY

TEMPORARY ADMINISTRATIVE  
REGULATIONS

## Article 4.—INDIVIDUAL GAME RULES

**111-4-138. Name of Drawing.** The Kansas lottery shall conduct a series of cash drawings entitled "Wrangler Drawings." The dates of the drawings shall coincide with 1989 Wichita Wranglers home baseball games in Wichita, Kansas. The dates of the drawings shall be as follows:

Thursday May 4  
Thursday June 8  
Thursday June 22  
Thursday July 6  
Thursday July 13  
Thursday August 3  
Thursday August 17

Drawings shall be held during the middle of the 7th inning or the first half inning after 10:00 p.m., whichever is first. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-139. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 1988 Supp. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Wichita Wranglers" or "Wranglers" means the Triple A baseball team based in Wichita, Kansas.

(c) "Kansas Lottery Wichita Wrangler Drawings" or "Wrangler Drawings" are the acts of drawing prizes conducted by the Kansas lottery at the Wichita Wrangler home baseball games in which participants are selected to win various prizes as described in K.A.R. 111-4-142.

(d) "Co-sponsor drawings" are the acts of drawing for prizes which may be held subsequent to the "Wrangler Drawings."

(e) "Co-sponsor(s)" means the person, retailer or organization designated by the executive director to assist in organizing the "Kansas Lottery Wichita Wranglers Drawings."

(f) "Non-winning ticket" means any valid Kansas instant game lottery ticket not eligible to win a prize under any instant game rules.

(g) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Wrangler Drawings" are made. Receptacles or drums shall be sealable and capable of being rotated for the purpose of mixing.

(h) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the



receptacle or drum wears a short-sleeved (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm.

(i) "Lottery security" means the lottery security officer or a certified law enforcement officer(s) designated by the executive director or the person designated by the executive director. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-140. Location of Drawings.** "Wrangler Drawings" shall be held at the Wichita Wrangler baseball stadium, 300 S. Sycamore, Wichita, Kansas, from May 4 through August 17, 1989. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-141. Prerequisites for a Drawing.** Before "Wrangler Drawings" may be validly conducted, a location and a receptacle or drum must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-142. Prizes.** The winners selected at the Kansas lottery "Wrangler Drawings" listed at K.A.R. 111-4-138, shall receive five hundred dollars (\$500). All prize awards are subject to lottery validation, set offs and deductions as provided by law. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-143. Entry into Drawing.** Entry into the "Wrangler Drawing" is accomplished by the process detailed in the following subparagraphs:

- (a) Obtain a valid Kansas instant lottery ticket;
- (b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for "Wrangler Drawings" and shall be redeemed in accordance with the instant game rules;
- (c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning the drawing and the holder of the ticket may enter the "Wrangler Drawings."
- (d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it. Unsigned tickets shall not be considered valid entries in any drawing conducted by the lottery;
- (e) The holder of the non-winning ticket must take the non-winning ticket with the completed information form to the location of the "Wrangler Drawing" and place it in the receptacle provided;
- (f) The receptacle or drum shall be available and entries may be made from the time the gates officially open on the dates established in K.A.R. 111-4-138 until the drum is sealed immediately prior to the drawing;
- (g) The holder of the ticket must personally attend the "Wrangler Drawing" in which he or she is entered and be present at the time of the drawing to be determined a winner;
- (h) The drawing will be conducted at the approximate times listed in K.A.R. 111-4-138.
- (i) There is no limit to the number of entries a partic-

ipant may make. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710(b); effective T-111-4-19-89, April 18, 1989.)

**111-4-144. Determination of "Wrangler Drawing" Winners.** (a) At the half-inning, or approximately ten minutes before each drawing, the co-sponsor(s) or person designated by the executive director, shall announce to those in attendance the approximate time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the co-sponsor or person designated by the executive director shall announce that entries into the "Wrangler Drawings" are closed. No further entries will be accepted.

(c) The receptacle or drum shall be sealed and mixed to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection process.

(e) The selection of the "Wrangler Drawing" winner shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket from the receptacle in which all entries were placed. Lottery security shall review the selected ticket to determine if the ticket is valid, the name stated on the information form located on the back of the selected ticket is legible and the ticket is signed. If the ticket is valid, the name is determined to be legible and the ticket is signed, the name shall be announced to the audience.

(f) The named person must be present in order to win the "Wrangler Drawing" prize.

(g) The person whose ticket has been drawn from the receptacle or drum shall be determined the "Wrangler Drawing" winner.

(h) The winner shall be given a prize claim form to be completed and returned to the lottery;

(i) If the ticket is not valid, the name on the ticket is not legible or the ticket is not signed, or the person is not present, the ticket drawn will be void and the selection process shall be repeated until a winner is selected. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-145. Security of Drawing.** (a) The receptacle or drum located at the Wranglers' baseball stadium, into which drawing participants place their ticket entries shall be monitored from the commencement of ticket entries until completion of the event by Lottery security.

(b) The actual drawing event shall be recorded on both audio and video tape by Lottery security. The audio and video tape shall contain no other material than the actual drawing beginning with the sealing of the receptacle or drum and continuing through the announcement and verification of the winner. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-146. Ticket Disqualification.** Any non-winning Kansas instant game lottery ticket entered into a "Wrangler Drawing" shall become the property of the

(continued)

Kansas lottery and is disqualified from any other Kansas lottery prize or drawing. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-147. Co-sponsor Drawings.** Co-sponsors of "Wrangler Drawings" may hold co-sponsor drawings in conjunction with local retailers, businesses and organizations at the drawing event. In no instance shall these drawings take place prior to a lottery "Wrangler Drawing." Such drawings, if conducted, shall be a part of the lottery "Wrangler Drawing" and prizes, in addition to cash prizes presented by the lottery, may be donated by the co-sponsor(s). The person drawing tickets for the lottery may draw additional tickets for the co-sponsor(s) prizes. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-148. Certification of Drawing.** (a) All "Wrangler Drawings" shall be personally observed by the Lottery security.

(b) Upon completion of the drawing, the persons designated to officially observe the drawing shall issue a signed report to the executive director. This report shall certify that to the best of their knowledge, the procedures required by these rules were followed in selecting the winner at the "Wrangler Drawing." The winning ticket, all other tickets placed in the receptacle or drum, the audio and video tape of the drawing, the prize claim form completed by the winner, and the signed affidavit shall be delivered to the Topeka lottery headquarters by Lottery security or a lottery employee attending the event. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-149. Validation of Winner.** The following validation requirements shall apply to all tickets for the "Wrangler Drawings":

(a) The ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(b) The ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any way;

(c) The ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error;

(d) The display printing on the ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(e) The ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(f) The ticket must be for a current or unexpired game;

(g) The ticket must have exactly one ticket validation number, one book-ticket number, and two retailer validation codes, each of which must be present in its entirety, be fully legible, be exactly as described in paragraph (b) above, and correspond precisely to the artwork on file at the Kansas lottery. The ticket validation number shall correspond to the play symbols on the ticket; and

(h) The ticket validation number of an apparent "Wrangler Drawing" winning ticket shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets. (Authorized by and implementing

K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

**111-4-150. Payment of Prizes.** The executive director or his designee shall award the designated prize to each person whose ticket was drawn from the receptacle or drum at each drawing site as soon as it has been determined that all laws, regulations, and rules have been adhered to. (Authorized by K.S.A. 1988 Supp. 74-8710(c); implementing K.S.A. 1988 Supp. 74-8710(c); and K.S.A. 1988 Supp. 74-8720(b); effective T-111-4-19-89, April 18, 1989.)

**111-4-151. Disputes.** In the event of a dispute concerning "Wrangler Drawings," the executive director or the person designated by the executive director shall:

(a) determine the facts underlying the dispute;

(b) settle any dispute by determining the holder of the ticket drawn at a Kansas lottery "Wrangler Drawing;"

(c) pay a prize to the person determined to be the holder of a valid ticket drawn at a "Wrangler Drawing;" and

(d) if unable to determine the holder of a ticket drawn at a "Wrangler Drawing," solely at his or her discretion, reimburse the ticket holder for the price of the disputed ticket. (Authorized by K.S.A. 1988 Supp. 74-8710(c); implementing K.S.A. 1988 Supp. 74-8710(c); and K.S.A. 1988 Supp. 74-8720(b); effective T-111-4-19-89, April 18, 1989.)

**111-4-152. Cancellation of Game/Drawing.** (a) If a "Wrangler Drawing" is not held due to the Wrangler game being "called" because of rain out, power failure or any other unforeseen circumstance beyond the control of the Kansas lottery and the Wichita Wranglers, the drawing will be rescheduled. The rescheduled drawing will be held as soon as practicable and at a location and time determined by the executive director or the person designated by the executive director.

(b) Lottery security personnel or designated security personnel will, upon cancellation of a "Wrangler Drawing," take possession of and secure the receptacle or drum containing all entries for the cancelled "Wrangler Drawing," and hold all ticket entries contained therein until the rescheduled drawing.

(c) The winner of the rescheduled "Wrangler Drawing" need not be present at the time of that drawing to be determined a winner. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710(b).)

(d) If a Wranglers game is cancelled before the gates are open to the public, no entries will be allowed, and the "Wrangler Drawing" will also be cancelled. If a "Wrangler Drawing" is cancelled under (d), it will not be rescheduled. (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective T-111-4-19-89, April 18, 1989.)

LARRY MONTGOMERY  
Executive Director

Doc. No. 007793

State of Kansas

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

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

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

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

Tuesday, May 9, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,390	State of Kansas, Appellee, v. Ernest R. Burrus, Appellant.	Rodney Symmonds Attorney General  Karen E. Mayberry	Lyon
62,536	Elbert C. McCormick, Appellant, v. Maria Ines McCormick (now Aldrich), Appellee.	Thomas J. Leising  Clyde N. Christey	Osage
61,027	City of Wamego, Appellee, v. Amy C. Sexton, Appellant.	Edward W. Pugh  John A. McKinnon	Pottawatomie
10:00 a.m.			
62,599	Tillie P. Kayhill, Appellant, v. Foster Chisholm, Paul Williams, Marvin Banks, Leon William Thompson, Kaw Valley Lodge #18, and Mt. Moriah Lodge #5, Appellees.	Tom Kelley Larry L. Luttjohann  George F. Farrell, Jr.	Shawnee
62,192	Austin Building Co. and Kansas Workers' Compensation Fund, Appellants, v. Daniel L. Reves, Appellee.	Mark A. Buck W. Robert Alderson  Jan L. Fisher	Pottawatomie
1:30 p.m.			
62,869	NEA-Goodland and Cheryl Mickey, Appellants, v. Board of Education, U.S.D. 352, Sherman County, Appellee.	Thomas L. Toepfer  J. Ronald Vignery	Sherman
62,821	In the Matter of the Marriage of Rebecca D. Harris and C. Michael Harris.	Jerry L. Harrison Guy R. Steier	Jewell

(continued)

2:30 p.m.

62,715	Jacqie Joy Harris (Spradling), Appellant, v. Bobby James Harris, Appellee.	Kathleen R. Urbom Melody Cathey Jerry K. Levy	Shawnee
62,949	Lois Morales, Appellant, v. Albert Burroughs and Kansas State University, Appellees.	William E. Metcalf Dorothy Thompson Howard Fick	Riley

Wednesday, May 10, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,910	Federal Land Bank of Wichita, Kansas, Appellee, v. Heck Land Company, Inc., a Kansas corporation, <i>et al.</i> , Appellants.	Byron E. Springer Edward L. Bailey Bruce J. Woner Edward G. Collister, Jr. Peter K. Curran Winton A. Winter, Jr.	Jefferson
62,638	Roxanne Tomlin, Appellee, v. I.B.P., Inc., Appellant.	John M. Ostrowski Gary M. Korte	Finney

## Summary Calendar—No Oral Argument

62,621	David W. Cunningham, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Calvin K. Williams Attorney General	Osage
62,463	Roger McNeil Smith, Appellant, v. State of Kansas, Appellee.	R. E. Miller Rodney Symmonds Attorney General	Lyon
62,758	Ernest E. Smith, Appellant, v. State of Kansas, Appellee.	Steven R. Zinn C. Richard Comfort Attorney General	Ottawa

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

Before Lewis, P.J.; Davis and Gernon, JJ.

Tuesday, May 9, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,755	Mid-Continent Development, Inc., Appellee, v. Woods Petroleum Corp., Appellant.	Douglas Roth Robert Hall  Robert Eisenhauer	Pratt
63,137	Daniel B. Williams, by and through Robert R. Williams, and Don Harris, Appellees, v. Alan Kearbey, by and through Wayne W. Kearbey and Mary Kearbey, Wayne W. Kearbey, Mary Kearbey, and U.S.D. 265, Goddard, Kansas, Appellants.	Lyle W. Britt Robert W. Reynolds  Alan L. Rupe Gerald L. Green Stanford J. Smith, Jr. Kurt A. Harper Larry Wall	Sedgwick
62,765	Pyro Energy Corp. and Nemaha Pipeline Corp., Appellants, v. Kansas Power & Light Co., Appellee.	Lee Thompson  David Mudrick Jeffrey S. Southard Robert J. Roth	Sedgwick

2:00 p.m.

62,995	Federal Land Bank of Wichita, Appellee, v. George O. Deboard and Glenda S. Deboard, Appellants.	Martin Ufford Gerald Rogers  Marion P. Mathews	Sumner
62,493	Fred C. Dopps, D.C., Appellant, v. State Farm Mutual Automobile Insurance Company, Appellee.	James P. Johnston  Darrell L. Warta Craig West	Sedgwick

Wednesday, May 10, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,769	In the Matter of the Adoption of D.E.D., a minor child.	Oneil Davis Jack Peggs Morris D. Birch	Sedgwick

(continued)

62,208	Travelers Insurance Company, Appellee, v. North Main Associates, Ltd., <i>et al.</i> , Appellants.	James R. Hubbard Raymond L. Connell  Lloyd S. Hellman Bernard L. Balkin Doyle Eugene White, Jr. Michael F. Saunders James M. Immel Frederick G. Apt, Jr. Norman G. Manley	Butler
--------	-------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------

## 10:00 a.m.

62,574	State of Kansas, Appellee, v. Jimmy Landis, Appellant.	Ty Kaufman Attorney General  Richard J. Rome	McPherson
61,660	State of Kansas, Appellee, v. Wayne A. Roberts, Appellant.	Ty Kaufman Attorney General  Martha J. Coffman	McPherson
62,202	State of Kansas, Appellee, v. Scott M. James, Appellant.	John E. Cowels Attorney General  Jessica R. Kunen	Sedgwick

## 1:00 p.m.

62,725	State of Kansas, Appellee, v. Galen M. Townsend, Appellant.	Debra S. Byrd Attorney General  Jessica R. Kunen	Sedgwick
62,946	Clayton R. Huckaby, Appellee, v. Boeing Military Airplane Co. and Aetna Casualty & Surety, Appellants.	James B. Zongker  Vaughn Burkholder	Sedgwick

## Summary Calendar—No Oral Argument

62,700	Billy K. Snodgrass, Claimant, v. Kansas Department of Transportation and State Self-Insurance Fund, Appellants, and/or Kansas Workers' Compensation Fund, Appellee.	James B. Zongker  Donna L. Whiteman Steven Foulston	Sedgwick
62,792	Andre B. Williams, Appellant, v. State of Kansas, Appellee.	Karen E. Mayberry  Mona Furst Attorney General	Sedgwick
62,401	State of Kansas, Appellee, v. David J. Weber, Appellant.	Mona Furst Attorney General  Steven R. Zinn	Sedgwick

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

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

Tuesday, May 9, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
62,716	State of Kansas, Appellee, v. Donald Clay Lawrence, Appellant.	Gerald E. Wells Attorney General  Kevin E.J. Regan	Douglas
62,107	State of Kansas, Appellee, v. Clifton R. Taylor, Appellant.	Thomas J. Bath Attorney General  Jessica R. Kunen	Johnson
62,340	Frank Shumway, Appellant, v. State of Kansas, Appellee.	Karen E. Mayberry  Gene Olander Attorney General	Shawnee

2:00 p.m.

62,847	In the Matter of the Marriage of Aln D. Warnock and Edna Faye Warnock.	Robert F. Duncan Robert D. Beall	Atchison
62,103	State of Kansas, Appellee, v. Russell L. Kerns, Appellant.	Frank E. Kohl Attorney General  Jessica R. Kunen	Leavenworth
62,509	State of Kansas, Appellee, v. Tyrone E. Nelson, Appellant.	Richard Guinn Attorney General  Jessica R. Kunen	Johnson

Wednesday, May 10, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,732	Triad Construction, Inc., Appellee, v. Vern E. Tanner, Jr., and H. Raymond Hamilton, dba Tanner Hamilton Mechanical, Inc., Appellant.	S.W. Longan  James M. Sheeley	Johnson
62,579	Bonnie Hammig, personally and as administrator of the Estate of Bret Hammig, Appellant, v. James Brooks, Thomas Ford, John Brooks, and Margaret Brooks, Appellees.	Stephen S. Brown Joseph R. Ebbert  Jerome V. Bales	Johnson

(continued)

62,702	Lady Baltimore Foods, Inc., Appellant, v. Steven G. Scott, Appellee.	Daniel S. Rabin  Steven G. Scott, <i>pro se</i>	Johnson
--------	----------------------------------------------------------------------------	-------------------------------------------------------	---------

10:00 a.m.

62,084	Eliza Shepard, Appellant, v. David Berkowitz, special administrator of the Estate of Helen Frazier, Appellee.	Michael L. Sexton Mark J. Sachse  John Emmersen Mary B. Clark	Douglas
--------	------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------	---------

63,099	B.B. Andersen Construction Company, Inc., <i>et al.</i> , Appellants, v. Surety Bond Writers, Inc., and Gary E. Bradley, Appellees.	Leonard Rose Martha A. Halvordson Thomas L. Griswold  Martin M. Meyers Mark A. Corder	Johnson
--------	-------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------	---------

## Summary Calendar—No Oral Argument

62,896	Jesse Antonio Bennis, Appellant, v. Sheriff of Leavenworth County, Kansas, Appellee.	Sergio Delgado  Frank E. Kohl	Leavenworth
--------	-----------------------------------------------------------------------------------------------	-------------------------------------	-------------

62,650	Joseph Peter Frankenberry, Appellant, v. State of Kansas, <i>et al.</i> , Appellee.	E. Roger Horsky Joseph Peter Frankenberry, <i>pro se</i>  Frank E. Kohl	Leavenworth
--------	-------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	-------------

63,135	Merle Junior Ross, Appellant, v. Yellow Freight Systems, Appellee.	John P. Bennett  Frederick J. Greenbaum	Johnson
--------	--------------------------------------------------------------------------	-----------------------------------------------	---------

63,240	Teresa Zule, Appellee, v. Kansas Tunneling, Inc., and St. Paul Fire & Marine Insurance Company, Appellants.	Robert D. Beall  Frank C. Weidling	Johnson
--------	-------------------------------------------------------------------------------------------------------------------------	------------------------------------------	---------

LEWIS C. CARTER  
Clerk of the Appellate Court



**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**

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

**AGENCY 4: BOARD OF AGRICULTURE**

Reg. No.	Action	Register
4-1-17	Amended	V. 7, p. 315
4-2-1	Amended	V. 7, p. 1839
4-2-8	Amended	V. 7, p. 1839
4-2-9	Revoked	V. 7, p. 315
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**

Reg. No.	Action	Register
5-10-1	Revoked	V. 7, p. 109
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
7-31-4	Amended	V. 7, p. 112
7-33-1	New	V. 7, p. 1606

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-7-7	Amended	V. 7, p. 1399
9-14-1		
through		
9-14-5	New	V. 7, p. 1400

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-1-1		
through		
11-1-5	Revoked	V. 7, p. 111
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
14-2-1		
through		
14-2-23	Revoked	V. 7, p. 779
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
14-5-2	Amended	V. 7, p. 782
14-5-3	Revoked	V. 7, p. 782
14-5-4	Amended	V. 7, p. 782
14-5-6	Amended	V. 7, p. 782
14-6-1	Amended	V. 7, p. 1401
14-6-2a	Amended	V. 7, p. 1401
14-6-3	Amended	V. 7, p. 1401
14-6-4	Amended	V. 7, p. 1401
14-7-2	Amended	V. 7, p. 1401
14-7-3	Amended	V. 7, p. 1401
14-7-4	Amended	V. 7, p. 1401
14-7-8	Amended	V. 7, p. 1401
14-8-1	Amended	V. 7, p. 1401
14-8-4	Revoked	V. 7, p. 783
14-8-5	Revoked	V. 7, p. 783
14-8-6	Amended	V. 7, p. 1401
14-8-7	Amended	V. 7, p. 1401
14-8-11	Revoked	V. 7, p. 783
14-9-1		
through		
14-9-10	Revoked	V. 7, p. 783
14-10-1		
through		
14-10-4	Revoked	V. 7, p. 783
14-10-5		
through		
14-10-16	New	V. 7, p. 1401, 1402
14-11-2	Revoked	V. 7, p. 1876
14-11-8	Revoked	V. 7, p. 1876
14-11-10c	Revoked	V. 7, p. 1876
14-11-12	Revoked	V. 7, p. 1876
14-11-17	Revoked	V. 7, p. 1876
14-11-18	Revoked	V. 7, p. 1876
14-11-19	Revoked	V. 7, p. 1876
14-11-20	Revoked	V. 7, p. 1876
14-11-21	Revoked	V. 7, p. 1876
14-13-1		
through		
14-13-13	New	V. 7, p. 783-788
14-14-1		
through		
14-14-12	New	V. 7, p. 1402
14-14-1	Amended	V. 7, p. 1876
14-14-5	Amended	V. 7, p. 1877
14-14-13	New	V. 7, p. 1878
14-16-1	Revoked	V. 7, p. 789
14-16-3	Revoked	V. 7, p. 789
14-16-4	Revoked	V. 7, p. 789
14-16-5	Revoked	V. 7, p. 789
14-16-6	Revoked	V. 7, p. 789
14-16-9		
through		
14-16-12	Revoked	V. 7, p. 789
14-16-14		
through		
14-16-24	New	V. 7, p. 789-792

(continued)

14-17-5	New	V. 7, p. 1402
14-18-2		
through		
14-18-23	Revoked	V. 7, p. 793, 794
14-18-25	Revoked	V. 7, p. 794
14-18-26	Revoked	V. 7, p. 794
14-18-28	Revoked	V. 7, p. 794
14-18-29	Revoked	V. 7, p. 794
14-18-30	Revoked	V. 7, p. 794
14-18-32	Revoked	V. 7, p. 794
14-18-33	Revoked	V. 7, p. 794
14-19-8	Revoked	V. 7, p. 794
14-19-9	Revoked	V. 7, p. 794
14-19-11	Revoked	V. 7, p. 794
14-19-12	Revoked	V. 7, p. 794
14-19-13	Revoked	V. 7, p. 794
14-19-14		
through		
14-19-37	New	V. 7, p. 794-801
14-20-1	Revoked	V. 7, p. 801
14-20-2	Revoked	V. 7, p. 801
14-20-4	Revoked	V. 7, p. 801
14-20-7		
through		
14-20-10	Revoked	V. 7, p. 801
14-20-14		
through		
14-20-39	New	V. 7, p. 801-809
14-21-1		
through		
14-21-20	New	V. 7, p. 809-816
14-22-1		
through		
14-22-14	New	V. 7, p. 816-821
14-22-16		
through		
14-22-20	New	V. 7, p. 822
14-23-1		
through		
14-23-15	New	V. 7, p. 822-826
14-23-3	Amended	V. 7, p. 1402

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

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

AGENCY 24: KANSAS WHEAT COMMISSION

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

AGENCY 25: GRAIN INSPECTION DEPARTMENT

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

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 7, p. 1332
26-1-5	Amended	V. 7, p. 1334
26-1-7	New	V. 7, p. 1334
26-2-1	Amended	V. 7, p. 1335
26-2-3	Amended	V. 7, p. 1335
26-2-5	Amended	V. 7, p. 1336
26-2-6	Amended	V. 7, p. 1336
26-2-9	New	V. 7, p. 1336
26-3-1	Amended	V. 7, p. 1337
26-3-4	Amended	V. 7, p. 1337
26-3-5	Amended	V. 7, p. 1338
26-3-6	Amended	V. 7, p. 1338
26-4-1	Amended	V. 7, p. 1059
26-4-4	Amended	V. 7, p. 1338
26-5-1	Amended	V. 7, p. 1338
26-5-2	Amended	V. 7, p. 1338
26-5-8	New	V. 7, p. 1339
26-6-1	Amended	V. 7, p. 1339
26-6-2	Amended	V. 7, p. 1340
26-6-3	Amended	V. 7, p. 1340
26-6-5	Amended	V. 7, p. 1340
26-6-6	Amended	V. 7, p. 1340

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-285		
through		
28-4-294	New	V. 7, p. 1431-1434
28-4-285		
through		
28-4-294	New	V. 7, p. 1770-1773
28-4-525		
through		
28-4-529	New	V. 7, p. 714
28-14-2	Amended	V. 7, p. 714
28-15-35	Amended	V. 7, p. 714
28-15-36	Amended	V. 7, p. 714
28-16-110		
through		
28-16-138	New	V. 8, p. 517-520
28-16-56a	Amended	V. 7, p. 714
28-17-6	Amended	V. 7, p. 714
28-17-20	Amended	V. 7, p. 714
28-17-21	New	V. 7, p. 714
28-19-7	Amended	V. 7, p. 714
28-19-8	Amended	V. 7, p. 714
28-19-17f	Amended	V. 7, p. 715
28-19-18	Amended	V. 7, p. 715
28-19-19	Amended	V. 7, p. 715
28-19-61		
through		
28-19-66	Amended	V. 7, p. 715
28-19-69		
through		
28-19-75	Amended	V. 7, p. 715
28-19-84		
through		
28-19-96	Amended	V. 7, p. 715
28-19-98		
through		
28-19-108	Amended	V. 7, p. 715
28-19-108a	New	V. 7, p. 715
28-19-109	Amended	V. 7, p. 715
28-19-119		
through		
28-19-121a	Amended	V. 7, p. 715
28-19-123	Amended	V. 7, p. 715
28-19-124	Amended	V. 7, p. 715
28-19-125	Amended	V. 7, p. 715
28-19-127		
through		
28-19-141	Amended	V. 7, p. 715
28-19-149	Amended	V. 7, p. 715
28-19-150	Amended	V. 7, p. 715
28-19-153	Amended	V. 7, p. 715
28-19-154	Amended	V. 7, p. 715
28-19-155	Amended	V. 7, p. 715
28-19-158	Amended	V. 7, p. 715
28-19-159	Amended	V. 7, p. 715
28-31-1		
through		
28-31-4	Amended	V. 7, p. 715

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

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 7, p. 1402
30-4-34	Amended	V. 7, p. 717
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. 8, p. 515
40-4-35	Amended	V. 8, p. 558
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
40-7-21	Amended	V. 8, p. 516
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

(continued)

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

Reg. No.	Action	Register
51-2-5	Amended	V. 7, p. 514
51-7-8	Amended	V. 7, p. 514
51-9-7	Amended	V. 7, p. 515
51-15-2	Amended	V. 7, p. 515
51-24-3 through 51-24-7	New	V. 7, p. 515-517

**AGENCY 53: STATE RECORDS BOARD**

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

**AGENCY 54: KANSAS STATE LIBRARY**

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

**AGENCY 60: BOARD OF NURSING**

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

**AGENCY 61: BOARD OF  
BARBER EXAMINERS**

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

**AGENCY 63: BOARD OF MORTUARY ARTS**

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

**AGENCY 65: BOARD OF EXAMINERS  
IN OPTOMETRY**

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

65-6-32	Revoked	V. 7, p. 360
65-6-33	Amended	V. 7, p. 360
65-6-37	New	V. 7, p. 360
65-7-3	Revoked	V. 7, p. 360
65-7-10	Revoked	V. 7, p. 360

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-2	Amended	V. 8, p. 252
68-2-5	Amended	V. 7, p. 327
68-2-20	Amended	V. 7, p. 327
68-5-1	Amended	V. 7, p. 327
68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-7-13	Amended	V. 7, p. 329
68-7-14	Amended	V. 7, p. 329
68-8-1	Amended	V. 7, p. 329
68-9-1	Amended	V. 8, p. 253
68-11-1	Amended	V. 7, p. 329
68-11-2	Amended	V. 7, p. 330
68-12-2	New	V. 7, p. 330
68-13-1	New	V. 7, p. 330
68-20-1	Amended	V. 8, p. 254
68-20-11	Amended	V. 7, p. 330
68-20-15a	Amended	V. 7, p. 331
68-20-16	Amended	V. 8, p. 255
68-20-18	Amended	V. 7, p. 332

**AGENCY 69: BOARD OF COSMETOLOGY**

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

**AGENCY 70: BOARD OF VETERINARY  
MEDICAL EXAMINERS**

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

**AGENCY 71: KANSAS DENTAL BOARD**

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

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-5-202	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	Revoked	V. 8, p. 517
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. 1803
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
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-146d	Amended	V. 7, p. 522
91-1-146e	New	V. 7, p. 523
91-1-147	Revoked	V. 7, p. 523
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22		
through		
91-12-25	Amended	V. 7, p. 523-528
91-12-24	Revoked	V. 7, p. 1709
91-12-24a	New	V. 7, p. 1709
91-12-26	Revoked	V. 7, p. 1710
91-12-28	Amended	V. 7, p. 1710
91-12-31	Amended	V. 7, p. 529
91-12-32	Amended	V. 7, p. 529
91-12-40	Amended	V. 7, p. 530

91-12-50		
through		
91-12-55	Amended	V. 7, p. 531-534
91-12-58	Amended	V. 7, p. 535
91-12-61	Amended	V. 7, p. 1711
91-12-62	Amended	V. 7, p. 536
91-12-72	Amended	V. 7, p. 536
91-16-30	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

(continued)

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Table with 3 columns: Reg. No., Action, Register. Lists regulations 102-2-1a through 102-4-11 with their respective actions and register references.

AGENCY 104: CONSUMER CREDIT COMMISSIONER

Table with 3 columns: Reg. No., Action, Register. Lists regulations 104-1-1 and 104-1-2.

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Table with 3 columns: Reg. No., Action, Register. Lists regulations 105-2-1 through 105-10-1.

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 108-1-1 and 108-1-1.

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Table with 3 columns: Reg. No., Action, Register. Lists regulations 109-1-1 through 109-11-8.

AGENCY 110: DEPARTMENT OF COMMERCE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 110-1-1 through 110-3-11.

AGENCY 111: THE KANSAS LOTTERY

Table with 3 columns: Reg. No., Action, Register. Lists regulations 111-1-2 through 111-4-87.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 111-4-88 through 111-10-7.

Reg. No.	Action	Register	Agency	Section	Page	Agency	Section	Page
AGENCY 112: KANSAS RACING COMMISSION								
112-3-1			112-4-20	New	V. 8, p. 258	112-8-2		
through			112-4-22	New	V. 8, p. 596	through		
112-3-20	New	V. 7, p. 1357-1370	112-5-1			112-8-12	New	V. 8, p. 263-267
112-4-1			through			112-8-3	Amended	V. 8, p. 596
through			112-5-9	New	V. 8, p. 92	112-8-9	Amended	V. 8, p. 596
112-4-14	New	V. 8, p. 92	112-5-1			112-9-2		
112-4-1			through			through		
through			112-5-9	New	V. 8, p. 258-260	112-9-38	New	V. 8, p. 596-598
112-4-14	New	V. 8, p. 92	112-6-1			112-10-2		
112-4-1			through			through		
through			112-6-8	New	V. 8, p. 92, 93	112-10-12	New	V. 8, p. 598
112-4-14	New	V. 8, p. 255-257	112-6-1			112-11-1		
112-4-15	New	V. 8, p. 596	through			through		
112-4-16	New	V. 8, p. 92	112-6-8	New	V. 8, p. 261-263	112-11-19	New	V. 8, p. 594, 595
112-4-16	New	V. 8, p. 258	112-7-2			112-11-21	New	V. 8, p. 595
112-4-17	New	V. 8, p. 92	through			112-12-2		
112-4-17	New	V. 8, p. 258	112-7-22	New	V. 8, p. 593, 594	through		
112-4-18	New	V. 8, p. 92	112-8-2			112-12-13	New	V. 8, p. 595, 596
112-4-18	New	V. 8, p. 258	through			112-13-2	New	V. 8, p. 596
112-4-19	New	V. 8, p. 596	112-8-12	New	V. 8, p. 93	112-13-2	New	V. 8, p. 267
112-4-20	New	V. 8, p. 92				112-13-3	New	V. 8, p. 598

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, May 4, 1989.)

(Editor's Note: The following bill contains a line-item veto. The Governor's veto message appears at the end of the bill.)

HOUSE BILL No. 2040

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1989, and June 30, 1990, for the department of administration, Kansas soldiers' home, department of social and rehabilitation services, state historical society, Fort Hays state university, university of Kansas, Kansas state university, adjutant general, department of corrections, state industrial reformatory, emergency medical services board, youth center at Topeka, youth center at Beloit, youth center at Atchison, Winfield state hospital and training center, Norton state hospital, Parsons state hospital and training center, Kansas neurological institute, Osawatomie state hospital, Rainbow mental health facility, Larned state hospital, department of wildlife and parks, Wichita state university and attorney general; authorizing the initiation and completion of certain capital improvements projects; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 52 of chapter 37 of the 1987 Session Laws of Kansas and repealing the existing section.

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

Section 1. For the fiscal years ending June 30, 1989, and June 30, 1990, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to renovate elevators in the Docking and Landon office buildings, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Renovate elevators—Docking and Landon office buildings	\$2,126,160
Structural study—statehouse dome	4,500
Exterior repair, statehouse	168,820
Total	\$2,299,480

(c) The appropriation made by this section from the state general fund of \$2,126,160 to renovate elevators—Docking and Landon office buildings is a loan from the state general fund to the state buildings

depreciation fund which shall be repaid to the state general fund as moneys are available therefor in the state buildings depreciation fund, in accordance with the provisions of appropriations acts or as otherwise provided by law.

Sec. 3.

KANSAS SOLDIERS' HOME

(a) The above agency is hereby authorized to initiate and complete capital improvement projects for an Eisenhower hall air conditioner and to replace an electrical board, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1989, the following:

Eisenhower hall air conditioner	\$20,000
Replace electrical board	37,000
Total	\$57,000

Sec. 4.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to construct a fence around the perimeter of the youth center at Topeka, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Construct fence around perimeter of youth center at Topeka	\$810,200
------------------------------------------------------------	-----------

Provided, That no expenditures shall be made from this account until an audit regarding the security procedures of the youth center at Topeka is completed and presented by the division of post audit to the legislative post audit committee.

(c) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Kansas industries for the blind—fire alarms and smoke detectors; replace hydraulic dock—Kansas industries for the blind—Topeka; replace Kansas vocational rehabilitation center water softener; repair Chanute area office chiller.

Sec. 5.

YOUTH CENTER AT TOPEKA

~~(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, the following:~~

<del>Operating expenditures</del>	<del>666,491</del>
-----------------------------------	--------------------

~~(b) The number of full time and regular part time positions equated to full-time, excluding seasonal and temporary positions, for the youth center at Topeka that are financed by appropriations made by this section for the fiscal year ending June 30, 1990, shall not exceed 20, and all such positions shall be in addition to any position limitation imposed on the youth center at Topeka for the fiscal year ending June 30, 1990.~~

Sec. 6.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

(continued)

Museum of history drainage repairs .....	\$25,000
Historic properties maintenance and repairs .....	25,000
Total .....	\$50,000

Sec. 7.

FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, the appropriation of \$1,500,000 made for the above agency for the fiscal year ending June 30, 1989, by section 52(b) of chapter 33 of the 1988 Session Laws of Kansas from the Kansas educational building fund in the renovate Sheridan coliseum—phase II account is hereby lapsed.

(b) On the effective date of this act, the appropriation of \$2,162,000 made for the above agency for the fiscal year ending June 30, 1990, by section 52(b) of chapter 33 of the 1988 Session Laws of Kansas from the Kansas educational building fund in the renovate Sheridan coliseum—phase II account is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the capital improvement project and for the fiscal years specified the following:

Renovate Sheridan coliseum	
For the fiscal year ending June 30, 1989 .....	\$3,900,000
For the fiscal year ending June 30, 1990 .....	2,162,000

Provided, That expenditures from the renovate Sheridan coliseum account may be made only upon certification by the above agency to the director of accounts and reports that private gift moneys are available for expenditures for this project in the Sheridan coliseum gift fund in the amount of \$387,000 for FY 1989 and the amount of \$863,000 for FY 1990: Provided further, That expenditures from the renovate Sheridan coliseum account shall include expenditures for foundation work and completion of the performing arts center: And provided further, That such expenditures shall be made pursuant to contracts which are hereby authorized to be entered into by the above agency as part of the capital improvement project to renovate Sheridan coliseum.

Sec. 8. On the effective date of this act, section 52 of chapter 37 of the 1987 Session Laws of Kansas is hereby amended to read as follows: Sec. 52.

UNIVERSITY OF KANSAS

(a) The above agency is hereby authorized to initiate and complete capital improvement projects for Snow hall asbestos abatement, to renovate Snow hall and to construct and equip science library, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the Kansas educational building fund for the capital improvement projects and for the fiscal years specified as follows:

Snow hall—asbestos abatement	
For the fiscal year ending June 30, 1987 .....	\$150,000
Renovate Snow hall	
For the fiscal year ending June 30, 1987 .....	800,000
For the fiscal year ending June 30, 1988 .....	543,000
For the fiscal year ending June 30, 1989 .....	2,733,500
For the fiscal year ending June 30, 1990 .....	2,583,500
Construct and equip science library	
For the fiscal year ending June 30, 1988 .....	4,659,900
For the fiscal year ending June 30, 1989 .....	5,400,900 7,380,900
For the fiscal year ending June 30, 1990 .....	3,120,200 1,239,200

(c) The appropriations made by this section shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 9.

UNIVERSITY OF KANSAS

(a) On the effective date of this act, any unencumbered balance in the following accounts of the Kansas educational building fund are hereby lapsed: Murphy hall roof repairs; Murphy hall brickwork repairs.

Sec. 10.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 1990, the following:

Preliminary planning of plant sciences building—phase IIA .....	\$298,000
-----------------------------------------------------------------	-----------

(b) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1989, all moneys now or hereafter credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Plan, construct and equip plant science building—phase II—federal fund .....	\$1,358,000
------------------------------------------------------------------------------	-------------

Sec. 11.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following: Regional training center—site preparation .....

Sec. 12.

DEPARTMENT OF CORRECTIONS

(a) The above agency is hereby authorized to initiate and complete capital improvement projects for a new correctional facility and capital improvements for major repairs, special maintenance and remodeling for correctional institutions, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Debt service payment for the Ellsworth correctional work facility at Ellsworth, Kansas .....	\$2,185,000
Capital improvements—major repairs, special maintenance and remodeling for correctional institutions .....	500,000
Total .....	\$2,685,000

(c) In addition to the purposes for which expenditures may be made for fiscal year 1989 from the correctional industries fund as prescribed by section 2(b) of chapter 32 of the 1988 Session Laws of Kansas, expenditures may be made for fiscal year 1989 from such fund for the following purpose, subject to the expenditure limitation prescribed therefor:

Rebuild paint factory—Kansas state penitentiary .....	\$235,000
-------------------------------------------------------	-----------

Sec. 13.

STATE INDUSTRIAL REFORMATORY

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1988, by section 16 of chapter 32 of the 1988 Session Laws of Kansas from the correctional institutions building fund in the electrical improvement to food service, kitchen, education and print shop account, the sum of \$40,000 is hereby lapsed.

Sec. 14.

EMERGENCY MEDICAL SERVICES BOARD

(a) The above agency is hereby authorized to initiate and complete a capital improvement project for an EMSB communications system for the Wolf Creek area, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

EMSB communications system—Wolf Creek area .....	\$102,000
--------------------------------------------------	-----------

Sec. 15.

YOUTH CENTER AT TOPEKA

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Construct and equip heating plant.

Sec. 16.

YOUTH CENTER AT BELOIT

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Replace intercom and master clock system in school building.

Sec. 17.

YOUTH CENTER AT ATCHISON

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1989, by section 16 of chapter 20 of the 1988 Session Laws of Kansas from the state institutions building fund to the institutional major maintenance account, the sum of \$310 is hereby lapsed.

Sec. 18.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Upgrade existing resident living areas.

Sec. 19.

NORTON STATE HOSPITAL

(a) On the effective date of this act, any unencumbered balance in the following accounts of the state institutions building fund for the above agency is hereby lapsed: Replace electric tilt fry pan in dietary department; replace large rotary oven in kitchen.



Sec. 20.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Renovation of Ash cottage.

Sec. 21.

KANSAS NEUROLOGICAL INSTITUTE

(a) On the effective date of this act, any unencumbered balance in the following account of the state institutions building fund is hereby lapsed: Replace commercial washers.

Sec. 22.

OSAWATOMIE STATE HOSPITAL

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Replace wall lockers—Adair complex; renovate utility tunnel.

Sec. 23.

RAINBOW MENTAL HEALTH FACILITY

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: Replace two clothes dryers, two clothes washers and ice machine in main kitchen; landscaping project; equipment and furnishings replacement; remodel and construct addition to activity therapy area; addition and remodeling at special school.

Sec. 24.

LARNED STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following: Construct and equip new treatment facility to replace Pinel and Rush buildings..... \$500,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1989, the following: Construct and equip new treatment facility to replace Pinel and Rush buildings..... \$1,000,000

(c) On July 1, 1989, of the \$1,923,500 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 6(b) of chapter 18 of the 1987 Session Laws of Kansas from the state institutions building fund in the construct and equip new treatment facility to replace Pinel and Rush buildings account, the sum of \$1,500,000 is hereby lapsed.

Sec. 25.

DEPARTMENT OF WILDLIFE AND PARKS

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to complete the interior of the Milford conservation education center, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following: Complete interior of Milford conservation education center..... \$200,000

(c) On the effective date of this act, any unencumbered balance in each of the following accounts of the forestry, fish and game commission fee fund is hereby lapsed: Renovation/development of small marshes at Jamestown wildlife area; design for development of Pratt wildlife museum; construct Milford conservation education center; Pratt hatchery renovation—engineering and planning.

Sec. 26.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Grant to board of trustees of Wichita state university to construct and equip child development center..... \$245,000

Provided, That no expenditures shall be made from this account until a contract has been executed between Wichita state university and the department of social and rehabilitation services governing the use of the child development center by KanWork clients and their dependents.

Sec. 27.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1989, the following:

Contractual services for legal counsel..... \$100,000

Provided, That expenditures may be made from this account for costs related to any appeal of the tentative order of the United States District Court for Kansas issued initially in February, 1989, relating to the correctional institutions of Kansas, the final order issued pursuant to such tentative order and any other orders of the court relating thereto: Provided further, That all expenditures from this account shall be for contractual services for legal services and the associated costs related to any such appeal; And provided further, That any unencumbered balance in excess of \$100 as of June 30, 1989, is hereby reappropriated for fiscal year 1990.

Sec. 28. Appeals to exceed position limitations. The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriations act of the 1988 regular session of the legislature or in any other appropriations act of the 1989 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 29. Appeals to exceed limitations. Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 30. On the effective date of this act, section 52 of chapter 37 of the 1987 Session Laws of Kansas is hereby repealed.

Sec. 31. This act shall take effect and be in force from and after its publication in the Kansas register.

OFFICE OF THE GOVERNOR

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Bill 2040 with my signature approving the bill, except for the item enumerated below:

Section 5 that reads as follows has been line-item vetoed:

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1990, the following:

Table with 2 columns: Operating Expenditures, FY 1989, FY 1990. Row 1: Operating Expenditures, \$606,491

(b) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, for the Youth Center at Topeka that are financed by appropriations made by this section for the fiscal year ending June 30, 1990, shall not exceed 29, and all such positions shall be in addition to any position limitation imposed on the Youth Center at Topeka for the fiscal year ending June 30, 1990.

Careful review of the staffing pattern at the Youth Center at Topeka indicates that all 29 additional personnel provided for in House Bill 2040 are not needed to ensure the safety of area residents, staff, and juvenile offenders. Consistent with the Legislative Post Audit study of March 1989, the Youth Center at Topeka does need six Youth Service Specialists in addition to the three previously recommended in my 1990 Budget recommendations to provide double coverage on all shifts in all living units. Adequate security for the fence and grounds inside can be provided by four additional security personnel.

These 4 additional security personnel, along with the six existing positions, would provide one person to man the entrance to the gate around the clock and one person to secure the perimeter, buildings and grounds around the clock. These 10 additional personnel positions are provided for in my supplemental budget recommendations of April 24, 1989. Together with the three Youth Service Specialists already recommended in the 1990 budget, there would be at least 13 new positions for the Topeka facility.

Dated April 26, 1989.

MIKE HAYDEN Governor

(Published in the *Kansas Register*, May 4, 1989.)

HOUSE BILL No. 2534

AN ACT relating to property taxation; concerning exemptions therefrom; excluding grain from the procedural requirements of requesting a property tax exemption; amending K.S.A. 1988 Supp. 79-201, 79-201a and 79-213 and repealing the existing sections; also repealing K.S.A. 1987 Supp. 79-213, as amended by section 313 of chapter 356 of the laws of 1988.

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

Section 1. K.S.A. 1988 Supp. 79-201 is hereby amended to read as follows: 79-201. The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

*First.* All buildings used exclusively as places of public worship and all buildings used exclusively by school districts organized under the laws of this state, with the furniture and books therein contained and used exclusively for the accommodation of religious meetings or school district purposes, whichever is applicable, together with the grounds owned thereby if not leased or otherwise used for the realization of profit, except that: (a) Any school building, or portion thereof, together with the grounds upon which the building is located, shall be considered to be used exclusively by the school district for the purposes of this section when leased by the school district to any other political or taxing subdivision of the state or to any association, organization or nonprofit corporation entitled to tax exemption with respect to such property; and (b) any building, or portion thereof, used as a place of worship, together with the grounds upon which the building is located, shall be considered to be used exclusively for the religious purposes of this section when used as a not-for-profit day care center for children which is licensed pursuant to K.S.A. 65-501 *et seq.*, and amendments thereto, or when used to house an area where the congregation of a church society and others may purchase tracts, books and other items relating to the promulgation of the church society's religious doctrines.

*Second.* All real property, and all tangible personal property, actually and regularly used exclusively for literary, educational, scientific, religious, benevolent or charitable purposes, including property used exclusively for such purposes by more than one agency or organization for one or more of such exempt purposes. This exemption shall not apply to such property, not actually used or occupied for the purposes set forth herein, nor to such property held or used as an investment even though the income or rentals received therefrom is used wholly for such literary, educational, scientific, religious, benevolent or charitable purposes. This exemption shall not be deemed inapplicable to property which would otherwise be exempt pursuant to this paragraph because an agency or organization: (a) is reimbursed for the provision of services accomplishing the purposes enumerated in this paragraph based upon the ability to pay by the recipient of such services; or (b) is reimbursed for the actual expense of using such property for purposes enumerated in this paragraph; or (c) uses such property for a nonexempt purpose which is minimal in scope and insubstantial in nature if such use is incidental to the exempt purposes of this paragraph; or (d) charges a reasonable fee for admission to cultural or educational activities or permits the use of its property for such activities by a related agency or organization, if any such activity is in furtherance of the purposes of this paragraph.

*Third.* All moneys and credits belonging exclusively to universities, colleges, academies or other public schools of any kind, or to religious, literary, scientific or benevolent and charitable institutions or associations, appropriated solely to sustain such institutions or associations, not exceeding in amount or in income arising therefrom the limit prescribed by the charter of such institution or association.

*Fourth.* The reserve or emergency funds of fraternal benefit societies authorized to do business under the laws of the state of Kansas.

*Fifth.* All buildings of private nonprofit universities or colleges which are owned and operated by such universities and colleges as student union buildings, presidents' homes and student dormitories.

*Sixth.* All real and tangible personal property actually and regularly used exclusively by the alumni association associated by its articles of incorporation with any public or nonprofit Kansas college or university approved by the Kansas board of regents to confer academic degrees or with any community college approved by its board of

trustees to grant certificates of completion of courses or curriculum, to provide accommodations and services to such college or university or to the alumni, staff or faculty thereof.

*Seventh.* For all taxable years commencing after December 31, 1984, All parsonages owned by a church society and actually and regularly occupied and used exclusively as a residence by a minister or other clergyman of such church society who is actually and regularly engaged in conducting the services and religious ministrations of such society, and the land upon which such parsonage is located to the extent necessary for the accommodation of such parsonage.

*Eighth.* All real property, all buildings located on such property and all personal property contained therein, actually and regularly used exclusively by any individually chartered organization of honorably discharged military veterans of the United States armed forces or auxiliary of any such organization, which is exempt from federal income taxation pursuant to section 501(c)(19) of the federal internal revenue code of 1986, for clubhouse, place of meeting or memorial hall purposes, and real property to the extent of not more than two acres, and all buildings located on such property, actually and regularly used exclusively by any such veterans' organization or its auxiliary as a memorial park.

*Ninth.* All real property and tangible personal property, actually and regularly used by a community service organization for the predominant purpose of providing humanitarian services, which is owned and operated by a corporation organized not for profit under the laws of the state of Kansas or by a corporation organized not for profit under the laws of another state and duly admitted to engage in business in this state as a foreign not-for-profit corporation if: (a) The directors of such corporation serve without pay for such services; (b) the corporation is operated in a manner which does not result in the accrual of distributable profits, realization of private gain resulting from the payment of compensation in excess of a reasonable allowance for salary or other compensation for services rendered or the realization of any other form of private gain; (c) no officer, director or member of such corporation has any pecuniary interest in the property for which exemption is claimed; (d) the corporation is organized for the purpose of providing humanitarian services; (e) the actual use of property for which an exemption is claimed must be substantially and predominantly related to the purpose of providing humanitarian services, except that, the use of such property for a nonexempt purpose which is minimal in scope and insubstantial in nature shall not result in the loss of exemption of such use if incidental to the purpose of providing humanitarian services by the corporation; (f) the corporation is exempt from federal income taxation pursuant to section 501(c)(3) of the internal revenue code of 1986 and; (g) contributions to the corporation are deductible under the Kansas income tax act. As used in this clause, "humanitarian services" means the conduct of activities which substantially and predominantly meet a demonstrated community need and which improve the physical, mental, social, cultural or spiritual welfare of others or the relief, comfort or assistance of persons in distress or any combination thereof including but not limited to health and recreation services, childcare, individual and family counseling, employment and training programs for handicapped persons and meals or feeding programs. Notwithstanding any other provision of this clause, motor vehicles shall not be exempt hereunder unless such vehicles are exclusively used for the purposes described therein.

The provisions of this paragraph shall apply to all taxable years commencing after December 31, 1986.

*Tenth.* For all taxable years commencing after December 31, 1986, any building, and the land upon which such building is located to the extent necessary for the accommodation of such building, owned by a church or nonprofit religious society or order which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and actually and regularly occupied and used exclusively for residential and religious purposes by a community of persons who are bound by vows to a religious life and who conduct or assist in the conduct of religious services and actually and regularly engage in religious, benevolent, charitable or educational ministrations or the performance of health care services.

The provisions of this section, except as otherwise more specifically provided, shall apply to all taxable years commencing after December 31, 1987 1988.

Sec. 2. K.S.A. 1988 Supp. 79-201a is hereby amended to read as follows: 79-201a. The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

*First.* All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

*Second.* All property used exclusively by the state or any municipality or political subdivision of the state. All property owned, *being acquired pursuant to a lease-purchase agreement* or operated by the state or any municipality or political subdivision of the state which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered to be "used exclusively" by the state, municipality or political subdivision for the purposes of this *aet section*. All property leased, other than property being acquired pursuant to a lease-purchase agreement, to the state or any municipality or political subdivision of the state by any private entity shall not be considered to be used exclusively by the state or any municipality or political subdivision of the state for the purposes of this section except that the provisions of this sentence shall not apply to any such property subject to lease on the effective date of this act until the term of such lease expires but property taxes levied upon any such property prior to tax year 1989, shall not be abated or refunded. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 to 12-1749, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, or with proceeds of bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 to 13-1245, inclusive, or any property improved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 to 13-1245, inclusive, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 to 13-1245, inclusive, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 *et seq.*, and amendments thereto. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 *et seq.*, and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 *et seq.* shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved,

equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903 and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903 and amendments thereto, shall not be exempt from such taxation.

*Third.* All works, machinery and fixtures used exclusively by any rural water district or township water district for conveying or production of potable water in such rural water district or township water district.

*Fourth.* All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

*Fifth.* All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 *et seq.* and amendments thereto.

*Sixth.* Property acquired and held by any municipality under the municipal housing law (K.S.A. 17-2337 *et seq.*) and amendments thereto, except that such exemption shall not apply to any portion of the project used by a nondwelling facility for profit making enterprise.

*Seventh.* All property of a municipality, acquired or held under and for the purposes of the urban renewal law (K.S.A. 17-4742 *et seq.*) and amendments thereto except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

*Eighth.* All property acquired and held by the Kansas armory board for armory purposes under the provisions of K.S.A. 48-317, and amendments thereto.

*Ninth.* All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 *et seq.*, and amendments thereto, K.S.A. 68-2030 *et seq.*, and amendments thereto, K.S.A. 68-2051 *et seq.*, and amendments thereto, and K.S.A. 68-2070 *et seq.*, and amendments thereto.

*Tenth.* All property acquired and used for park purposes by the state park and resources authority under the authority of K.S.A. 74-4501 *et seq.*, and amendments thereto.

*Eleventh.* The state office building constructed under authority of K.S.A. 75-3607 *et seq.*, and amendments thereto, and the site upon which such building is located.

*Twelfth.* All buildings erected under the authority of K.S.A. 76-6a01 *et seq.*, and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other nonprofit corporation.

*Thirteenth.* All buildings, as the same is defined in subsection (c) of K.S.A. 76-6a13, and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 *et seq.*, and amendments thereto, and building sites acquired therefor.

*Fourteenth.* All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter located within the territory of the state of Kansas pursuant to the compact and agreement adopted by chapter 304 of the 1921 Session Laws of the state of Kansas [See K.S.A. 79-205].

*Fifteenth.* All property, real and personal, owned by a groundwater management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

*Sixteenth.* All property, real and personal, owned by the joint water district organized and operating pursuant to K.S.A. 80-1616 *et seq.*, and amendments thereto.

(continued)

The provisions of this section shall apply to all taxable years commencing after December 31, 1980 1988.

Sec. 3. K.S.A. 1988 Supp. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the request for exemption and the recommendations of the county appraiser with the board of tax appeals.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption, and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. *Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act.* In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) When a determination is made as to the merits of the request for exemption, the board shall enter its order thereon and give notice of the same to the applicant, the county attorney and the county appraiser by sending to each a certified copy of its order.

(j) The date of the order, for purposes of filing an appeal to the district court, shall be the date that a certified copy of the order is mailed to the party seeking to appeal.

(k) (i) During the pendency of a request for exemption, and in no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. *In the event the board determines an application for exemption is without merit and filed in bad faith to delay the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.*

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use.

(m) (k) In conjunction with its authority to grant exemptions, the board shall have the authority to abate all unpaid taxes that have accrued from and since the date of first exempt use. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for a period not to exceed three years.

(n) (l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 1987 1988 Supp. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) hay and silage exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; and (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 1988 Supp. 79-201m, and amendments thereto; and (7) grain exempted from ad valorem taxation by K.S.A. 1988 Supp. 79-201n, and amendments thereto.

Sec. 4. K.S.A. 1987 Supp. 79-213, as amended by section 313 of chapter 356 of the laws of 1988, and K.S.A. 1988 Supp. 79-201, 79-201a and 79-213 are hereby repealed.

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

(Published in the Kansas Register, May 4, 1989.)

### SENATE BILL No. 80

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1989, for the insurance department, division of post audit, judicial council, judicial branch, Kansas lottery, Kansas commission on the bicentennial of the United States constitution, secretary of state, Kansas public broadcasting commission, department of commerce, department of revenue, Kansas arts commission, university of Kansas, Wichita state university, Kansas state university, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, Fort Hays state university, state board of regents, university of Kansas medical center, Kansas college of technology, state library, department of education, Kansas state school for the deaf, Kansas state school for the visually handicapped, state historical society, state board of agriculture, Kansas animal health department, Kansas state grain inspection department, state conservation commission, Kansas department of wildlife and parks, attorney general, crime victims reparations board, Kansas wheat commission, Kansas technology enterprise corporation and Kansas racing commission; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending K.S.A. 1988 Supp. 74-8711 and section 4 of chapter 26 of the 1988 Session Laws of Kansas and repealing the existing sections.

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

Section 1. For the fiscal year ending June 30, 1989, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

#### Sec. 2.

##### INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the state general fund the following:

Insurance company regulation .....	\$32,845
------------------------------------	----------

(b) The expenditure limitation established by section 9(b) of chapter 16 of the 1988 Session Laws of Kansas on the administration account of the workers' compensation fund is hereby increased from \$164,801 to \$168,359.

(c) The expenditure limitation established by section 9(b) of chapter 16 of the 1988 Session Laws of Kansas on the administration account of the state firefighters relief fund is hereby increased from \$51,368 to \$51,934.

#### Sec. 3.

##### DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund the following:

Operations (including legislative post audit committee) .....	\$5,046
---------------------------------------------------------------	---------

#### Sec. 4.

##### JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund the following:

Judicial research .....	\$17,505
-------------------------	----------

#### Sec. 5.

##### JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund the following:

Administration of justice—appellate operations .....	\$17,392
Administration of justice—district courts .....	71,275
Total .....	\$88,667

(b) The expenditure limitation established by the state finance council on the bar admission fee fund is hereby increased from \$54,689 to \$54,845.

Sec. 6.

KANSAS LOTTERY

(a) The position limitation established by section 7 of chapter 26 of the 1988 Session Laws of Kansas for the Kansas lottery is hereby decreased from 125.0 to 121.0.

Sec. 7. Section 4 of chapter 26 of the 1988 Session Laws of Kansas is hereby amended to read as follows: Sec. 4.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery operating fund.....	\$15,646,716	\$9,998,394
-----------------------------	--------------	-------------

*Provided, That expenditures from this fund for salaries and wages shall not exceed \$2,972,199. Provided further, That expenditures from this fund for official hospitality shall not exceed \$2,000. Provided, That except upon approval of expenditures for any other purposes by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, expenditures from this fund are hereby authorized only for the following purposes, subject to the expenditure limitations prescribed therefor:*

Salaries and wages.....	\$3,000,000
On-line terminal communications.....	No limit
On-line vendor commissions.....	No limit
Other operating expenditures.....	6,998,394

*Provided, That expenditures from this account for official hospitality shall not exceed \$30,000.*

Special lottery operating fund—reserve fund.....	0
--------------------------------------------------	---

Lottery prize, payment fund.....	No limit
----------------------------------	----------

(b) On the effective date of this act or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$1,011,287 from the lottery operating fund to the state gaming revenues fund. This amount shall be in addition to the transfer made March 16, 1989, in the amount of \$433,409 from the lottery operating fund to the state gaming revenues fund, which is hereby authorized.

Sec. 8. On the effective date of this act, K.S.A. 1988 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) The executive director shall remit at least weekly to the state treasurer all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and credit it to the lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. Expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications, and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

(2) the payment of compensation to lottery retailers;

(3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 1987 1988 Supp. 74-8712 and amendments thereto;

(4) transfers to the state general fund pursuant to K.S.A. 1987 1988 Supp. 74-8713 and amendments thereto;

(5) transfers to the state gaming revenues fund pursuant to subsection (d) of this section and as provided in subsection (b) of section 7 of this act; and

(6) the transfers to the county reappraisal fund as prescribed by law.

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 1987 1988 Supp. 79-4801 and amendments thereto, on or before the 15th day of each month, for fiscal years commencing on or after July 1, 1988:

(1) In an amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(4), as certified by the executive director; or

(2) an amount equal to not less than .30% of total revenues from the sales of lottery tickets and shares during the fiscal year, whichever is greater.

Sec. 9.

KANSAS COMMISSION ON THE BICENTENNIAL OF THE UNITED STATES CONSTITUTION

(a) There is appropriated for the above agency from the state general fund the following:

Grant to Kansas commission on the bicentennial of the United States constitution.....	\$16,000
---------------------------------------------------------------------------------------	----------

Sec. 10.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages.....	\$8,243
-------------------------	---------

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....	No limit
------------------------------------------	----------

Sec. 11.

KANSAS PUBLIC BROADCASTING COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

Grant to station KOOD to expand public TV into northwest Kansas ..	\$120,000
--------------------------------------------------------------------	-----------

*Provided, That expenditures from this account shall be matched with funds raised from nongovernmental sources: Provided, further, That no expenditures may be made from this account unless moneys are received from the federal government for this project.*

Sec. 12.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund the following:

General administration (including official hospitality).....	\$31,378
Industrial development.....	603,516
Travel and tourism development.....	32,092
Trade development.....	48,196
Kansas partnership program.....	700,000

*Provided, That no expenditures shall be made from this account until funds for this program in the state economic development initiatives fund have been expended.*

Total.....	\$1,415,182
------------	-------------

(b) The expenditure limitation established by section 11(b) of chapter 33 of the 1988 Session Laws of Kansas on the linger longer-program fund is hereby increased from \$20,000 to No limit.

(c) The expenditure limitation established by section 11(b) of chapter 33 of the 1988 Session Laws of Kansas on the low income housing tax credit fee fund is hereby increased from \$47,927 to \$48,536.

(d) On the effective date of this act, of the \$521,007 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 11 (a) of chapter 33 of the 1988 Session Laws of Kansas from the state general fund in the community development account, the sum of \$6,511 is hereby lapsed.

(e) On the effective date of this act, of the \$783,399 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 11 (a) of chapter 33 of the 1988 Session Laws of Kansas from the state general fund in the existing industry development account, the sum of \$9,611 is hereby lapsed.

(f) The expenditure limitation established by section 11(b) of chapter 33 of the 1988 Session Laws of Kansas on the conversion of materials and equipment fund is hereby increased from \$0 to \$2,285.

(continued)

Sec. 13.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages .....	\$190,981
--------------------------	-----------

(b) The expenditure limitation established by section 4(f) of chapter 33 of the 1988 Session Laws of Kansas on the division of vehicles operating fund is hereby decreased from \$24,940,992 to \$24,832,963.

(c) The expenditure limitation established by section 4(g) of chapter 33 of the 1988 Session Laws of Kansas on the state operations account of the division of vehicles operating fund is hereby increased from \$22,207,636 to \$22,220,322.

(d) The expenditure limitation established by section 4(h) of chapter 33 of the 1988 Session Laws of Kansas on expenditures for salaries and wages from the state operations account of the division of vehicles operating fund is hereby increased from \$12,348,677 to \$12,630,402.

(e) The expenditure limitation established by section 3(b) of chapter 26 of the 1988 Session Laws of Kansas on the reimbursement to counties for VIPS account of the division of vehicles operating fund is hereby decreased from \$2,733,356 to \$2,612,641.

(f) The expenditure limitation established by section 3(b) of chapter 26 of the 1988 Session Laws of Kansas on the vehicle dealers and manufacturers fee fund is hereby increased from \$84,999 to \$85,709.

(g) The expenditure limitation established by section 3(b) of chapter 26 of the 1988 Session Laws of Kansas on the child support enforcement contractual agreement fund is hereby increased from \$36,884 to \$36,927.

(h) On the effective date of this act, of the \$2,535,767 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 3(a) of chapter 26 of the 1988 Session Laws of Kansas from the state general fund in the reappraisal operating expenditures account, the sum of \$55,110 is hereby lapsed.

Sec. 14.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

Promotion of the arts .....	\$1,638
-----------------------------	---------

(b) On the effective date of this act, of the \$601,642 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 10(a) of chapter 16 of the 1988 Session Laws of Kansas from the state general fund in the promotion of the arts account, the sum of \$45,000 is hereby lapsed.

(c) On May 15, 1989, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$38,500 from the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the Kansas arts commission.

(d) The expenditure limitation established by section 10(b) of chapter 16 of the 1988 Session Laws of Kansas on the economic development initiatives grant fund of the Kansas arts commission is hereby increased from \$450,000 to \$495,000.

Sec. 15.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages .....	\$889,397
Capitol complex public management degree program .....	1,234
Centers of excellence .....	1,541
Geological survey .....	24,256
General research .....	14,732
Econometric modeling .....	1,850
Natural and scientific areas program .....	924
Total .....	\$933,934

(b) On the effective date of this act, of the \$5,846,432 appropriated in the above agency for the fiscal year ending June 30, 1989, by section 7(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$383,345 is hereby lapsed.

(c) On the effective date of this act, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer an amount specified by the chancellor of not to exceed \$13,300 from the general fees fund to the national direct student loan fund.

Sec. 16.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Institute for aviation research—salaries and wages .....	\$110,000
Institute for aviation research—other operating expenditures .....	40,000
Centers of excellence .....	1,714
General research .....	1,469
Total .....	\$153,183

(b) On the effective date of this act, expenditure limitation established by section 9(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund of Wichita state university is hereby increased from \$13,791,584 to \$14,369,433.

(c) On the effective date of this act, the position limitation established by section 12(b) of chapter 35 of the 1988 Session Laws of Kansas for unclassified positions for Wichita state university is hereby increased from 949.8 to 954.8.

(d) On the effective date of this act, of the \$2,815,881 appropriated in the above agency for the fiscal year ending June 30, 1989, by section 9(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$246,754 is hereby lapsed.

(e) On the effective date of this act, of the \$35,099,390 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 9(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$78,835 is hereby lapsed.

Sec. 17.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages .....	\$689,541
Centers of excellence .....	465
International grains program (including official hospitality) .....	2,160
International livestock program .....	1,047
Extension .....	349,131
Colby agricultural experiment station operations .....	6,396
Fort Hays agricultural experiment station operations .....	12,711
Southeast Kansas agricultural experiment station operations .....	8,247
Southwest Kansas agricultural experiment station operations .....	11,119
Agriculture experiment station .....	110,659
Other organized research .....	468
Engineering experiment station .....	3,990
Total .....	\$1,195,984

(b) The expenditure limitation established by section 3(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$21,567,037 to \$22,661,515.

(c) On the effective date of this act, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer an amount specified by the president of not to exceed \$32,169 from the general fees fund to the national direct student loan fund.

(d) Kansas state university is hereby authorized to make expenditures from the parking fees fund for debt service for a capital improvement project to construct and pave campus parking lots in an amount of not more than the total of \$2,700,000 plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds. Such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1988 Supp. 74-8905 and amendments thereto.

(e) Kansas state university is hereby authorized to make expenditures from the student fee bonds principal and interest fund for debt service for a capital improvement project to renovate Van Zile hall, Putnam hall and Boyd hall in an amount of not more than the total of \$6,950,000 plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds. Such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 1988 Supp. 74-8905 and amendments thereto.

Sec. 18.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$69,953

(b) On the effective date of this act, of the \$808,312 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 4(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$39,790 is hereby lapsed.

(c) The expenditure limitation established by section 4(b) of chapter 35 of the 1988 Session Laws of Kansas on the hospital and diagnostic laboratory revenue fund is hereby increased from \$1,236,875 to \$1,461,875.

Sec. 19.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$232,692

(b) The expenditure limitation established by section 5(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$4,827,170 to \$4,961,297.

(c) On the effective date of this act, of the \$702,419 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 5(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$31,210 is hereby lapsed.

(d) Expenditures in an amount of not more than \$3,363 may be made from the elevator replacement and addition—William Allen White library account of the Kansas educational building fund for the Butcher children's school roof replacement project.

Sec. 20.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$273,990

(b) The expenditure limitation established by section 6(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$6,002,199 to \$6,108,717.

Sec. 21.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$167,111

(b) On the effective date of this act, of the \$785,733 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 2(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the other operating expenditures for utilities account, the sum of \$18,347 is hereby lapsed.

Sec. 22.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$3,642

(b) Refunds from the osteopathic scholarship repayment fund shall be in addition to any expenditure limitation imposed on this fund for the fiscal year ending June 30, 1989.

Sec. 23.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures (including official hospitality) ..... \$583,883  
 Stipends, fringe benefits, contractual support and medical malpractice insurance premium expenditures for state-supported residents ..... 89,374  
 Total ..... \$673,257

(b) The expenditure limitation established by section 8(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund is hereby decreased from \$5,970,440 to \$5,571,492.

(c) The expenditure limitation established by section 8(b) of chapter 35 of the 1988 Session Laws of Kansas on the sponsored research overhead fund is hereby increased from \$2,418,545 to \$2,618,545.

(d) The expenditure limitation established by section 8(b) of chapter 35 of the 1988 Session Laws of Kansas on the lease-purchase nuclear magnetic resonance imaging system account of the university of Kansas hospital fund is hereby increased from the unencumbered balance in such account on June 30, 1988, to \$468,960.

(e) The expenditure limitation established by section 8(b) of chapter 35 of the 1988 Session Laws of Kansas on the lease-purchase cardiac catheterization equipment account of the university of Kansas hospital fund is hereby increased from the unencumbered balance in such account on June 30, 1988, to \$110,800.

(f) The expenditure limitation established by section 8(b) of chapter 35 of the 1988 Session Laws of Kansas on the lease-purchase computed tomography scanner upgrade account of the university of Kansas hospital fund is hereby increased from the unencumbered balance in such account on June 30, 1988, to \$150,000.

(g) The expenditure limitation established for the medical scholarship repayment fund by section 42(e) of chapter 33 of the 1988 Session Laws of Kansas is hereby decreased from \$2,199,940 to \$2,037,089.

(h) The position limitation established for the university of Kansas medical center by section 42(c) of chapter 33 of the 1988 Session Laws of Kansas is hereby increased from 4,632.1 to 4,636.0.

(i) On the effective date of this act, of the \$4,543,414 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 8(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$18,098 is hereby lapsed.

Sec. 24.

KANSAS COLLEGE OF TECHNOLOGY

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$37,743

(b) The expenditure limitation established by section 11(b) of chapter 35 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$266,213 to \$348,273.

(c) On the effective date of this act, of the \$133,460 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 11(a) of chapter 35 of the 1988 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$10,157 is hereby lapsed.

Sec. 25.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund the following:

Grants to libraries and library systems ..... \$131,700  
 Operating expenditures ..... 10,000  
 Total ..... \$141,700

Sec. 26.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$22,420  
 Community college credit hour state aid ..... 1,322,423  
 Community college out-district state aid entitlement ..... 334,422  
 Unified school district no. 402, Butler county, Kansas, state school equalization aid ..... 358,267  
 Total ..... \$2,037,532

(b) On the effective date of this act, of the \$488,527,252 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 6(a) of chapter 34 of the 1988 Session Laws of Kansas from the state general fund in the state school equalization aid account, the sum of \$358,267 is hereby lapsed.

(c) On the effective date of this act, of the \$99,956,067 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 6(a) of chapter 34 of the 1988 Session Laws of Kansas from the state general fund in the special education services aid account, the sum of \$393,995 is hereby lapsed.

(d) On the effective date of this act, of the \$43,413,155 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 6(a) of chapter 34 of the 1988 Session Laws of Kansas from the state general fund in the state school transportation aid account, the sum of \$909,316 is hereby lapsed.

(e) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations account of the job training partnership act fund—federal is hereby increased from \$66,512 to \$75,559.

(f) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations

(continued)

account of the vocational education amendments of 1968—federal fund is hereby increased from \$678,395 to \$689,403.

(g) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the drug abuse fund—department of education—federal is hereby increased from \$1,022,272 to \$1,230,604.

(h) The expenditure limitation established by section 6 (b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations account of the drug abuse fund—department of education—federal is hereby increased from \$103,814 to \$104,028.

(i) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations account of the education of handicapped children fund—federal is hereby increased from \$869,497 to \$872,840.

(j) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations account of the food assistance—federal fund is hereby increased from \$571,168 to \$622,695.

(k) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations fund—federal is hereby increased from \$1,278,111 to \$1,285,863.

(l) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state safety fund is hereby increased from \$1,590,857 to \$1,593,411.

(m) The expenditure limitation established by section 6(b) of chapter 34 of the 1988 Session Laws of Kansas on the state operations account of the state safety fund is hereby increased from \$90,857 to \$93,411.

Sec. 27.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$87,067

Sec. 28.

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$34,635

(b) The expenditure limitation established by section 4(b) of chapter 34 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$73,429 to \$100,661.

Sec. 29.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund the following:

Administration ..... \$608
Collections ..... 14,945
Historic properties ..... 3,807
Grant to Eisenhower centennial commission ..... 100,000
Mine Creek historical park ..... 35,000

Provided, That expenditures from this account shall not exceed \$20,000 unless each \$1 of expenditures from this account in excess of \$20,000 is matched by \$1 in private donations or in-kind contributions for this purpose.

Total ..... \$154,360

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas committee for the humanities—EDIF grant fund ..... \$65,000

(c) All expenditures during the fiscal year ending June 30, 1989, from the grant to Eisenhower centennial commission account of the state general fund shall be matched by expenditures from the Eisenhower centennial fund on the basis of \$1 from the Eisenhower centennial fund for every \$2 from the grant to Eisenhower centennial commission account of the state general fund. Expenditures during the fiscal year ending June 30, 1989, of moneys from the grant to Eisenhower centennial commission account of the state general fund or from the Eisenhower centennial fund shall not be subject to K.S.A. 75-3739 and amendments thereto. During the fiscal year ending June 30, 1989, upon the request of the Eisenhower centennial commission, the state historical society may transfer moneys in the Eisenhower centennial fund and moneys in the grant to Eisenhower

centennial commission account of the state general fund, on the basis of \$1 transferred from the Eisenhower centennial fund for every \$2 transferred from the grant to Eisenhower centennial commission account of the state general fund, to a bank located in Shawnee county, Kansas, to the account of the Eisenhower centennial commission. Each such bank account shall be awarded to a bank located in Shawnee county, Kansas, by the pooled money investment board under a written agreement in accordance with procedures for state bank accounts under K.S.A. 75-4217 and amendments thereto and shall be secured by pledge of securities in the manner prescribed for state bank accounts under 75-4218 and amendments thereto and in the amount prescribed for fee agency accounts under that statute. Each such transfer shall be made upon vouchers of the state historical society, which the director of accounts and reports and the state treasurer are hereby authorized and directed to honor by making such transfers, and the moneys so transferred shall be for use by the Eisenhower centennial commission for use in operating and conducting the activities of the commission during fiscal year 1989. The Eisenhower centennial commission shall make a full and complete report on a monthly basis and by object classification to the state historical society of all expenditures for fiscal year 1989 from each such bank account.

(d) On May 15, 1989, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$65,000 from the state economic development initiatives fund of the department of commerce to the Kansas committee for the humanities—EDIF grant fund.

Sec. 30.

STATE BOARD OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund the following:

Salary and wages ..... \$98,804

(b) The expenditure limitation established by section 2(b) of chapter 27 of the 1988 Session Laws of Kansas on the federal pesticide enforcement fund is hereby increased from \$175,700 to \$189,496.

(c) On the effective date of this act, of the \$1,547,187 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 2(a) of chapter 27 of the 1988 Session Laws of Kansas from the state general fund in the other operating expenditures (including official hospitality) account, the sum of \$15,575 is hereby lapsed.

Sec. 31.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund the following:

Administration program ..... \$1,250
Animal disease control ..... 52,374
Total ..... \$53,624

(b) The expenditure limitation established by section 33(a) of chapter 33 of the 1988 Session Laws of Kansas on the animal disease control fund is hereby increased from \$510,466 to \$521,452.

Sec. 32.

KANSAS STATE GRAIN INSPECTION DEPARTMENT

(a) The expenditure limitation established by section 4(a) of chapter 27 of the 1988 Session Laws of Kansas on the grain inspection fee fund is hereby increased from \$5,273,324 to \$5,350,653.

Sec. 33.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$7,095

Sec. 34.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$200,000

(b) The expenditure limitation established by section 14(d) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages and other operating expenditures account of the forestry, fish and game commission fee fund is hereby increased from \$12,686,288 to \$12,835,026.

(c) The expenditure limitation established by section 4(b) of chap-



ter 29 of the 1988 Session Laws of Kansas on the boat permit account of the salaries and wages and other operation expenditures account of the forestry, fish and game commission fee fund is hereby increased from \$515,452 to \$518,906.

(d) The position limitation established by section 14(c) of chapter 33 of the 1988 Session Laws of Kansas for the department of wildlife and parks is hereby increased from 402.0 to 403.0.

Sec. 35.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$22,599

Sec. 36.

CRIME VICTIMS REPARATIONS BOARD

(a) There is appropriated for the above agency from the state general fund the following:

Crime victims claims ..... \$109,873

(b) The expenditure limitation established by section 5(a) of chapter 24 of the 1988 Session Laws of Kansas on the crime victims reparations fund is hereby increased from \$512,287 to \$513,413.

(c) The expenditure limitation established by section 5(a) of chapter 24 of the 1988 Session Laws of Kansas on the state operations account of the crime victims reparations fund is hereby increased from \$81,287 to \$82,413.

Sec. 37.

KANSAS WHEAT COMMISSION

(a) The expenditure limitation established by section 31(a) of chapter 33 of the 1988 Session Laws of Kansas on the Kansas wheat commission fund is hereby decreased from \$1,725,457 to \$1,594,447.

Sec. 38.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) On June 15, 1989, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$126,702 from the Kansas economic development research and development account of the state economic development initiatives fund of the department of commerce to the economic development research and development fund of the Kansas technology enterprise corporation.

Sec. 39.

KANSAS RACING COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

State operations ..... \$326,719

(b) The expenditure limitation established by section 5(a) of chapter 26 of the 1988 Session Laws of Kansas on the state racing fund is hereby decreased from \$831,273 to \$535,500.

(c) The position limitation established by section 7 of chapter 26 of the 1988 Session Laws of Kansas for the Kansas racing commission is hereby increased from 14.0 to 16.0.

Sec. 40. *Appeals to exceed position limitations.* The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriations act of the 1988 regular session of the legislature or in any other appropriations act of the 1989 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 41. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 42. On the effective date of this act, K.S.A. 1988 Supp. 74-8711 and section 4 of chapter 26 of the 1988 Session Laws of Kansas are hereby repealed.

Sec. 43. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, May 4, 1989.)

(Editor's Note: The following bill contains a line-item veto. The Governor's veto message appears at the end of the bill.)

HOUSE BILL No. 2063

AN ACT concerning appropriations; making and concerning appropriations for the fiscal year ending June 30, 1989, for the board of barber examiners, behavioral sciences regulatory board, state corporation commission, state board of mortuary arts, Kansas real estate commission, state board of healing arts, savings and loan department, Kansas public employees retirement system, commission on civil rights, state bank commissioner, abstracters' board of examiners, state finance council, department of administration, state board of pharmacy, Kansas public disclosure commission, Kansas commission on veterans affairs, Kansas soldiers' home, department of social and rehabilitation services, department on aging, department of human resources, Kansas neurological institute, Parsons state hospital and training center, Winfield state hospital and training center, Norton state hospital, Larned state hospital, Osawatomie state hospital, Topeka state hospital, Rainbow mental health facility, department of health and environment, state correctional-vocational training center, state industrial reformatory, department of corrections, attorney general—Kansas bureau of investigation, Kansas highway patrol, adjutant general, youth center at Atchison, youth center at Topeka, department of transportation, department of revenue—homestead property tax refunds, state department of credit unions, board of examiners in optometry, state board of veterinary examiners, board of nursing, state reception and diagnostic center, Norton correctional facility and Hutchinson correctional work facility; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 3 of chapter 15 of the 1988 Session Laws of Kansas and K.S.A. 1988 Supp. 44-716a and repealing the existing sections.

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

Section 1. For the fiscal year ending June 30, 1989, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

BOARD OF BARBER EXAMINERS

(a) The expenditure limitation established by section 5(a) of chapter 14 of the 1988 Session Laws of Kansas on the barber examiner fee fund is hereby increased from \$79,799 to \$84,524.

Sec. 3.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) The expenditure limitation established by section 6(a) of chapter 14 of the 1988 Session Laws of Kansas on the behavioral sciences regulatory board fee fund is hereby increased from \$193,750 to \$194,784.

Sec. 4.

STATE CORPORATION COMMISSION

(a) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the gas pipeline safety program—federal fund is hereby increased from \$109,890 to \$110,221.

(b) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages account of the gas pipeline safety program—federal fund is hereby increased from \$88,829 to \$89,160.

(c) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the railroad safety program—federal fund is hereby decreased from \$18,000 to \$17,143.

(d) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the institutional conservation program—federal fund is hereby increased from \$51,273 to \$51,425.

(e) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the energy extension service act—federal fund is hereby increased from \$63,500 to \$63,641.

(f) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the energy conservation plan—federal fund is hereby increased from \$159,500 to \$159,715.

(g) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the motor carrier safety assistance—federal fund is hereby decreased from \$74,194 to \$48,247.

(continued)

(h) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the public service regulation fund is hereby decreased from \$3,761,440 to \$3,738,801.

(i) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages account of the public service regulation fund is hereby decreased from \$2,991,390 to \$2,968,751.

(j) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the conservation fee fund is hereby decreased from \$3,455,658 to \$3,410,118.

(k) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages account of the conservation fee fund is hereby decreased from \$2,637,250 to \$2,629,572.

(l) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the motor carrier license fees fund is hereby increased from \$1,353,070 to \$1,363,098.

(m) The expenditure limitation established by section 9(a) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages account of the motor carrier license fees fund is hereby increased from \$920,104 to \$934,583.

(n) The position limitation established by section 9(c) of chapter 33 of the 1988 Session Laws of Kansas for the above agency is hereby decreased from 239.0 to 235.0.

Sec. 5.

STATE BOARD OF MORTUARY ARTS

(a) The expenditure limitation established by section 11(a) of chapter 14 of the 1988 Session Laws of Kansas on the mortuary arts fee fund is hereby increased from \$120,304 to \$122,750.

Sec. 6.

KANSAS REAL ESTATE COMMISSION

(a) The expenditure limitation established by section 17(a) of chapter 14 of the 1988 Session Laws of Kansas on the real estate fee fund is hereby increased from \$505,852 to \$505,993.

Sec. 7.

STATE BOARD OF HEALING ARTS

(a) The expenditure limitation established by section 7(a) of chapter 14 of the 1988 Session Laws of Kansas on the healing arts fee fund is hereby decreased from \$807,063 to \$803,882.

Sec. 8.

SAVINGS AND LOAN DEPARTMENT

(a) The expenditure limitation established by section 18(a) of chapter 14 of the 1988 Session Laws of Kansas on the savings and loan fee fund is hereby increased from \$208,036 to \$209,407.

Sec. 9.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) The expenditure limitation established by section 55(a) of chapter 33 of the 1988 Session Laws of Kansas on the salaries and wages subaccount of the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$1,756,461 to \$1,769,726.

(b) The expenditure limitation established by section 55(a) of chapter 33 of the 1988 Session Laws of Kansas on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$2,882,973 to \$2,957,320.

(c) There is appropriated for the above agency from the state general fund the following:

For employers' contributions ..... \$662,000

Sec. 10.

COMMISSION ON CIVIL RIGHTS

(a) There is appropriated for the above agency from the state general fund the following:

Promotion of civil rights ..... \$16,636

(b) The expenditure limitation established by section 2(b) of chapter 16 of the 1988 Session Laws of Kansas on the federal fund is hereby decreased from \$441,910 to \$436,556.

Sec. 11.

STATE BANK COMMISSIONER

(a) The state bank commissioner is hereby authorized and directed to pay \$2,931.08 to the department of administration for payment of unpaid motor pool charges attributable to fiscal year 1988, by voucher transfer of such amount from the bank commis-

sioner fee fund to the motor pool service fund of the department of administration, as a transaction between state agencies as provided in K.S.A. 75-5516 and amendments thereto.

(b) The expenditure limitation established by section 4(a) of chapter 14 of the 1988 Session Laws of Kansas on the bank commissioner fee fund is hereby increased from \$2,512,566 to \$2,515,497.

Sec. 12.

ABSTRACTERS' BOARD OF EXAMINERS

(a) The expenditure limitation established by section 2(a) of chapter 14 of the 1988 Session Laws of Kansas on the abstracters' fee fund is hereby increased from \$15,822 to \$16,062.

Sec. 13.

STATE FINANCE COUNCIL

(a) On the effective date of this act, the director of accounts and reports shall transfer \$5,000 from the state general fund to the state emergency fund.

Sec. 14.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund the following:

Budget analysis .....	\$6,786
Purchasing and property management .....	5,032
Architectural services and planning .....	172,834
Total .....	\$184,652

(b) The expenditure limitation established by section 16(f) of chapter 33 of the 1988 Session Laws of Kansas on the drug abuse fund—department of administration—federal fund is hereby increased from \$1,441,850 to No limit.

(c) The expenditure limitation established by section 2(b) of chapter 29 of the 1988 Session Laws of Kansas on the motor pool service fund is hereby increased from \$1,675,881 to \$1,770,262.

(d) The expenditure limitation established by section 2(b) of chapter 29 of the 1988 Session Laws of Kansas on the motor pool service depreciation reserve fund is hereby increased from \$1,660,588 to \$1,856,114.

(e) The expenditure limitation established by section 2(b) of chapter 29 of the 1988 Session Laws of Kansas on the intragovernmental printing service fund is hereby increased from \$5,641,062 to No limit.

Sec. 15.

STATE BOARD OF PHARMACY

(a) The expenditure limitation established by section 16(a) of chapter 14 of the 1988 Session Laws of Kansas on the state board of pharmacy fee fund is hereby increased from \$305,291 to \$307,212.

Sec. 16.

KANSAS PUBLIC DISCLOSURE COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures .....	\$6,017
------------------------------	---------

Sec. 17.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund the following:

Payment of educational claims .....	\$25,754
Operating expenditures .....	37,706
Total .....	\$63,460

Sec. 18.

KANSAS SOLDIERS' HOME

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures .....	\$17,701
------------------------------	----------

Sec. 19. On the effective date of this act, section 3 of chapter 15 of the 1988 Session Laws of Kansas is hereby amended to read as follows: Sec. 3.

KANSAS SOLDIERS' HOME

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to renovate cottages, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state institutions building fund for the capital improvement project and for the fiscal years specified as follows:

Renovate cottages

For the fiscal year ending June 30, 1990 .....	\$50,000
For the fiscal year ending June 30, 1991 .....	50,000

*Provided, however, That, if feasible, all renovation labor shall be provided by inmates who are approved for assignment to do such labor by the department of corrections under an approved work program.*

Sec. 20.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund the following:

Medical assistance for long-term care .....	\$10,529,982
Other medical assistance .....	1,577,759
Administration .....	695,681
Youth services .....	2,874,742
Staff development .....	3,411
Disability determination service .....	252
Topeka workshop for the blind .....	1,378
Mental health and retardation services—operating expenditures .....	6,004
Homemaker services .....	352,053
Total .....	\$16,041,262

(b) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the Kansas vocational rehabilitation center fees fund is hereby increased from \$37,812 to \$40,000.

(c) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the community services block grant—federal fund is hereby increased from \$3,347,674 to \$3,348,442.

(d) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the rehabilitation program—social security—federal fund is hereby increased from \$786,917 to \$788,936.

(e) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the department of energy training and technical assistance—federal fund is hereby increased from \$130,444 to \$131,344.

(f) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the rehabilitation services—title III—federal fund is hereby increased from \$418,022 to \$423,039.

(g) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the vocational rehabilitation supported employment—title VI(C)—federal fund is hereby increased from \$374,352 to \$541,566.

(h) The expenditure limitation established by section 3(b) of chapter 31 of the 1988 Session Laws of Kansas on the homemaker services fund—private contributions is hereby increased from \$100,000 to \$196,408.

(i) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

State legalization impact assistance grant fund—federal .....	\$1,030,705
---------------------------------------------------------------	-------------

Sec. 21.

DEPARTMENT ON AGING

(a) The expenditure limitation established by section 5(b) of chapter 31 of the 1988 Session Laws of Kansas on the state operations account of the older workers job training partnership act employment program—federal fund is hereby increased from \$36,527 to \$36,592.

(b) The expenditure limitation established by section 5(b) of chapter 31 of the 1988 Session Laws of Kansas on the state operations account of the senior community service employment program—federal fund is hereby increased from \$37,772 to \$37,804.

Sec. 22.

DEPARTMENT OF HUMAN RESOURCES

(a) The expenditure limitation established by section 13(a) of chapter 33 of the 1988 Session Laws of Kansas on the workmen's compensation fee fund is hereby increased from \$2,136,870 to \$2,203,059.

(b) The expenditure limitation established by section 7(b) of chapter 16 of the 1988 Session Laws of Kansas on the boiler inspection fee fund is hereby increased from \$189,605 to \$190,220.

(c) The expenditure limitation established by section 7(b) of chapter 16 of the 1988 Session Laws of Kansas on the state operations

account of the job training partnership act—title III—dislocated workers fund is hereby increased from \$157,930 to \$337,388.

(d) On the effective date of this act, of the \$969,742 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 7(a) of chapter 16 of the 1988 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$18,643 is hereby lapsed.

Sec. 23. On the effective date of this act, K.S.A. 1988 Supp. 44-716a is hereby amended to read as follows: 44-716a. (a) There is hereby created in the state treasury a special fund to be known as the special employment security fund. All interest and penalties collected under the provisions of the Kansas employment security law shall be paid into this fund. No such moneys shall be expended or available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, federal funds which in the absence of such moneys would be available to finance expenditures for the administration of the employment security law. Nothing in this section shall prevent such moneys from being used as a revolving fund, to cover expenditures, necessary and proper under the law, for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received. Except as otherwise authorized by this section or by appropriations act, the moneys in this fund may be used by the secretary of human resources only for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants, or other funds, received for or in the employment security administration fund. In addition to the other purposes for which expenditures may be made from the special employment security fund as authorized by this section or by appropriations act, moneys from this fund may be used to finance activities as deemed necessary by the secretary of human resources for the efficient operation of activities under or the administration of the employment security law, except that (1) no moneys shall be used for such purposes unless the secretary has determined that no other funds are available or can be properly used to finance expenditures for such purposes, (2) expenditures are hereby authorized and directed to be made from the special employment security fund during the fiscal year ending June 30, 1989, for (A) employment and training under the rural employment assistance program during the fiscal year ending June 30, 1989 and (B) for the payment of amounts to the federal government which are required to be paid pursuant to federal audit exceptions, except that expenditures from this fund for all authorized purposes for fiscal year 1989 shall not exceed ~~\$435,000~~ \$628,000 and, within such limitation for all authorized purposes, expenditures from this fund for the rural employment assistance program for fiscal year 1989 shall not exceed \$325,000 and the expenditures from this fund for payment of amounts to the federal government, which are required to be paid pursuant to federal audit exceptions, for fiscal year 1989 shall not exceed \$193,000 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto, and (3) expenditures during the fiscal year ending June 30, 1990, or any fiscal year thereafter for purposes authorized under this section shall not exceed \$110,000 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto. No expenditures of this fund shall be made except on written authorization by the governor and the secretary of human resources.

(b) The director of accounts and reports is hereby directed to draw warrants upon the state treasurer against the money in the special employment security fund for the use and purposes as herein specified authorized under this section upon vouchers, approved by the secretary of human resources, and accompanied by the written authorization of the governor and the secretary of human resources. The moneys in this fund are hereby specifically made available to replace, within a reasonable time, any moneys received by this state pursuant to section 302 of the federal social security act, as amended, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of the employment

(continued)

security law. The moneys in this fund shall be continuously available to the secretary of human resources for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund, except as otherwise authorized in subsection (c).

(c) In addition to expenditures authorized by this section, the director of accounts and reports may transfer funds from the special employment security fund to the accounting services recovery fund as provided in K.S.A. 75-3728b and 75-6210 and amendments thereto.

Sec. 24.

KANSAS NEUROLOGICAL INSTITUTE

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$1,270,814

(b) The expenditure limitation established by section 5(b) of chapter 20 of the 1988 Session Laws of Kansas on the Kansas neurological institute fee fund is hereby increased from \$522,658 to \$523,624.

(c) The position limitation established by the state finance council for the Kansas neurological institute is hereby increased from 839.0 to 842.0.

Sec. 25.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$749,905

(b) The expenditure limitation established by the state finance council on the Parsons state hospital and training center fee fund is hereby decreased from \$657,660 to \$643,288.

Sec. 26.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$3,351,657

Sec. 27.

NORTON STATE HOSPITAL

(a) On the effective date of this act, any unencumbered balance in excess of \$86,381 in the operating expenditures account of the state general fund is hereby lapsed.

Sec. 28.

LARNED STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$822,841

(b) The expenditure limitation established by section 21(c) of chapter 33 of the 1988 Session Laws of Kansas on the title XIX fund is hereby increased from \$1,089,461 to \$1,111,922.

(c) The expenditure limitation established by section 21(b) of chapter 33 of the 1988 Session Laws of Kansas on the Larned state hospital fee fund is hereby decreased from \$1,548,249 to \$1,178,558.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$22,461 from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Larned state hospital.

Sec. 29.

OSAWATOMIE STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$364,248

(b) The expenditure limitation established by section 22(d) of chapter 33 of the 1988 Session Laws of Kansas on the Osawatomie state hospital fee fund is hereby increased from \$1,977,995 to \$2,024,714.

(c) The expenditure limitation established by section 7(b) of chapter 20 of the 1988 Session Laws of Kansas on the title XIX fund is hereby increased from \$2,037,939 to \$2,085,956.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$48,017 from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to the title XIX fund of Osawatomie state hospital.

Sec. 30.

TOPEKA STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$2,773,324

(b) The expenditure limitation established by section 23(b) of chapter 33 of the 1988 Session Laws of Kansas on the Topeka state hospital fee fund is hereby decreased from \$3,037,391 to \$1,966,649.

(c) The expenditure limitation established by section 23(c) of chapter 33 of the 1988 Session Laws of Kansas on the title XIX fund is hereby decreased from \$1,754,812 to \$562,608.

(d) The expenditure limitation established by section 11(b) of chapter 20 of the 1988 Session Laws of Kansas on the elementary and secondary education fund—federal is hereby increased from \$83,520 to \$93,520.

(e) On the effective date of this act, the amount of \$1,754,812 authorized by section 23(d) of chapter 33 of the 1988 Session Laws of Kansas, to be transferred by the director of accounts and reports from the institutional receipts from title XIX—federal fund of the department of social and rehabilitation services to title XIX fund of Topeka state hospital is hereby decreased to \$562,608.

Sec. 31.

RAINBOW MENTAL HEALTH FACILITY

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$81,815

(b) The expenditure limitation established by section 9(b) of chapter 20 of the 1988 Session Laws of Kansas on the Rainbow mental health facility fee fund is hereby decreased from \$202,078 to \$176,753.

(c) The expenditure limitation established by section 9(b) of chapter 20 of the 1988 Session Laws of Kansas on the title XIX fund is hereby increased from \$1,432,543 to \$1,465,552.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,009 from the institutional receipts from title XIX federal fund of the department of social and rehabilitation services to the title XIX fund of Rainbow mental health facility.

Sec. 32.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund the following:

Low level radioactive waste compact ..... \$200,000  
Operating expenditures ..... 441,604  
Genetic services ..... 50,000  
Total ..... \$691,604

(b) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the power generating facility fee fund is hereby increased from \$99,598 to \$100,002.

(c) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the medicare fund—federal is hereby increased from \$447,230 to \$486,703.

(d) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the federal air quality program fund is hereby increased from \$778,678 to \$785,116.

(e) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the federal occupational health and safety statistics program fund is hereby increased from \$35,500 to \$35,787.

(f) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the water supply fund—federal is hereby increased from \$592,058 to \$593,740.

(g) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the diagnostic x-ray program—federal fund is hereby increased from \$22,000 to \$22,063.

(h) The expenditure limitation established by section 10(g) of chapter 33 of the 1988 Session Laws of Kansas on the title I—P.L. 99-457 fund is hereby increased from \$635,000 to \$635,156.

(i) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the state operations account of the preventive health and health services block grant fund is hereby increased from \$472,643 to \$472,881.

(j) The expenditure limitation established by section 4(b) of chap-

ter 31 of the 1988 Session Laws of Kansas on the federal EPA underground injection control fund is hereby increased from \$150,000 to \$150,494.

(k) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the radiological environmental cooperative monitoring—federal fund is hereby increased from \$20,493 to \$20,543.

(l) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the early childhood developmental services—federal fund is hereby increased from \$27,175 to \$27,384.

(m) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the federal EPA national groundwater strategy fund is hereby increased from \$81,524 to \$81,711.

(n) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the underground storage level fund—federal is hereby increased from \$155,383 to \$155,612.

(o) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the diabetes control program fund is hereby increased from \$150,864 to \$172,570.

(p) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the highway safety—federal fund is hereby increased from \$10,000 to \$220,000.

(q) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the immunization grant funds—federal fund is hereby increased from \$34,639 to \$78,639.

(r) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the state operations account of the maternal and child health services block grant fund is hereby increased from \$2,348,800 to \$2,448,800.

(s) In addition to the purposes for which expenditures may be made from the aid to local units—adolescent health promotion account of the state general fund, appropriated by section 4(a) of chapter 31 of the 1988 Session Laws of Kansas, moneys may be expended from such account for the purchase of vaccines for distribution to local health departments.

(t) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Healthy families and young children—federal fund..... \$125,000

(u) The expenditure limitation established by section 4(b) of chapter 31 of the 1988 Session Laws of Kansas on the EPA—pre-NPL existing sites fund is hereby increased from \$223,000 to \$398,600.

(v) The position limitation established by section 10(b) of chapter 33 of the 1988 Session Laws of Kansas for the above agency is hereby increased from 668.7 to 671.7.

Sec. 33.

STATE CORRECTIONAL-VOCATIONAL TRAINING CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$247,637

Sec. 34.

STATE INDUSTRIAL REFORMATORY

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures ..... \$267,916

(b) On the effective date of this act, any unencumbered balance of the amount reappropriated for the above agency for the fiscal year ending June 30, 1989, by section 16 of chapter 32 of the 1988 Session Laws of Kansas from the correctional institutions building fund in the special assessment for repair of avenue B account is hereby lapsed.

Sec. 35.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund the following:

Central management..... \$25,443  
 Inmate emergency capacity expansion program ..... 245,679  
 Reconstruct and equip greenhouse—El Dorado honor camp ..... 15,500  
 Community correctional conservation camps..... 1,260,000

~~Provided, That expenditures made be made from this account to construct and equip community correctional conservation camps in Meade and Labette counties. Provided, however, That expenditures for fiscal year 1989 to any one county shall not exceed \$600,000.~~

Total..... \$1,486,622

(b) The expenditure limitation established by section 2(b) of chapter 32 of the 1988 Session Laws of Kansas on the general fees fund is hereby increased from \$37,117 to \$66,494.

(c) On June 30, 1989, the director of accounts and reports shall transfer \$775,000 from the state general fund to the correctional institutions building fund.

(d) On the effective date of this act, of the \$9,531,587 appropriated for the above agency by section 2 of chapter 32 of the 1988 Session Laws of Kansas from the state general fund in the community corrections account, the sum of \$572,000 is hereby lapsed.

(e) The position limitation established by section 11 of chapter 32 of the 1988 Session Laws of Kansas for the department of corrections is hereby increased from 733.3 to 735.8.

Sec. 36.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund the following:

Administration and support services ..... \$43,585  
 Investigations ..... 96,225  
 Special services ..... 59,276  
 Automated fingerprint identification system ..... 3,679,931

~~Provided, That expenditures from this account shall be made only for the acquisition or operation of an automated fingerprint identification system.~~

Total..... \$3,879,017

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that the expenditures other than refunds authorized by law shall not exceed the following:

Grants and gifts fund..... No limit

(c) The expenditure limitation established by section 4(b) of chapter 16 of the 1988 Session Laws of Kansas on the attorney general's committee on crime prevention fee fund is hereby increased from \$2,000 to No limit.

(d) The expenditure limitation established by section 4(b) of chapter 16 of the 1988 Session Laws of Kansas on the lottery and racing investigation fees fund is hereby increased from \$0 to \$54,437.

(e) The position limitation established by section 23 of chapter 16 of the 1988 Session Laws of Kansas for the attorney general—Kansas bureau of investigation is hereby increased from 167.0 to 171.5.

Sec. 37.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the state general fund the following:

Salaries and wages ..... \$166,349

(b) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the motor carrier safety assistance program fund is hereby increased from \$898,300 to \$908,225.

(c) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the for patrol of Kansas turnpike fund is hereby increased from \$1,369,062 to \$1,369,767.

(d) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the capitol area security fund is hereby increased from \$863,978 to \$869,397.

(e) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the motor carrier inspection fund is hereby increased from \$4,383,924 to No limit.

(f) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the state operations account of the motor carrier inspection fund is hereby increased from \$4,192,055 to \$4,309,727.

(g) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$117,672 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway

(continued)

patrol for the purpose of financing the motor carrier inspection program of the Kansas highway patrol.

(h) The expenditure limitation established by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas on the capital improvements—Liberal account of the motor carrier inspection fund is hereby increased from \$191,869 to \$307,250.

(i) In addition to the purposes for which expenditures may be made for fiscal year 1989 from the motor carrier inspection fund as prescribed by section 3(b) of chapter 22 of the 1988 Session Laws of Kansas, expenditures shall be made to construct a port of entry and weigh station at Belleville, except that expenditures from this fund for such purpose shall not exceed \$1,175,400.

(j) On the effective date of this act, the director of accounts and reports shall transfer \$1,290,781 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol for the purpose of financing capital improvement projects for the motor carrier inspection program of the Kansas highway patrol.

(k) On the effective date of this act, of the \$3,380,433 appropriated for the above agency by section 3(a) of chapter 22 of the 1988 Session Laws of Kansas from the state general fund in the other operating expenditures account, the sum of \$10,000 is hereby lapsed.

#### Sec. 38.

##### ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund the following:

Disaster assistance—state matching funds for Doniphan county bridge project .....	\$55,785
Operational management .....	17,984
Physical plant operations .....	16,703
Emergency preparedness planning .....	922
DEP—Radiological instrument maintenance .....	344
Total .....	\$91,738

(b) On the effective date of this act, of the \$199,439 appropriated for the above agency for the fiscal year ending June 30, 1989, by section 2(a) of chapter 19 of the 1988 Session Laws of Kansas from the state general fund in the emergency preparedness operations and administration account, the sum of \$40,526 is lapsed.

(c) The expenditure limitation established by section 30 of chapter 33 of the 1988 Session Laws of Kansas on the military fees fund is hereby increased from \$3,823,604 to \$3,864,145.

(d) The expenditure limitation established by section 2(b) of chapter 19 of the 1988 Session Laws of Kansas on the emergency preparedness—RADEF instrument maintenance fund is hereby increased from \$79,475 to \$80,045.

(e) The expenditure limitation established by section 2(b) of chapter 19 of the 1988 Session Laws of Kansas on the emergency preparedness—nuclear civil protection—federal fund is hereby increased from \$67,725 to \$121,973.

#### Sec. 39.

##### YOUTH CENTER AT ATCHISON

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures .....	\$14,343
------------------------------	----------

#### Sec. 40.

##### YOUTH CENTER AT TOPEKA

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures .....	\$85,239
------------------------------	----------

#### Sec. 41.

##### DEPARTMENT OF TRANSPORTATION

(a) The expenditure limitation established by section 2(a) of chapter 22 of the 1988 Session Laws of Kansas on the administration account of the state highway fund is hereby decreased from \$9,249,482 to \$9,227,261.

(b) The expenditure limitation established by section 2(a) of chapter 22 of the 1988 Session Laws of Kansas on the planning and development account of the state highway fund is hereby increased from \$5,167,717 to \$5,173,874.

(c) The expenditure limitation established by section 2(a) of chapter 22 of the 1988 Session Laws of Kansas on the engineering and design account of the state highway fund is hereby increased from \$8,268,532 to \$8,290,406.

(d) The expenditure limitation established by section 2(a) of chap-

ter 22 of the 1988 Session Laws of Kansas on the operations account of the state highway fund is hereby increased from \$110,690,708 to \$111,018,386.

(e) The expenditure limitation established by section 2(a) of chapter 22 of the 1988 Session Laws of Kansas on the aviation account of the state highway fund is hereby increased from \$259,810 to \$261,547.

#### Sec. 42.

##### DEPARTMENT OF REVENUE—HOMESTEAD PROPERTY TAX REFUND

(a) There is appropriated for the above agency from the state general fund the following:

Homestead tax refunds .....	\$900,000
-----------------------------	-----------

#### Sec. 43.

##### STATE DEPARTMENT OF CREDIT UNIONS

(a) The expenditure limitation established by section 7(a) of chapter 33 of the 1988 Session Laws of Kansas on the credit union fee fund is hereby increased from \$467,616 to \$485,225.

#### Sec. 44.

##### BOARD OF EXAMINERS IN OPTOMETRY

(a) The expenditure limitation established by the state finance council on the optometry fee fund is hereby increased from \$28,918 to \$32,918.

#### Sec. 45.

##### STATE BOARD OF VETERINARY EXAMINERS

(a) The position limitation established by section 22 of chapter 14 of the 1988 Session Laws of Kansas for the state board of veterinary examiners is hereby increased from 0.8 to 1.8.

#### Sec. 46.

##### BOARD OF NURSING

(a) The expenditure limitation established by section 20(a) of chapter 33 of the 1988 Session Laws of Kansas on the board of nursing fee fund is hereby decreased from \$610,444 to \$531,349.

#### Sec. 47.

##### STATE RECEPTION AND DIAGNOSTIC CENTER

(a) On the effective date of this act, any unencumbered balance of the amount reappropriated for the above agency for the fiscal year ending June 30, 1989, by section 16 of chapter 32 of the 1988 Session Laws of Kansas from the correctional institutions building fund in the replace cold water lines and insulate hot water lines in main building account is hereby lapsed.

#### Sec. 48.

##### NORTON CORRECTIONAL FACILITY

(a) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund .....	\$86,381
-------------------------	----------

(b) On the effective date of this act, the director of accounts and reports shall transfer \$86,381 from the operating expenditure account of the state general fund of Norton state hospital to the general fees fund of the Norton correctional facility.

#### Sec. 49.

##### HUTCHINSON CORRECTIONAL WORK FACILITY

(a) There is appropriated for the above agency from the state general fund the following:

Construct and equip greenhouse .....	\$31,500
--------------------------------------	----------

Sec. 50. *Position limitations.* The limitations imposed by this act on the number of full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriations act of the 1988 regular session of the legislature or in any other appropriations act of the 1989 regular session of the legislature, may be exceeded upon approval of the state finance council.

Sec. 51. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 52. On the effective date of this act, section 3 of chapter 15 of the 1988 Session Laws of Kansas is hereby repealed.

Sec. 53. On the effective date of this act, K.S.A. 1988 Supp. 44-716a is hereby repealed.

Sec. 54. This act shall take effect and be in force from and after its publication in the Kansas register.

## OFFICE OF THE GOVERNOR

### *Message to the House of Representatives of the State of Kansas:*

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Bill 2063 with my signature approving the bill, except for the item enumerated below:

Section 35(a) that reads as follows has been line-item vetoed:

"There is appropriated for the above agency from the State General Fund the following:

Community corrections conservation camps..... \$1,200,000

Provided, That expenditures may be made from this account to construct and equip community correctional conservation camps in Meade and Labette counties: Provided, however, That expenditures for fiscal year 1989 to any one county shall not exceed \$600,000."

The Legislature's recommendation includes funds to construct and equip buildings in Labette and Meade counties to house inmates in a conservation camp setting. I strongly support the concept embodied in this legislation, but it obligates the state to a multi-year payment for buildings and equipment that the state will purchase but never own. While the camps do offer a further option to judges for diversion whether they will result in fewer commitments to the state or simply enlarge the net at the community level is not known. However, the commitment of substantial fiscal resources for this purpose is not a good public policy position for the state of Kansas.

Dated April 22, 1989.

MIKE HAYDEN  
Governor

(Published in the *Kansas Register*, May 4, 1989.)

Substitute for HOUSE BILL No. 2492

AN ACT concerning state representative districts; providing for the reapportionment thereof; and repealing K.S.A. 4-3,201 to 4-3,327, inclusive.

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

Section 1. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 125 single member districts. Such state representative districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 2. As used in this act "precinct" means an election precinct on record in the office of the secretary of state.

Sec. 3. When a county, city, precinct or part of a precinct is included within a representative district under this act, the district shall include the territory within such county, city, precinct or part of a precinct as it was constituted on November 1, 1988.

Sec. 4. If a county, city, precinct or part of a precinct is not included within a representative district established by this act, such county, city, precinct or part of a precinct shall be attached to the district to which it is contiguous and, if contiguous to more than one district, it shall be attached to the contiguous district which has the least total population.

If a county, city, precinct or part of a precinct is in two or more representative districts established by this act, such county, city, precinct or part of a precinct shall be attached to and become a part of the district which has the least total population.

Sec. 5. The first representative district shall consist of precincts

Pleasant View, Shawnee, Crawford, Salamanca, Neosho-Faulkner, Neosho-Melrose, Lyon, Spring Valley-Neutral, Spring Valley-Spring Valley, Lowell, Garden-Lowell and Garden-Stanley Mine and the cities of Columbus, Treece, Baxter Springs and Galena in Cherokee county.

Sec. 6. The second representative district shall consist of precincts Sheridan, Ross-West Mineral, Ross-Roseland, Ross-Belleview, Mineral, Cherokee and Lola and the cities of Mineral, Roseland, Scammon and Weir in Cherokee county; and precincts Walnut, Hepler, Brazilton, Sherman, Lincoln, Crowe, Parkview, North Arma, South Arma, Franklin, Capaldo, Raymond, Crawford, Grant, McCune, Beulah, Cherokee, Sheridan, Baker, Opolis and Smelter and that part of precinct 1 of ward 1 of the city of Pittsburg identified as CR041B and the cities of Mulberry, Girard and Frontenac in Crawford county.

Sec. 7. The third representative district shall consist of precincts Lone Star and Chicopee and the city of Pittsburg except that part of precinct 1 of ward 1 identified as CR041B, in Crawford county.

Sec. 8. The fourth representative district shall consist of Bourbon county; and precinct Arcadia in Crawford county; and precincts North Potosi, Sheridan and South Potosi in Linn county.

Sec. 9. The fifth representative district shall consist of precincts Putnam, Walker, Union, Monroe, Jackson and Lincoln and the city of Garnett in Anderson county; precincts Cutler, Ohio, Richmond and Pottawatomie in Franklin county; precincts Liberty, Scott, North Lincoln, South Lincoln, Valley, Paris, Centerville, Blue Mound, Mound City and Stanton in Linn county; and precincts East Middle Creek, West Middle Creek, East Valley, West Valley, Sugar Creek, Miami, Osage and Mound in Miami county.

Sec. 10. The sixth representative district shall consist of precincts Richland, Ten Mile, North Wea, South Wea, Paola, Stanton and Osawatomie and those parts of precinct Marysville identified as MI002A, MI002B, MI002C, MI002D and MI002E and the cities of Louisburg, Paola and Osawatomie in Miami county.

Sec. 11. The seventh representative district shall consist of precincts Walton, North, Neosho, Montana, Liberty, Fairview, Oswego, Richland and Hackberry and the cities of Oswego, Chetopa and Parsons in Labette county.

Sec. 12. The eighth representative district shall consist of Neosho county; and precinct Osage in Labette county.

Sec. 13. The ninth representative district shall consist of Allen county; and precincts Reeder, Westphalia, Washington, North Rich, Rich, Lone Elm, Welda, Ozark and Indian Creek in Anderson county.

Sec. 14. The tenth representative district shall consist of precincts Appanoose, North Centropolis, Hayes, Franklin, Peoria, Ottawa, South Centropolis, Pomona, Greenwood, Lincoln, Harrison, Homewood and Williamsburg and the city of Ottawa in Franklin county.

Sec. 15. The eleventh representative district shall consist of precincts Labette, Mound Valley, Mount Pleasant, Elm Grove, Canada and Howard in Labette county; and precincts Parker # 1, Parker # 2 and Cherokee and the city of Coffeyville in Montgomery county.

Sec. 16. The twelfth representative district shall consist of precincts Drum Creek, Liberty, Independence # 1, Caney-Havana, Caney-Tyro, Fawn Creek-Tyro, Fawn Creek-Dearing and those parts of precinct Independence # 2 identified as MG008B and MG008C and the cities of Caney and Independence in Montgomery county.

Sec. 17. The thirteenth representative district shall consist of Wilson and Woodson counties; and precincts West Cherry and Cherry and the city of Cherryvale in Montgomery county.

Sec. 18. The fourteenth representative district shall consist of precinct Oxford # 1 and that part of precinct Olathe # 1 identified as JO098B, precinct 3 of ward 4 of the city of Overland Park, precinct 8 of ward 3 and precincts 1, 2, 3, 4, 6, 7 and 8 of ward 4 of the city of Olathe in Johnson county.

Sec. 19. The fifteenth representative district shall consist of that part of precinct Monticello # 1 identified as JO006B, those parts of precinct Olathe # 1 identified as JO098A and JO098C, those parts of precinct Olathe # 2 identified as JO190C, JO190D and JO190E,

(continued)

precincts 2 and 3 of ward 2 and that part of precinct 4 of ward 2 identified as JO096B of the city of Lenexa, precinct 1 of ward 1, precincts 1, 2, 3, 4, 5, 6, 7 and that part of precinct 8 identified as JO097A of ward 2 and precinct 5 of ward 4 of the city of Olathe in Johnson county.

Sec. 20. The sixteenth representative district shall consist of precincts 1, 2 and 3 of ward 4 of the city of Lenexa, precincts 13 and 14 of ward 2, precinct 1 of ward 3 and precincts 1, 6, 7, 8, 12 and 13 of ward 4 of the city of Overland Park in Johnson county.

Sec. 21. The seventeenth representative district shall consist of precincts 1, 2 and 3 of ward 3 and precincts 1, 2 and 4 of ward 4 of the city of Shawnee, precinct 1 of ward 3 of the city of Lenexa, precincts 4 and 11 of ward 1 and precinct 4 of ward 2 of the city of Overland Park in Johnson county.

Sec. 22. The eighteenth representative district shall consist of precinct Shawnee # 1, that part of precinct Monticello # 1 identified as JO006A, precinct 1 of the city of Bonner Springs, precinct 1 of the city of Lake Quivira, that part of precinct 8 of ward 2 of the city of Olathe identified as JO097B, that part of precinct 4 of ward 2 of the city of Lenexa identified as JO096A and precincts 1 to 6 inclusive of ward 1, precincts 1, 2 and 5 of ward 2 and precinct 4 of ward 3 of the city of Shawnee in Johnson county.

Sec. 23. The nineteenth representative district shall consist of precincts 2 and 12 of ward 2, precincts 2, 4, 5, 6, 7, 8, 9, 10 and 12 of ward 3 and precinct 10 of ward 5 of the city of Overland Park in Johnson county.

Sec. 24. The twentieth representative district shall consist of precinct 15 of ward 2 and precincts 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 14 of ward 5 of the city of Overland Park and that part of precinct Oxford # 2 identified as JO214B in Johnson county.

Sec. 25. The twenty-first representative district shall consist of precincts 5, 6 and 7 of ward 1 and precincts 1 and 6 of ward 2 of the city of Overland Park and precinct 2 of ward 1, precincts 1, 2, 3 and 4 of ward 2, precinct 1 of ward 3, precincts 1, 2, 3, and 4 of ward 4 and precincts 1, 2, 3 and 4 of ward 6 of the city of Prairie Village in Johnson county.

Sec. 26. The twenty-second representative district shall consist of precincts 8, 9, 10, 12 and 13 of ward 1 and precincts 3, 5, 7, 8, 9, 10 and 11 of ward 2 of the city of Overland Park and precincts 1, 2 and 3 of ward 5 of the city of Prairie Village in Johnson county.

Sec. 27. The twenty-third representative district shall consist of the city of Merriam and precincts 3 and 4 of ward 2 and precincts 3 and 5 of ward 4 of the city of Shawnee in Johnson county.

Sec. 28. The twenty-fourth representative district shall consist of precincts 1, 2 and 3 of ward 1 of the city of Overland Park, precinct 2 of ward 3 of the city of Roeland Park and the cities of Countryside, Mission and Fairway in Johnson county.

Sec. 29. The twenty-fifth representative district shall consist of precincts 1 and 2 of ward 1, precincts 1 and 2 of ward 2, precinct 1 of ward 3 and precincts 1 and 2 of ward 4 of the city of Roeland Park, precincts 1, 3 and 4 of ward 1 and precincts 2, 3 and 4 of ward 3 of the city of Prairie Village and the cities of Westwood, Westwood Hills, Mission Hills and Mission Woods in Johnson county.

Sec. 30. The twenty-sixth representative district shall consist of precincts 2, 3, 4, 5, 7 and 8 of ward 1 and precincts 1, 2, 3, 6, 9 and 10 of ward 3 of the city of Olathe in Johnson county.

Sec. 31. The twenty-seventh representative district shall consist of precincts Spring Hill # 1, Aubry # 1, Aubry # 2, those parts of precinct Olathe # 2 identified as JO190A and JO190F and those parts of Oxford # 2 identified as JO214A, JO214C, JO214D, JO214E, JO214F, JO214G and JO214H and precinct 14 of ward 4 and precinct 15 of ward 5 of the city of Overland Park and precinct 6 of ward 1 and precincts 4, 5 and 7 of ward 3 of the city of Olathe and those parts of the city of Spring Hill identified as JO234A, JO234B, JO234C, JO234D and JO234E in Johnson county.

Sec. 32. The twenty-eighth representative district shall consist of the city of Leawood and precinct 5 of ward 5 of the city of Overland Park in Johnson county.

Sec. 33. The twenty-ninth representative district shall consist of

precincts 3 and 11 of ward 3 and precincts 2, 4, 5, 9, 10, 11 and 15 of ward 4 of Overland Park in Johnson county.

Sec. 34. The thirtieth representative district shall consist of precincts 1, 2, 3 and 4 of ward 1, precinct 1 of ward 2, precincts 2, 3 and 4 of ward 3 and precinct 4 of ward 4 of the city of Lenexa in Johnson county.

Sec. 35. The thirty-first representative district shall consist of precincts 2, 3, 4(A), 4(B), 5, 6, 7(A), 7(B) and 8 of ward 7 and precincts 3, 4, 5, 6, 7, 8 and 10 of ward 12 of the city of Kansas City in Wyandotte county.

Sec. 36. The thirty-second representative district shall consist of precinct 1 of ward 1, precincts 2, 3 and 4 of ward 5, precincts 1, 2 and 3 of ward 6, precinct 1 of ward 7, precincts 1 to 7 inclusive of ward 8 and precincts 1 and 2 of ward 12 of the city of Kansas City in Wyandotte county.

Sec. 37. The thirty-third representative district shall consist of that part of the city of Lake Quivira identified as WY127 and precinct 9 of ward 7, precincts 8(B) and 11 to 16 inclusive of ward 9 and precincts 9, 11, 12, 13 and 14 of ward 12 of the city of Kansas City in Wyandotte county.

Sec. 38. The thirty-fourth representative district shall consist of precincts 2, 3, 4 and 5 of ward 1, precincts 1 to 7 inclusive of ward 2, precincts 1 to 7 inclusive and 11 of ward 3, precincts 1, 2, 3 and 4 of ward 4, and precinct 1 of ward 5 of the city of Kansas City in Wyandotte county.

Sec. 39. The thirty-fifth representative district shall consist of precincts 8, 9 and 10 of ward 3, precincts 3, 4, 5, 6(A), 6(B), 8, 9, 10 and 11 of ward 10, precincts 1, 2, 3, 4(A), 4(B) and 6 of ward 11 and precincts 1(A), 1(B), 3 and 4 of ward 13 of the city of Kansas City in Wyandotte county.

Sec. 40. The thirty-sixth representative district shall consist of precincts 7, 8(A), 9(A), 9(B) and 10 of ward 9, precincts 9, 10(A), 10(B); 11(A) and 11(B) of ward 11 and precincts 2, 5, 6, 7(A), 7(B), 10 and 11 of ward 13 of the city of Kansas City in Wyandotte county.

Sec. 41. The thirty-seventh representative district shall consist of precincts 5 and 6 of ward 4, precincts 5, 6, 7 and 8 of ward 5, precincts 1, 2, 3, 4, 5 and 6 of ward 9, precincts 1, 2 and 7 of ward 10 and precincts 5, 7 and 8 of ward 11 of the city of Kansas City in Wyandotte county.

Sec. 42. The thirty-eighth representative district shall consist of precincts 12, 13, 14 and 15 of ward 11, precincts 8, 9 and 12 of ward 13 and precincts 1 to 12 inclusive of ward 14 of the city of Kansas City in Wyandotte county.

Sec. 43. The thirty-ninth representative district shall consist of precincts 1 and 2 of ward 1, precincts 1 and 2 of ward 3, precincts 1, 2, 3 and 4 of ward 4, precincts 1 to 8 inclusive of ward 5 and precinct 1 of ward 6 of the city of Emporia in Lyon county.

Sec. 44. The fortieth representative district shall consist of precincts Basehor, Glenwood and Walnut and the city of Basehor in Leavenworth county; precincts Prairie 1 and Delaware 1, precinct 1 of ward 1, precinct 1 of ward 2, precinct 1 of ward 3 and precincts 1 and 2 of ward 4 of the city of Bonner Springs and precinct 16 of ward 11 and precinct 13 of ward 14 of the city of Kansas City and the city of Edwardsville in Wyandotte county.

Sec. 45. The forty-first representative district shall consist of precinct 1 of ward 1, precincts 1, 2 and 3 of ward 2, precinct 1 of ward 3, precinct 1 of ward 4, precinct 1 of ward 5, precincts 1, 2, 3, 4 and 5 of ward 6 and precincts 2 and 3 of ward 7 and that part of precinct 1 of ward 7 identified as LV020A of the city of Leavenworth in Leavenworth county.

Sec. 46. The forty-second representative district shall consist of precincts Easton, Kickapoo, South Delaware II, South Delaware I, Boling, Springdale, Tonganoxie and Stranger and precincts 2, 3 and 4 of ward 5 of the city of Leavenworth and that part of precinct 1 of ward 7 identified as LV020B of the city of Leavenworth and the cities of Lansing and Tonganoxie in Leavenworth county.

Sec. 47. The forty-third representative district shall consist of precincts Grant, South Eudora, North Eudora, Central Eudora and East Wakarusa and those parts of precinct 5 of ward 4 of the city of Lawrence identified as DG038B, DG038C and DG038D and those parts of ward 6 of the city of Lawrence identified as DG006B, DG006C and DG006D in Douglas county; precincts Lexington # 1,



Gardner # 1, McCamish # 1 and Gardner # 2 and that part of precinct Olathe # 2 identified as JO190B, precinct 5 of ward 3 of the city of Shawnee and that part of precinct 8 of ward 2 of the city of Olathe identified as JO097C and the cities of DeSoto, Gardner and Edgerton in Johnson county.

Sec. 48. The forty-fourth representative district shall consist of that part of precinct North Wakarusa identified as DG003B and precincts 1, 2 and 3 and that part of precinct 4 identified as DG004A and that part of precinct 5 identified as DG011A, all of ward 1 of the city of Lawrence and precincts 3, 5, 6, 7, 9, 10, 12, 13 and 14 of ward 2 of the city of Lawrence in Douglas county.

Sec. 49. The forty-fifth representative district shall consist of precincts Big Springs, Lecompton, West Wakarusa, Clinton, Marion, Willow Springs, Vinland, North Baldwin, South Baldwin and Kanwaka and that part of precinct North Wakarusa identified as DG003A and those parts of precinct 4 of ward 1 identified as DG004B and DG004C and that part of precinct 5 of ward 1 identified as DG011B, precincts 8 and 11 of ward 2 and precincts 5, 7 and 8 of ward 3 of the city of Lawrence in Douglas county.

Sec. 50. The forty-sixth representative district shall consist of precincts 1, 2 and 4 of ward 2, precincts 1, 2, 3, 4 and 6 of ward 3, precincts 1 to 4 inclusive and that part of precinct 5 identified as DG038A of ward 4 and precincts 1 and 2 of ward 5 and that part of ward 6 identified as DG006A of the city of Lawrence in Douglas county.

Sec. 51. The forty-seventh representative district shall consist of Jefferson county; and precincts Reno and Linwood in Leavenworth county.

Sec. 52. The forty-eighth representative district shall consist of Atchison county; and precincts Netawaka, Whiting, Straight Creek and Liberty and that part of ward 1 of the city of Holton identified as JA012B in Jackson county.

Sec. 53. The forty-ninth representative district shall consist of Doniphan county; and precincts Morrill, Hamlin, Reserve, Padonia, Irving, Robinson, Hiawatha, Walnut, Mission and Washington and the cities of Hiawatha and Horton in Brown county.

Sec. 54. The fiftieth representative district shall consist of precincts Jefferson, Soldier, Grant, Banner, Franklin, Garfield, Cedar, Lincoln, Adrian, Washington and Douglas and wards 2 and 3 and that part of ward 1 identified as JA012A of the city of Holton in Jackson county; and precincts Elmont (33), Fox (32), Muddy (34), Pottawatomie (39), Apache (30), Wichita (31) and West Soldier (37) in Shawnee county.

Sec. 55. The fifty-first representative district shall consist of precincts West Rossville (2), East Rossville (1), Grove (17), Menoken (25), East Silver Lake (9), West Silver Lake (10), Willard (82), North Mission (89), South Mission (90), York (95), South Sherwood (93), Sherwood (92), West Mission (94), Dover (81), West Auburn (74), East Auburn (73), Wakarusa (65) and Central Mission (91) and precincts 1, 2, 5 and 13 of ward 12 of the city of Topeka in Shawnee county.

Sec. 56. The fifty-second representative district shall consist of precincts 3, 5, 7, 8, 9 and 10 of ward 10, precincts 1 to 10 inclusive of ward 11, precincts 3, 4, 6, 7, 8 and 11 of ward 12 of the city of Topeka in Shawnee county.

Sec. 57. The fifty-third representative district shall consist of precincts Rochester (35), East Soldier (36), Sioux (38), North Potter (50), North Tecumseh (41), Kaw (44), Pawnee (43), North Monmouth (57), Kiowa (47), Ponca (49), South Tecumseh (42), South Potter (51), Cullen (64), South Monmouth (58) and precincts 7, 8, 9, 10 and 11 of ward 5 and precinct 12 of ward 12 of the city of Topeka in Shawnee county.

Sec. 58. The fifty-fourth representative district shall consist of precincts 1 to 9 inclusive of ward 6, precincts 4 to 11 inclusive of ward 9 and precincts 9 and 10 of ward 12 of the city of Topeka in Shawnee county.

Sec. 59. The fifty-fifth representative district shall consist of precincts 7, 8, 9 and 10 of ward 3, precincts 6 and 11 of ward 4, precincts 1 to 11 inclusive of ward 8 and precincts 1, 2 and 3 of ward 9 of the city of Topeka in Shawnee county.

Sec. 60. The fifty-sixth representative district shall consist of pre-

incts 1 to 6 inclusive of ward 3, precincts 1 to 11 inclusive of ward 7 and precincts 1, 2, 4, 6 and 11 of ward 10 in the city of Topeka in Shawnee county.

Sec. 61. The fifty-seventh representative district shall consist of precincts 1 to 6 inclusive of ward 1 and precincts 1 to 11 inclusive of ward 2 of the city of Topeka in Shawnee county.

Sec. 62. The fifty-eighth representative district shall consist of precincts Cheyenne (48), East Peck (46) and Peck (45) and precincts 1, 2, 3, 4, 5, 7, 8, 9 and 10 of ward 4 and precincts 1 to 6 inclusive of ward 5 of the city of Topeka in Shawnee county.

Sec. 63. The fifty-ninth representative district shall consist of precincts Reading Ward 13 P-1, Reading Ward 13 P-2, Freemont Ward 12 P-1, Ward 15 P-1 and Jackson Ward 16 P-2 and precincts 1 and 2 of ward 2 of the city of Emporia in Lyon county; and precincts North Burlingame, Scranton, Ridgeway, Elk, Michigan Valley, Fairfax, South Burlingame, Dragoon, Grant, Superior, North Valley Brook, Vassar, South Valley Brook and Barclay and the city of Osage City in Osage county.

Sec. 64. The sixtieth representative district shall consist of Coffey county; precincts West Strong, East Strong, Toledo, Bazaar and Matfield in Chase county; precincts Madison, Shell Rock, Lane, Janesville and Quincy in Greenwood county; precincts Pike Ward 14 P-1, Ward 15 P-2, Jackson Ward 16 P-1, Elmendaro Ward 18 P-1, Elmendaro Ward 18 P-2 and Center Ward 17 P-1 in Lyon county; and precincts Agency, Olivet, Arvonia, Melvern and Lincoln in Osage county.

Sec. 65. The sixty-first representative district shall consist of precincts Agnes City Ward 8 P-1, Ivy Ward 9 P-1, Waterloo Ward 10 P-1 and Waterloo Ward 10 P-2 in Lyon county; and precincts Noble, East Vermillion, West Vermillion, Wells, Bigelow, Clear Fork and Cleveland in Marshall county; and precincts Blue Valley, Spring Creek, Clear Creek, Lone Tree, Mill Creek, Grant, Lincoln, Vienna, Sherman, Rock Creek, Shannon, Green, Pottawatomie, Union, Center, St. Clere, Emmett, St. Marys East, St. Marys West, Belvue, Louisville and Wamego and the city of Wamego in Pottawatomie county; and precincts Kaw, Maple Hill, Paxico, McFarland, Hessdale, Keene, Harveyville, Wilmington and Chalk in Wabaunsee county.

Sec. 66. The sixty-second representative district shall consist of precincts May Day, Swede Creek, Jackson, Center, Fancy Creek, Sherman, Bala, Grant, Wildcat, Manhattan precinct # 1, Manhattan precinct # 2, Manhattan precinct # 3, Ogden, Ashland and Zeandale, and that part of precinct Manhattan precinct # 5 identified as RL014B, and precincts 2 to 6 inclusive of ward 4 and precincts 5 to 11 inclusive of ward 5 of the city of Manhattan in Riley county.

Sec. 67. The sixty-third representative district shall consist of Nemaha county; precinct Powhattan and that part of ward 1 identified as BR/NM009B and that part of ward 4 identified as BR/NM006B of the city of Sabetha in Brown county; and precincts Balderson, Richland, St. Bridget, Murray, Guittard, Franklin, Marysville, Center, Rock and Lincoln and the city of Marysville in Marshall county.

Sec. 68. The sixty-fourth representative district shall consist of Clay county; and precinct Madison in Riley county; and precincts Flora, Cheever, Sherman, Fragrant Hill, Noble, Hayes, Buckeye, Willowdale, Center, Rinehart, Liberty and Logan in Dickinson county; and precinct Milford and those parts of precinct Smoky Hill identified as GE023A and GE023D, and those parts of precinct 4 of ward 1 of the city of Junction City identified as GE019B, GE019C, GE019D and GE019E, and that part of precinct 6 of ward 1 of the city of Junction City identified as GE020B, and those parts of precinct 2 of ward 2 of the city of Junction City identified as GE014B, GE014C and GE014D in Geary county.

Sec. 69. The sixty-fifth representative district shall consist of precincts Jefferson, Sheridan, Jackson, Humboldt, Grandview, Lyon, Blakely and Liberty and those parts of precinct Smoky Hill identified as GE023B, GE023C, GE023E and GE023F, and precincts 1, 2, 3, 5 and 7 of ward 1, that part of precinct 4 of ward 1 identified as GE019A, that part of precinct 6 of ward 1 identified as GE020A, precinct 1 of ward 2, that part of precinct 2 of ward 2 identified as GE014A, precincts 1 and 2 of ward 3 and precincts 1, 2, 3 and 4 of ward 4 of the city of Junction City in Geary county; and precincts Wabaunsee, Alma, Washington, Garfield and Farmer in Wabaunsee county.

(continued)

Sec. 70. The sixty-sixth representative district shall consist of precincts St. George and Blue and precinct 5 of ward 2 of the city of Manhattan in Pottawatomie county; and precinct Manhattan precinct # 4 and those parts of precinct Manhattan precinct # 5 identified as RL014A and RL014C and precinct ward 1, precincts 1, 2, 3, 4 and 6 of ward 2, precincts 1, 2 and 3 of ward 3, precinct 1 of ward 4 and precincts 1, 2, 3 and 4 of ward 5 of the city of Manhattan in Riley county.

Sec. 71. The sixty-seventh representative district shall consist of precincts Lincoln, Garfield, Wheatland and Holland in Dickinson county; precincts Glendale, Pleasant Valley, Elm Creek, Cambria, Dayton, Solomon, Smoky Hill, Ohio, Spring Creek, Washington, Smolan, Walnut, Eureka, Gypsum, Liberty, Smoky View and Falun and that part of precinct Greeley identified as SA007A, and precincts 32, 33, 34 and 35 of the city of Salina and that part of precinct 1 of the city of Salina identified as SA008B and that part of precinct 15 of the city of Salina identified as SA022B in Saline county; precincts Carneiro, Clear Creek, Kanopolis, Ellsworth, Black Wolf, Noble, Palacky, Lincoln, Ash Creek, Buckeye, Venango, Langley, Trivoli, Thomas, Lorraine and Holyrood and the city of Ellsworth in Ellsworth county.

Sec. 72. The sixty-eighth representative district shall consist of Morris county; precinct Americus Ward 11 P-1 in Lyon county; and precincts Grant, Newbern, Jefferson, Ridge, Union, Lyon, Hope and Banner and wards 2 and 4 of the city of Herington and that part of ward 1 of the city of Herington identified as DK028A and the city of Abilene in Dickinson county.

Sec. 73. The sixty-ninth representative district shall consist of precincts 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 25, 27 and 30 of the city of Salina in Saline county.

Sec. 74. The seventieth representative district shall consist of the county of Marion and precincts Gypsum Creek, Battle Hill, Canton, Spring Valley, Lone Tree, King City, Turkey Creek and Meridian in McPherson county; and precincts Diamond, East Falls, West Falls, Cottonwood, Homestead and Cedar in Chase county.

Sec. 75. The seventy-first representative district shall consist of precincts 8, 10 and 16 to 24 inclusive, 26, 28, 29 and 31 and that part of precinct 1 of the city of Salina identified as SA008A and that part of precinct 15 of the city of Salina identified as SA022A and that part of precinct Greeley identified as SA007B in Saline county.

Sec. 76. The seventy-second representative district shall consist of the cities of Newton and North Newton and precincts Newton and Macon in Harvey county.

Sec. 77. The seventy-third representative district shall consist of the cities of Lindsborg and McPherson and precincts Marquette, Union, Smoky Hill, Bonaville, Delmore, New Gottland, Harper, S. Sharps Creek, Castle, Jackson, McPherson and Empire in McPherson county.

Sec. 78. The seventy-fourth representative district shall consist of precincts Fairmount, Clifford, Plum Grove, Milton, Murdock and Fairview in Butler county; precinct Mound in McPherson county; precincts Greeley and Eagle in Sedgwick county; and precincts Alta, Garden, Emma, Highland, Walton, Pleasant, Halstead, Burrton, Lake, Lakin, Sedgwick, Darlington and Richland and the cities of Hesston and Halstead in Harvey county.

Sec. 79. The seventy-fifth representative district shall consist of precincts North El Dorado, South El Dorado, Towanda and Benton and that part of precinct Bruno identified as BU027A and those parts of the city of Andover identified as BU026B and BU026D and those parts of ward 1 of the city of Augusta identified as BU032B, BU032C and BU032D and the city of El Dorado except that part of precinct 1 of ward 2 of the city of El Dorado identified as BU016B in Butler county.

Sec. 80. The seventy-sixth representative district shall consist of Chautauqua and Elk counties; and precincts Salem, South Salem, Spring Creek, Eureka, Bachelor, Pleasant Grove, Salt Springs, Fall River, Otter Creek and Twin Grove and the city of Eureka in Greenwood county; and precincts Lincoln, Sycamore, Chelsea, Prospect and Rosalia and that part of precinct 1 of ward 2 of the city of El Dorado identified as BU016B in Butler county; and precincts Louisville, Sycamore, Rutland and that part of precinct Independence # 2 identified as MG008A in Montgomery county.

Sec. 81. The seventy-seventh representative district shall consist of precincts Augusta, Spring, Little Walnut, Glencoe, Pleasant, Walnut, Bloomington, Logan, Hickory, Union, Clay, Rock Creek and Douglas and wards 2, 3 and 4 and that part of ward 1 identified as BU032A of the city of Augusta in Butler county.

Sec. 82. The seventy-eighth representative district shall consist of precinct Richland in Butler county; and precincts Maple, Rock Creek, Richland, Omnia, Harvey, Windsor, Silver Creek, Salem, Fairview, Ninnescah, Vernon, Walnut, Tisdale, Sheridan, Otter and Dexter and all of the city of Winfield except that part of ward 2 South identified as CL023B and that part of ward 3 identified as CL019B in Cowley county.

Sec. 83. The seventy-ninth representative district shall consist of precincts Liberty, Pleasant Valley, Beaver, West Bolton, West Creswell, East Creswell, East Bolton, Silverdale, Spring Creek, Grant and Cedar and that part of ward 2 South of the city of Winfield identified as CL023B and that part of ward 3 of the city of Winfield identified as CL019B and the city of Arkansas City in Cowley county.

Sec. 84. The eightieth representative district shall consist of the cities of Wellington and Caldwell, precincts Illinois, London, Belle Plaine, Palestine, Harmon, Seventy-Six, Sumner, Osborne, Wellington, Avon, Oxford, Valverde, Greene, Jackson, Downs, Caldwell, Falls, South Haven, Guelph, Walton # 1 and Walton # 2 in Sumner county.

Sec. 85. The eighty-first representative district shall consist of the city of Haysville and precincts Ohio, Salem, Rockford P-2 and Rockford P-3 in Sedgwick county and precinct Gore in Sumner county.

Sec. 86. The eighty-second representative district shall consist of that part of precinct Minneha P-3 identified as SG196B, the city of Derby and precincts Riverside P-3 and Rockford P-1 in Sedgwick county.

Sec. 87. The eighty-third representative district shall consist of precincts 108, 113, 123 and 124 of ward 1 and precincts 211, 212, 213, 217, 218, 223, 224, 225, 226 and 228 of ward 2 of the city of Wichita in Sedgwick county.

Sec. 88. The eighty-fourth representative district shall consist of precincts 102, 103, 104, 106, 107 and 112 of ward 1 and precincts 202, 204, 205, 209, 210 and 216 of ward 2 of the city of Wichita and precinct Minneha P-2 in Sedgwick county.

Sec. 89. The eighty-fifth representative district shall consist of precincts 222, 227, 229, 234, 235, 236, 237, 238, 239 and 240 of ward 2 of the city of Wichita and precinct Minneha P-4, precincts Kechi P-1 and Payne P-2 of the city of Bel Aire and that part of precinct Payne P-1 identified as SG006B, and those parts of precinct Kechi P-3 identified as SG008B and SG008C in Sedgwick county.

Sec. 90. The eighty-sixth representative district shall consist of precincts 201, 203 and 208 of ward 2 and precincts 301, 302, 303, 304, 306, 307, 312 and 313 of ward 3 of the city of Wichita in Sedgwick county.

Sec. 91. The eighty-seventh representative district shall consist of precincts 207, 215, 220, 221, 230, 231, 232 and 233 of ward 2 and precincts 305, 308 and 309 of ward 3 of the city of Wichita in Sedgwick county.

Sec. 92. The eighty-eighth representative district shall consist of precincts 206, 214 and 219 of ward 2 and precincts 310, 315, 316, 317, 318, 319, 320, 321 and 325 of ward 3 of the city of Wichita in Sedgwick county.

Sec. 93. The eighty-ninth representative district shall consist of precincts 101, 110, 111, 115, 116, 117, 119, 121 and 122 and that part of precinct 120 identified as SG026A of ward 1 of the city of Wichita in Sedgwick county.

Sec. 94. The ninetieth representative district shall consist of precincts 118, 125 and 126 of ward 1 and precinct 510 of ward 5 of the city of Wichita and the city of Valley Center and precincts Valley Center, Park, Kechi P-6 and Kechi P-7 in Sedgwick county.

Sec. 95. The ninety-first representative district shall consist of precincts 506, 507, 508, 509, 512, 515, 516, 517, 518, 520, 521 and 522 of ward 5 of the city of Wichita and that part of precinct 530 of ward 5 of the city of Wichita identified as SG063B and that part of precinct Delano identified as SG192B in Sedgwick county.

Sec. 96. The ninety-second representative district shall consist of precincts 105, 109 and 114 of ward 1, precincts 401 and 402 of ward 4 and precincts 501, 502, 503, 504, 505, 511 and 514 of ward 5 of the city of Wichita in Sedgwick county.

Sec. 97. The ninety-third representative district shall consist of precincts Union, Sherman, Grand River, Garden Plain, Waco, Illinois, Afton, Morton, Erie, Viola, Ninnescah, Attica P-1 and Attica P-3 and those parts of precinct Attica P-2 identified as SG022A and SG022B in Sedgwick county.

Sec. 98. The ninety-fourth representative district shall consist of precincts 523, 524, 525, 526, 531, 532, 534, 539, 540, 541 and 545 of ward 5 of the city of Wichita and those parts of precinct Delano identified as SG192C, SG192D, SG192E, SG192F, SG192H and SG192K and those parts of precinct Attica P-2 identified as SG022C, SG022D, SG022E, SG022F and SG022G in Sedgwick county.

Sec. 99. The ninety-fifth representative district shall consist of precincts 403, 404, 405, 406, 407, 408, 409 and 412 of ward 4 and precincts 513 and 519 of ward 5 of the city of Wichita in Sedgwick county.

Sec. 100. The ninety-sixth representative district shall consist of precincts 415, 420, 421, 422, 425, 426, 427, 428, 429 and 430 of ward 4 of the city of Wichita in Sedgwick county.

Sec. 101. The ninety-seventh representative district shall consist of precinct 311 of ward 3 and precincts 410, 411, 413, 414, 416, 417, 418, 419 and 423 of ward 4 of the city of Wichita in Sedgwick county.

Sec. 102. The ninety-eighth representative district shall consist of precincts 314, 322, 323, 324, 326, 327 and 328 of ward 3 and precinct 424 of ward 4 of the city of Wichita and precincts Riverside P-1 and Riverside P-2 in Sedgwick county.

Sec. 103. The ninety-ninth representative district shall consist of those parts of the city of Andover identified as BU026A and BU026C and that part of precinct Bruno identified as BU027B in Butler county; precincts Grant, Lincoln, Minneha P-1 and Gypsum, that part of precinct Payne P-1 identified as SG006A, those parts of precinct 120 of ward 1 of the city of Wichita identified as SG026B and SG026C, that part of precinct Minneha P-3 identified as SG196A, that part of precinct Kechi P-3 identified as SG008A, precinct Kechi P-2 of the city of Bel Aire and the city of Park City in Sedgwick county.

Sec. 104. The one hundredth representative district shall consist of precincts 527, 528, 529, 533, 535, 536, 537, 538, 542, 543 and 544 of ward 5 of the city of Wichita and that part of precinct 530 of ward 5 of the city of Wichita identified as SG063A and those parts of precinct Delano identified as SG192A, SG192G, SG192I and SG192J in Sedgwick county.

Sec. 105. The one hundred first representative district shall consist of precincts Dresden, Eureka, Hoosier, White, Galesburg, Evan, Dale, Vinita, Ninnescah, Union, Rural, Kingman, Peters, Belmont, Richland, Eagle and Allen and the city of Kingman in Kingman county; precincts Hayes, Walnut, Medford, Enterprise, Huntsville, Sylvia, Plevna, Westminster, Lincoln, Yoder, Castleton, Troy, Arlington, Langdon, Grove, Miami, Bell, Loda, Roscoe, Albion, Ninnescah, Sumner and Haven in Reno county; and precincts Raymond, Center, Atlanta, Sterling, Valley and Bell and the city of Sterling in Rice county.

Sec. 106. The one hundred second representative district shall consist of the precincts numbered 1, 2, 3, 5, 6, 15, 16, 18, 19, 20, 21 and 25 of the city of Hutchinson and that part of precinct 26 of the city of Hutchinson identified as RN040A and precincts # 1 and # 2 of the city of South Hutchinson in Reno county.

Sec. 107. The one hundred third representative district shall consist of precincts Groveland, Hayes, Little Valley and Superior in McPherson county; precincts Grant, Medora, Little River, North Reno, Salt Creek, Center, South Reno, South Clay and Valley and precinct # 3 of the city of South Hutchinson, that part of precinct North Clay identified as RN007A and that part of precinct 23 of the city of Hutchinson identified as RN012B and that part of precinct 26 of the city of Hutchinson identified as RN040B and precincts 7, 29 and 30 of the city of Hutchinson and the city of Nickerson in Reno county.

Sec. 108. The one hundred fourth representative district shall

consist of precincts 4, 8, 9, 10, 11, 12, 13, 14, 17, 22, 24, 27, 28 and 31 of the city of Hutchinson and that part of precinct 23 of the city of Hutchinson identified as RN012A and that part of precinct North Clay identified as RN007B in Reno county.

Sec. 109. The one hundred fifth representative district shall consist of Barber and Harper counties; precincts Bennett, Canton, Valley, Chikaskia, Rochester and Liberty in Kingman county; and precincts Eden, Conway, Springdale, Creek, Dixon, Ryan, Chikaskia, Morris and Bluff in Sumner county.

Sec. 110. The one hundred sixth representative district shall consist of Republic and Washington counties; and precincts Herkimer, Oketo, Logan, Walnut, Elm Creek, Blue Rapids City, Waterville, Cottage Hill and Blue Rapids in Marshall county.

Sec. 111. The one hundred seventh representative district shall consist of Cloud and Ottawa counties; and precincts Salt Creek, Logan and Colorado in Lincoln county.

Sec. 112. The one hundred eighth representative district shall consist of Pratt, Kiowa and Comanche counties and all of Clark county except the precinct of Appleton.

Sec. 113. The one hundred ninth representative district shall consist of Smith and Jewell counties; the city of Osborne and precincts Bethany, Ross # 1, Ross # 2, Corinth and Penn in Osborne county; the city of Phillipsburg and precincts Walnut, Glenwood, Sumner, Crystal, Greenwood, Freedom, Phillipsburg, Arcade, Plum, Kirwin, Deer Creek, Solomon, Rushville, Bow Creek and Valley in Phillips county.

Sec. 114. The one hundred tenth representative district shall consist of precincts 1, 5, 6, 8, 10 and 16 and the city of Russell in Russell county; the city of Ellis and precincts Ellis, Buckeye, Catherine, Herzog, Victoria, Freedom and Wheatland in Ellis county; precincts township 11 and 12 in Rooks county; and precincts Pioneer, Lone Star, Hampton-Fairview, Big Timber, Illinois, Pleasantdale, LaCrosse-Brookdale # 1 and LaCrosse-Brookdale # 2 in Rush county.

Sec. 115. The one hundred eleventh representative district shall consist of precincts North Big Creek, West Big Creek, East Big Creek, North Lookout and South Lookout and the city of Hays in Ellis county.

Sec. 116. The one hundred twelfth representative district shall consist of precincts Walnut/Olmitz, Walnut/Albert, Buffalo, Clarence, Pawnee Rock, Liberty, Fairview, Wheatland, Albion, Grant and Eureka and that part of precinct Great Bend identified as BT021B, and the city of Great Bend except that part of precinct 3 of ward 4 identified as BT033B in Barton county.

Sec. 117. The one hundred thirteenth representative district shall consist of precincts Union, Beaver, Cleveland, Independent, Cheyenne, North Homestead, South Homestead, Logan, Lakin, South Bend and Comanche and that part of precinct Great Bend identified as BT021A and that part of precinct 3 of ward 4 of the city of Great Bend identified as BT033B and the city of Hoisington in Barton county; precincts Farmer, Eureka, Victoria, Galt, Odessa, Union, Mitchell, Harrison, Lincoln, Pioneer, Wilson, Rockville, East Washington and West Washington and the city of Lyons in Rice county.

Sec. 118. The one hundred fourteenth representative district shall consist of Stafford, Edwards and Pawnee counties and precincts Alexander-Belle Prairie, Union, Center, Banner and Garfield in Rush county.

Sec. 119. The one hundred fifteenth representative district shall consist of Gray county; precincts Ivanhoe, North Lockport, South Lockport, Sublette # 1 and Sublette # 3 in Haskell county; precincts Mertilla, Crooked Creek, Fowler, Logan, Meade Center, Odee and Sand Creek in Meade county; precinct Appleton in Clark county; and precincts Royal, Grandview, Spearville, Wheatland, Bucklin, Ford, Enterprise, Dodge, Richland, Fairview, Concord, Wilburn, Bloom, Sodville, Wilroads Gardens, Soldiers Home and those parts of precinct 1 of the city of Dodge City identified as FO012B and FO012C, and those parts of precinct 4 of the city of Dodge City identified as FO015B and FO015C and the cities of Spearville, Ford City and Bucklin in Ford county.

Sec. 120. The one hundred sixteenth representative district shall

(continued)

consist of the city of Dodge City in Ford county, except those parts of precinct 1 of the city of Dodge City identified as FO012B and FO012C, and except those parts of precinct 4 of the city of Dodge City identified as FO015B and FO015C.

Sec. 121. The one hundred seventeenth representative district shall consist of Ness, Lane and Hodgeman counties; and precincts Kalvesta, Theoni, Pleasant Valley, Friend, Huffman, Mack, Riverside, Pierceville and Plymell and ward 1 and precinct 5 of ward 2 and that part of precinct 2 of ward 5 identified as FI009B and that part of precinct 3 of ward 5 identified as FI010B of the city of Garden City in Finney county.

Sec. 122. The one hundred eighteenth representative district shall consist of Wallace, Logan, Gove, Trego and Graham counties; precinct # 3 of Wichita county; and precincts township # 5 to # 10 inclusive in Rooks county.

Sec. 123. The one hundred nineteenth representative district shall consist of Mitchell county; precincts Wilson, Columbia, Sherman, Garfield and Mulberry in Ellsworth county; precincts Cedron, Orange, Battle Creek, Scott, Beaver, Marion, Grant, Hanover, Pleasant, Vesper, Indiana, Elkhorn, Madison, Franklin, Valley, Golden Belt and Highland and the city of Lincoln in Lincoln county; precincts Grant, Hawkeye, Lawrence, Tilden, Sumner, Mount Ayr, Kill Creek, Independence, Hancock, Bloom, Winfield, Covert, Victor, Round Mound, Natoma, Liberty, Valley, Jackson and Delhi in Osborne county; precincts Township # 1, Township # 2, Township # 3 and Township # 4 in Rooks county; and precincts 2, 3, 4, 7, 9 and 15 in Russell county.

Sec. 124. The one hundred twentieth representative district shall consist of Cheyenne, Decatur, Norton and Rawlins counties; and precincts Long Island, Granite, Dayton, Prairie View, Beaver, Mound, Belmont, Logan, Towanda and Plainview in Phillips county.

Sec. 125. The one hundred twenty-first representative district shall consist of Sheridan, Sherman and Thomas counties.

Sec. 126. The one hundred twenty-second representative district shall consist of Greeley, Hamilton, Kearney and Scott counties; precincts 1 and 2 in Wichita county; and precinct Holcomb in Finney county.

Sec. 127. The one hundred twenty-third representative district shall consist of all of the city of Garden City except ward 1, precinct 5 of ward 2 and that part of precinct 2 of ward 5 identified as FI009B and that part of precinct 3 of ward 5 identified as FI010B in Finney county.

Sec. 128. The one hundred twenty-fourth representative district shall consist of Grant, Morton, Stanton and Stevens counties; and precincts North Dudley, Satanta 1 and Satanta 2 in Haskell county.

Sec. 129. The one hundred twenty-fifth representative district shall consist of Seward county; and precincts West Plains and Cimarron in Meade county.

Sec. 130. K.S.A. 4-3,201 to 4-3,327, inclusive, are hereby repealed.

Sec. 131. This act shall take effect and be in force from and after its publication in the Kansas register.

**NOW AVAILABLE . . .**

**CUSTOM-MADE  
LOOSELEAF BINDERS  
for the  
KANSAS REGISTER**



**IN THIS ISSUE**

Legislative Interim Committee Schedule	Page
Private Industry Council	996
Notice of Meeting	
Secretary of State	
Unsub Rate for June	
Department of Human Resources—Division of Workers' Compensation	997
Notice of Hearing on Proposed Administrative Regulations	
Rehabilitation Services Advisory Committee	997
Notice of Meeting	
State Emergency Response Commission	997
Notice of Meeting	
Department of Administration	998
Notice of Commencement of Negotiations for Architectural and Engineering Services	
Notice to Bidders for State Purchases	998
Attorney General	998
Opinions No. 87-90 through 87-94	999
	1000

We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

*Kansas Register* binders . . . \$16.00 each includes shipping and handling.

CLIP AND MAIL

Dear Secretary Graves: Please send \_\_\_\_\_ *Kansas Register* binders.  
(Quantity)

Price: \$16.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ \_\_\_\_\_

SHIP TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Shipping is by  
U.P.S. Delivery Service;  
STREET ADDRESS  
IS NECESSARY.

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

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

Second Class  
postage paid  
at  
Topeka, Kansas

---

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

\_\_\_\_\_ One-year subscriptions @ \$55 ea.

Total Enclosed \_\_\_\_\_  
(Make checks payable to Kansas Register)

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

Zip code must be included

This space for Register office use only, please	
Code _____	Rec. No. _____
Expires _____	Entered By _____

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

---

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

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

Indicate change or correction of name or address  
here:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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