

KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

Vol. 8, No. 40

October 5, 1989

Pages 1453-1484

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State of Kansas

SECRETARY OF STATE**NOTICE CONCERNING KANSAS REGISTER
PUBLICATION FEES**

Effective January 1, 1990, the fee for items published in the *Kansas Register* will be \$4.00 per column inch and \$3.00 per column inch for camera-ready copy.

BILL GRAVES
Secretary of State

State of Kansas

SECRETARY OF STATE**USURY RATE FOR OCTOBER**

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 October 1, 1989, through October 31, 1989, is 11.76 percent.

BILL GRAVES
Secretary of State

Doc. No. 008389

State of Kansas

**DEPARTMENT OF HUMAN RESOURCES
WORKERS' COMPENSATION
REHABILITATION ADVISORY COMMITTEE****NOTICE OF MEETING**

The Workers' Compensation Rehabilitation Advisory Committee will meet from 8:30 a.m. to noon Friday, October 20, in Room 651-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

This committee will be meeting on an as needed basis to address concerns and issues that affect the implementation of vocational rehabilitation under the Kansas Workers' Compensation Act. Persons are encouraged to send in suggestions and concerns that they feel the advisory committee needs to address to Richard Thomas, Division of Workers' Compensation, 651-S, Landon State Office Building, 900 S.W. Jackson, Topeka 66612.

RAY D. SIEHNDEL
Secretary of Human Resources

Doc. No. 008373

State of Kansas

**DEPARTMENT OF HUMAN RESOURCES
WORKERS' COMPENSATION
JOINT ADVISORY COMMITTEE****NOTICE OF MEETING**

The Workers' Compensation Joint Advisory Committee will meet from 8 a.m. to 11:30 a.m. Friday, October 27, in the Employers Mutual Building, 6530 E. 13th, Wichita.

The committee will study the new act [July 1, 1987, Workers' Compensation Act] and make recommendations for any amendments to the Kansas Legislature during the 1990 legislative session. Persons are encouraged to send suggestions and concerns they feel the advisory committee needs to address to Robert A. Anderson, Director, Division of Workers' Compensation, Room 651-S, Landon State Office Building, 900-S.W. Jackson, Topeka 66612.

RAY D. SIEHNDEL
Secretary of Human Resources

Doc. No. 008372

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



Phone: (913) 296-3489

State of Kansas
STATE BANK COMMISSIONER
STATE BANKING BOARD

NOTICE OF MEETING

The State Banking Board will meet at 9:30 a.m. Monday, October 16, in the conference room of the State Banking Department, Suite 300, 700 S.W. 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. 008360

State of Kansas
STATE HISTORICAL SOCIETY
HISTORIC SITES BOARD OF REVIEW

NOTICE OF HEARING

The grants review committee of the Kansas Historic Sites Board of Review will conduct a hearing at 10 a.m. Monday, October 23, in the second floor auditorium of the Memorial Building (Center for Historical Research), 120 W. 10th, Topeka, to receive public comments on the applications filed with the Historic Preservation Department for federal fiscal year 1990 survey and planning and pre-development grants. Comments may be addressed to the committee orally or in writing.

The following organizations, entities, institutions, etc., submitted initial applications by September 12 and were eligible to submit final applications:

Survey and Planning Grants

City of Hutchinson
 City of Lawrence
 City of Wichita
 Kansas State Historical Society, Inc.
 Mo-Kan Regional Council
 Museum of Anthropology, University of Kansas
 Riley County
 Wichita State University

Pre-development Grants

Joan Adam, Ferry Tender's House, Atchison
 City of Coffeyville, Old Condon Bank Building
 City of Hutchinson, Fox Theater
 City of Parsons, Carnegie Library
 City of Pittsburg, Pittsburg Public Library
 City of Wichita, Carey House (Eaton Hotel)
 Kansas State Historical Society,
 Hollenberg Pony Express Station

The committee also will receive general comments about the types of survey and planning and pre-development projects that should be funded in Kansas.

RAMON POWERS
 Executive Director

Doc. No. 008361

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, October 16, 1989

#00027

Image Analysis System

WILLIAM H. SESLER
 Director of Purchasing

Doc. No. 008378

State of Kansas
STATE HISTORICAL SOCIETY
STATE RECORDS BOARD

NOTICE OF MEETING

The Kansas State Records Board will meet at 10 a.m. Thursday, October 12, in the conference room on the fourth floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of non-current government records.

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

EUGENE D. DECKER
 State Archivist and
 Secretary, State Records Board

Doc. No. 008383

State of Kansas
KANSAS JUDICIAL COUNCIL

NOTICE OF MEETINGS

The Kansas Judicial Council and its advisory committees will meet according to the following schedule in the Kansas Judicial Center, 301 W. 10th, Topeka.

Date	Committee	Time	Location
Oct. 6	Family Law	9:30 a.m.	Room 259
Oct. 13	Probate Law	9:30 a.m.	Room 259
Oct. 19	Care & Treatment	1:30 p.m.	Room 259
Oct. 20	Civil Code	9:30 a.m.	Room 259
Oct. 27	Criminal Law	9:30 a.m.	Room 259
Nov. 10	Probate Law	9:30 a.m.	Room 259
Nov. 17	Criminal Law	9:30 a.m.	Room 259
Nov. 17	PIK	9:30 a.m.	Room 266

JUSTICE RICHARD W. HOLMES
 Chairman

Doc. No. 008359

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-118

Laws, Journals and Public Information—Records Open to Public—Certificates of Value.

Personal and Real Property—Conveyances of Land—Certificates of Value; Disclosure to the Public. Rodger D. Buskirk, Neosho County Appraiser, Erie, September 21, 1989.

Certificates of value are public records that may be disclosed only as authorized by K.S.A. 58-2223b, as amended by L. 1989, ch. 164, § 1. Property owners appealing a valuation pursuant to K.S.A. 79-1448 may obtain certificates of value from any county concerning the same class of property as that which is the subject of the appeal. Such certificates are available to property owners only during the appeal period. Cited herein: K.S.A. 45-215; 45-216; 45-217; K.S.A. 1988 Supp. 45-221, as amended by L. 1989, ch. 154, § 1; K.S.A. 58-2223a; K.S.A. 58-2223b, as amended by L. 1989, ch. 164, § 1. RLN

Opinion No. 89-119

Census—Census Data for Reapportionment of Senatorial and Representative Districts—Definitions. Bill Graves, Secretary of State, Topeka, September 21, 1989.

L. 1989, ch. 257 requires the Secretary of State to obtain data to make specified adjustments to the federal decennial census. The provisions of L. 1989, ch. 257 dealing with residency of college students are applicable to all individuals who are enrolled in nine or more credit hours and to all individuals seeking an academic degree at a university or college. The act does not apply to those individuals not seeking an academic degree who are enrolled in fewer than nine credit hours and those individuals attending a proprietary school or vocational-technical school. Cited herein: K.S.A. 72-4919; K.S.A. 1988 Supp. 72-4412; L. 1989, ch. 257. RDS

Opinion No. 89-120

Counties and County Officers—Public Improvements; Improvement and Services Districts—Improvement Districts; Powers. David L. Hiebert, Counsel for Oaklawn Improvement District, Wichita, September 25, 1989.

An improvement district incorporated pursuant to K.S.A. 19-2753 *et seq.* may plan and construct or purchase public improvements. Pursuant to K.S.A. 19-2765(4), (8) and (15), an improvement district may expend funds for maintenance of sewage disposal systems, improvement district roads or improvements that were planned and constructed or purchased by the improvement district. Cited herein: K.S.A. 19-2753; 19-2755; 19-2765; 19-2765a; 68-159; 68-160; 80-1605. TMN

ROBERT T. STEPHAN
Attorney General

Doc. No. 008374

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 September 18-30:

District Judge, 29th Judicial District,
Position 15

Marcus B. Potter, Jr., 1307 N. 79th Terrace, Kansas City 66112. Effective September 18, 1989. Term expires when a successor is elected and qualifies according to law. Succeeds Donald Hardy, deceased.

State Community Corrections Board

(Established by 1989 Session Laws of Kansas, Chapter 92. Appointments effective September 12, 1989. Members serve at the pleasure of the Governor.)

Hazel Allison, Route 4, Independence 67301.

Thelma Hunter Gordon, 3505 W. 10th Terrace, Lawrence 66044.

Roger K. Werholtz, Chairman, 3503 Riverview Court, Lawrence 66044. Chairmanship expires September 15, 1990.

Advisory Committee on Hispanic Affairs

Raymond G. Lopez, 1420 S. 25th, Kansas City 66106. Effective September 15, 1989. Term expires July 31, 1992. Succeeds Lupe Gonzalez.

Tony B. Remigio, 1601 Avenue 13, Dodge City 67801. Effective September 15, 1989. Term expires July 31, 1992. Succeeds Jose Olivas.

Paula Gonzalez Whillock, 405 W. 7th, Newton 67114. Effective September 15, 1989. Term expires July 31, 1992. Succeeds Jeannie Chavez-Martinez.

Norma Wilson, P.O. Box 502, Liberal 67905. Effective September 15, 1989. Term expires July 31, 1992. Succeeds Anna Gallardo.

Kansas Commission on Interstate Cooperation,
Governor's Committee

Dennis R. Taylor, Chairman, Office of the Governor, 2nd Floor, State Capitol, Topeka 66612. Effective September 11, 1989. Term expires February 1, 1990. Succeeds Sue Peterson.

Library Network Board

Henry R. Stewart, 502 W. 15th, Emporia 66801. Effective September 19, 1989. Term expires June 30, 1992. Reappointment.

BILL GRAVES
Secretary of State

State of Kansas

BOARD OF REGENTS**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR COLLECTION SERVICES**

Notice is hereby given of the commencement of negotiations for the purpose of selecting one or more contractors to provide collection service for the Kansas Board of Regents and the institutions under its jurisdiction.

Individuals or firms interested in submitting proposals should contact Marvin Burriss, Kansas Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka 66603, (913) 296-3423, prior to October 17. Proposals must be received by 5 p.m. C.S.T. October 31.

MARVIN BURRIS
Associate Director for Budget
Board of Regents

Doc. No. 008369

State of Kansas

DEPARTMENT OF TRANSPORTATION**NOTICE TO CONSULTING ENGINEERS**

The Kansas Department of Transportation is seeking qualified consultant engineers for the design of the following projects.

Leavenworth—5-52 K-2341-01—K-5, replacement of bridge #20 over the Atchison, Topeka and Santa Fe Railway. The survey is to be provided by the consultant.

Bourbon—65-6 K-4002-01—K-65, replacement of bridge #47 over Opossum Creek. The survey is to be provided by the consultant.

Crawford—146-19 K-0218-01—K-146, replacement of bridges #46 and #48 over Big Walnut Creek drainage. The survey is to be provided by the consultant. Widen bridge #47 over Big Walnut Creek drainage. The survey to be provided by KDOT.

Republic—148-79 K-4003-01—K-148, replacement of bridge #38 over Elk Creek. The survey is to be provided by the consultant.

Atchison—9-3 K-4004-01—K-9, replacement of bridge #28 over the Delaware River. The survey is to be provided by KDOT.

Phillips—9-74 K-2368-01—K-9, replacement of bridges #35 and #42 over Ash Creek and Deer Creek. The survey is to be provided by the consultant.

Clay—24-14 K-4005-01—U.S. 24, replacement of bridge #5 over Finney Creek. The survey is to be provided by the consultant.

Grant—25-34 K-4006-01—K-25, replacement of bridge #7 over the South Fork of the Cimarron River. The survey is to be provided by the consultant.

Cloud—28-15 K-2046-01—K-28, replacement of bridge #45 over Cheyenne Creek. The survey is to be provided by the consultant.

Greenwood—57-37 K-2645-01—K-57, replacement of bridge #12 over the Verdigris River. The survey is to be provided by the consultant.

Neosho—57-67 K-2857-01—K-57, replacement of

bridges #40, 42, 44, 45, 46, 47 and 48 over the Neosho River drainage and replacement of bridge #41 over the Missouri-Kansas-Texas Railroad. The survey is to be provided by the consultant.

Anderson—59-2 K-4007-01—U.S. 59, grading and surfacing to improve the vertical clearance of bridge #5 at the Missouri Pacific Railroad over U.S. 59 south of Garnett. The survey is to be provided by the consultant.

Trego—147-98 K-4008-01—K-147, replacement of bridge #44 over the Smoky River. The survey is to be provided by the consultant.

Marshall—233-58 K-4009-01—K-233, replacement of bridge #44 over the Big Blue River and the Union Pacific Railroad. The survey is to be provided by the consultant.

Ness—283-68 K-4010-01—U.S. 283, replacement of bridge #6 over the South Fork of Walnut Creek. The survey is to be provided by the consultant.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by October 19.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

1. Size and professional qualification of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 008354

State of Kansas

SOCIAL AND REHABILITATION SERVICES**REQUEST FOR PROPOSALS FOR A
SECURE CARE CENTER**

The Department of Social and Rehabilitation Services is soliciting grant proposals from community based organizations (private or public) for the development and operation of an 8 to 12 bed co-ed secure care center to provide services to chronic runaways as defined in K.S.A. 1988 Supp. 38-1502 through 38-1517.

A secure care center is sought in the northeast quadrant of the state to provide services over a 60-day period to youth who are found to be chronic runners (three or more times).

The "Request for Proposal" is available from David O'Brien, SRS Youth Services, Smith/Wilson Building, 300 S.W. Oakley, Topeka 66606, (913) 296-2017. Responses to the request for proposals are due no later than 5 p.m. December 11.

ROBERT C. BARNUM
Commissioner, Youth Services

Doc. No. 008387

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of October 9 through October 22:

Date	Room	Time	Committee	Agenda
October 9 October 10	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Agency presentations and staff review on FY 1991 capital improvement projects—agencies to be announced.
October 10 October 11	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Energy and Natural Resources	Hearings on Proposal No. 21—Reuse of Tires, Expended Batteries, and Other Recyclable Solid Wastes. Instructions to staff concerning final reports and possible bill drafts on Proposals 19, 22, and 23.
October 12 October 13	514-S 514-S	9:30 a.m. 9:00 a.m.	Joint Committee on Economic Development	<u>12th</u> : Presentations on sales of computers by university bookstores and review of SB 278 related to investments by the Pooled Money Investment Board for purposes of financing loans to eligible farmers and small businesses. <u>13th</u> : Continued presentations on rural development issues. Committee discussion and possible recommendations on this topic and other topics addressed previously by the committee.
October 12 October 13	Washburn Univ. 529-S	10:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda to be announced.
October 12 October 13	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Corrections/Mental Health	<u>12th</u> : Committee discussion of Proposal No. 17—Mental Health, and Proposal No. 18—Mental Health Providers. <u>13th</u> : Presentation by Department of Corrections on Proposal No. 15—Inmate Programs, and tour of Kansas Correctional-Vocational Training Center.
October 16 October 17	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda unavailable.
October 16 October 17	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means/Appropriations	<u>16th</u> : Hearings on Proposal No. 53—State Alcohol and Drug Abuse Programs. <u>17th</u> : Hearings on Proposal No. 51—Medical Assistance Drug Formulary.
October 18 October 19	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Agriculture and Livestock	Agenda not available.
October 19 October 20	521-S 521-S	10:00 a.m. 9:00 a.m.	Special Committee on Public Health and Welfare	Agenda unavailable.

EMIL LUTZ
Director of Legislative
Administrative Services

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 October 17, 1989

Application for Abandonment of Contract
Carrier Permit:

Fredonia Truck Line, Inc.) Docket No. 63,608 M
P.O. Box 325)
Fredonia, KS 66736) MC ID No. 100280

Applicant's Attorney: John Chenoweth, 435 N. 6th, P.O. Box 478, Fredonia, KS 66736

Application for Abandonment of Certificate of
Convenience and Necessity:

Fredonia Truck Line, Inc.) Docket No. 30,825 M
P.O. Box 325)
Fredonia, KS 66736) MC ID No. 100280

Applicant's Attorney: John Chenoweth, 435 N. 6th, P.O. Box 478, Fredonia, KS 66736

Application for Certificate of Convenience
and Necessity:

Roy E. Gustin, dba) Docket No. 167,892 M
Gustin Trucking)
410 Van Buren)
Fredonia, KS 66736) MC ID No. 134464

Applicant's Attorney: John Chenoweth, 435 N. 6th, P.O. Box 478, Fredonia, KS 66736

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

Between all points and places in Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Geary, Morris, Chase, Nemaha, Pottawatomie, Wabaunsee, Lyon, Greenwood, Elk, Chautauqua, Brown, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Doniphan, Atchison, Jefferson, Douglas, Franklin, Anderson, Allen, Neosho, Labette,

Leavenworth, Wyandotte, Johnson, Miami, Linn, Bourbon, Crawford and Cherokee counties.

Also,

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

Applications set for October 24, 1989

Application for Certificate of Convenience
and Necessity:

Interstate Wrecker Service,) Docket No. 167,893 M
Inc.)
1028 N. Mosley)
Wichita, KS 67214) MC ID No. 134465

Applicant's Attorney: Ronald Badger, 434 N. Market, Suite 210, P.O. Box 1080, Wichita, KS 67201-1080

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

Between all points and places in Sedgwick, Harvey, Butler, Sumner, Kingman, Reno and Marion counties.

Also,

Between all points in the foregoing counties, on the one hand, and on the other, all points in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Duane A. Kitchens, dba) Docket No. 167,894 M
Duane's Wrecker Service)
Route 1, Box 63A)
Wakarusa, KS 66546) MC ID No. 135669

Applicant's Attorney: None

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

Between all points and places in Osage, Shawnee, Jackson, Wabaunsee, Lyon, Douglas, Jefferson and Franklin counties.

Also,

Between all points and places in Osage, Shawnee, Jackson, Wabaunsee, Lyon, Douglas, Jefferson and Franklin counties, on the one hand, and the state of Kansas, on the other.

ALFONZO A. MAXWELL
Administrator
Transportation Division

Doc. No. 008377

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

Monday, October 16, 1989

#26648-A

University of Kansas, Kansas State University—
MATTRESS AND BOX SPRING RENOVATION
SERVICE

#27699

Department of Transportation—LABORATORY
BALANCE SERVICE, various locations

#81312

Pittsburg State University—ASBESTOS REMOVAL
SERVICES

#81313

Department of Health and Environment—
EMULATION KIT

#81318

Department of Transportation—COMPRESSORS—
Garden City, Norton, Chanute

#81394

Kansas State University—FURNISH AND INSTALL
FLOOR COATING

#81399

Hutchinson Correctional Work Facility—THERMAL
BLANKETS

Tuesday, October 17, 1989

#A-5771(b)

Parsons State Hospital—INSULATE EXISTING
HIGH PRESSURE STEAM LINES

#A-6218

Youth Center at Atchison—INSTALL SECURITY
SCREENS ON WINDOWS, OAK AND HICKORY
COTTAGES

#27349

University of Kansas Medical Center—SNOW
REMOVAL SERVICES

#27496

University of Kansas—SNOW REMOVAL
SERVICES

#81324

Department of Transportation—PAVEMENT REPAIR
SEALANT, Salina

#81341

Department of Administration, Division of Accounts
and Reports—W-2 CONTINUOUS FORMS

#81342

Department of Revenue—MAILING EQUIPMENT

#81371

Kansas State University—MILO

Wednesday, October 18, 1989

#27408

University of Kansas Medical Center—NITROUS
OXIDE (MEDICAL GAS PURITY)

#81354

University of Kansas Medical Center—LAB
SUPPLIES

Thursday, October 19, 1989

#A-6342

Kansas State University—THROCKMORTON PLANT
SCIENCE COMPLEX GREENHOUSE—PHASE II

#A-6343

Department of Wildlife and Parks—PRATT FISH
HATCHERY—RENOVATION PHASE II

#26256

Department of Social and Rehabilitation Services,
Kansas Vocational Rehabilitation Center—
MECHANICAL MAINTENANCE, Salina

#81361

Pittsburg State University—CARPET

#81368

Department of Administration, Motor Pool—
VEHICLES

Friday, October 20, 1989

#81376

Department of Transportation—WHEEL LOADERS,
various locations

#81377

Department of Transportation—AIR
COMPRESSORS, Hutchinson, Topeka

Monday, October 23, 1989

#81378

Larned State Hospital—APPLIANCES

Tuesday, October 24, 1989

#81340

Department of Administration, Division of Printing—
IBM SYSTEMS/36(5363)

#81379

Kansas State University—NURSERY SUPPLIES

Wednesday, October 25, 1989

#A-6317

Department of Wildlife and Parks—STATE PARK
ROADS AND RECREATIONAL FACILITIES,
HILLSDALE STATE PARK—Miami County

Thursday, October 26, 1989

#A-4879(b)

Fort Hays State University—SHERIDAN
COLISEUM RENOVATION—PHASE III

Tuesday, November 28, 1989

#27380

Kansas State University—PROPERTY INSURANCE

* * * * *

REQUEST FOR PROPOSALS

Monday, October 30, 1989

#28129

REVIEW OF EXISTING FLEXIBLE
COMPENSATION PLAN AND IMPLEMENTATION
OF FLEXIBLE SPENDING ACCOUNTS FOR THE
DEPARTMENT OF ADMINISTRATION, DIVISION
OF PERSONNEL SERVICES.

NICHOLAS B. ROACH

Director of Purchases

Doc. No. 008375

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 Davis, P.J.; Rees and Elliott, JJ.

Thursday, October 19, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,607	Robert F. Cummins, Appellant, v. Employment Security Board of Review and Iowa Beef Packers, Inc., Appellees.	David O. Alegria James R. McEntire	Shawnee
63,866	State of Kansas, Appellee, v. Ricky Arnold, Appellant.	Margaret Lutes Attorney General Cindy K. Sewell	Shawnee
63,585	Roger Shumaker, Appellee, v. Farm Bureau Mutual Insurance Co., Inc., Appellant.	Cathleen M. Reeder Paul Hasty, Jr. Douglas E. Wells James C. Wright	Shawnee
10:30 a.m.			
63,545	State of Kansas, Appellee, v. Michael Roberts, Appellant.	Kenneth R. Smith Attorney General Jessica R. Kunen	Geary
63,160 SC	Ronald S. Kendig, Appellant, v. State of Kansas, Appellee.	Steven R. Zinn Attorney General Gene M. Olander	Shawnee
1:30 p.m.			
63,314	Robert W. James, Appellant, v. Tom Hermreck, Board of County Commissioners of Anderson County, City of Garnett, Ivan Hill, Effie Hill, Max Ratliff, Ronnie Ratliff, John Doe, and Jane Doe, Appellees.	Gerald W. Scott Gregory A. Lee J. Steven Pigg	Anderson

(continued)

63,602	W.A. Ellis Construction Co., Appellant, v. Horace B. Edwards, Secretary of Transportation, Appellee.	Stephen R. Miller Scott A. Long Stephen W. Kessler Dennis M. Clyde Chris McKinney	Shawnee
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Summary Calendar—No Oral Argument

63,560	State of Kansas, Appellee, v. Cecil Clayton, Jr., Appellant.	Randy M. Hendershot Attorney General Jessica R. Kunen	Shawnee
63,597	In the Matter of the Marriage of Richard Joseph Mancinelli and Consiglia Mancinelli.	Lloyd R. Graham Susan C. Jacobson	Geary
63,244	Anthony J. Buckland, Appellant, v. State of Kansas, Appellee.	Charles Dedmon Attorney General Gene M. Olander	Shawnee

**Kansas Court of Appeals
Courtroom 3, Leavenworth County Courthouse
Leavenworth, Kansas**

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

Friday, October 20, 1989

10:00 a.m.

Case No.	Case Name	Attorneys	County
63,277	Clifford F. Davis and Iva L. Davis, Appellees, v. City of Leavenworth, Appellant, and Greenamyre Rentals, Inc.	Rod L. Richardson Robert D. Beall Louis M. Clothier	Leavenworth
63,879	Denrich Leasing, Inc., Appellee, v. Dobbels & Trefz Auto Center and David P. Trefz, Appellants.	Martha A. Peterson Deanne Watts Hay Stuart D. Mitchelson	Johnson

11:00 a.m.

63,044	State of Kansas, Appellee, v. Elliott Curry, Appellant.	Steven J. Obermeier Attorney General Jessica R. Kunen	Johnson
63,631	Henry W. Green and Shirley A. Green, Appellants, v. The Lomas and Nettleton Co., Appellee.	Henry W. Green Richard L. Reid	Leavenworth

Summary Calendar—No Oral Argument

63,267	John S. Lowe, Appellant, v. State of Kansas, Appellee.	Robert L. Morse Attorney General Nick A. Tomasic	Wyandotte
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Kansas Court of Appeals
Courtroom 11-1, 11th Floor, Sedgwick County Courthouse
Wichita, Kansas

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

Thursday, October 19, 1989

1:00 p.m.

Case No.	Case Name	Attorneys	County
63,462	Diana L. Darling, Appellant, v. State of Kansas, Appellees.	Stanley R. Juhnke C. Douglas Wright	Reno
63,609 63,610	In the Interest of M.S.	Keith Collett Russell Wright Kerry M. Gasper Edwin M. Wheeler, Jr.	Marion
63,334 SC	Jeffery Garner, Appellant, v. State of Kansas, Appellee.	Karen Mayberry Attorney General Thomas J. Robinson	Sedgwick

2:00 p.m.

63,248	State of Kansas, Appellee, v. Timothy W. Mitchell, Appellant.	Thomas J. Robinson Attorney General Michael Barbara	Sedgwick
63,387	State of Kansas, Appellee, v. Carl D. Nelson, Appellant.	George E. Scammon Attorney General Jessica R. Kunen	Sumner
63,627	Malcolm Miller, Appellant, v. Foulston, Siefkin, Powers & Eberhardt, <i>et al.</i> , Appellees.	Mark G. Ayesch Gerald Sawatsky John Harl Campbell Arden J. Bradshaw John Terry Moore	Sedgwick

(continued)

Friday, October 20, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,354	Jimmie W. Logsdon, Appellee, v. Ark City Packing Co., Appellant, National Union Fire Insurance Co.	Stephen J. Jones Jeffrey R. Brewer	Cowley
63,535	Slawson Commercial Development Co., Appellee, v. Forest Salyers and Bruce Mulligan, Appellants.	Craig W. West Walter C. Williamson	Sedgwick
10:00 a.m.			
63,100	Alan Mason, Appellee, v. Franklin I. Plummer, Appellant.	Tim Connell William L. Fry	Butler
63,189	Dresser Industries, Inc., Appellee, v. Horizon Resources, Inc., et al., Appellants.	John V. Wachtel LeeAnne Hays Alan C. Goering	Barber
63,456	State of Kansas, Appellee, v. Theartic Jackson, Jr., Appellant.	Thomas J. Robinson Attorney General Thomas H. Johnson	Sedgwick
63,399	State of Kansas, Appellee, v. Nasif S. Gadelkarim, Appellant.	Debra S. Byrd Attorney General Jessica R. Kunen	Sedgwick
63,382	In the Interest of S.M.Q.	Jolene Rooney Marjorie Haines Gerald J. Domitrovic William F. Schantz	Sedgwick
63,327	State of Kansas, Appellee, v. David W. Wright, Appellant.	Ty Kaufman Attorney General Rick Kittel	McPherson
63,172 63,173	State of Kansas, Appellee, v. Kevin L. Goodwin, Appellant.	Thomas J. Robinson Attorney General Jessica R. Kunen	Sedgwick
63,468	Timothy Newfield, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Keith Collett	Marion

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

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

Wednesday, October 25, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,113	Henry Cruz and Jenny Cruz, Appellees, v. Wet Water Works, Inc., Appellant.	Michael Quint Joel Finke	Finney
62,832	State of Kansas, Appellee, v. Willis Shane Gordon, Appellant.	E. Leigh Hood Attorney General Henry A. Goertz	Ford
63,397	Tom J. Feist and Robert Feist, Appellants, v. Alma B. Harding, J.D. Harding, Dennis G. Duesing, and Dorothy Duesing, Appellees.	Kyler Knobbe Kenneth S. Johnson	Ford

10:00 a.m.

62,846	Peoples National Bank, Appellee, v. Doll Motor Co., Bobby G. Doll, Cecil L. Doll Estate, and State Bank of Satanta, Appellants.	Richard R. Yozall Kim R. Schroeder	Seward
63,764	Sfeld Engineering, Inc., Appellee, v. Franklin Supply Co., and Mobil Oil Corp., Appellants.	Greg L. Bauer Daniel H. Diepenbrock	Stevens

11:00 a.m.

Before Abbott, C.J.; Brazil, J.; and Dean J. Smith,
 District Judge, assigned.

63,289	In the Matter of the Marriage of Glenn E. Price, Jr., and Kathleen R. Price.	M. Moran Tomson John T. Bird	Stanton
63,693	In the Matter of the Marriage of Jeffrey J. Stasch and Debra Klinginsmith Stasch.	Jerry L. Soldner Lelyn J. Braun	Finney

Summary Calendar—No Oral Argument

63,037	In the Matter of the Marriage of Linda S. Crotts and Neil L. Crotts.	Terry J. Malone Ken Johnson	Ford
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(continued)

1:00 p.m.

Before Abbott, C.J.; Brazil, J.; and Dean J. Smith,
District Judge, assigned.

63,052	Earl Fort and Lynda Fort, Appellees, v. Carl S. Higgs and K. Sue Higgs, Appellants.	Jeffery A. Mason John M. Lindner	Grant
63,525	State of Kansas, Appellee, v. Maynard J. Verdoorn, Appellant.	Ricklin R. Pierce Attorney General John M. Lindner	Finney

2:00 p.m.

Before Abbott, C.J.; Larson, J.; and Dean J. Smith,
District Judge, assigned.

63,322	State of Kansas, Appellee, v. Antonio Valadez, Appellant.	County Attorney Attorney General Jon R. Craig	Finney
63,150	State of Kansas, Appellee, v. Juan R. Corpus, Appellant.	Ricklin R. Pierce Attorney General Kay Huff	Finney
63,318	State of Kansas, Appellee, v. Gary Floyd Brown, Appellant.	Richard Hodson Attorney General Karen E. Mayberry	Finney
62,805	State of Kansas, Appellee, v. Jimmy O. Phifer, Appellant.	Ricklin R. Pierce Attorney General Jack Focht	Finney

Summary Calendar—No Oral Argument

63,291	Jose Cardenas, Appellant, v. IBP, Inc., Appellee.	Debra J. Wilson Gary M. Korte	Finney
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Kansas Court of Appeals
District Courtroom, Ellis County Courthouse
Hays, Kansas

Before Larson, P.J.; Brazil, J.; and Dean J. Smith,
District Judge, assigned.

Thursday, October 26, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,902	In the Matter of the Marriage of Richard C. and Geraldine L. Chambers.	Dennis J. Keenan John T. Bird	Ellis
63,487	Dale Meier, Appellant, v. City of Quinter, et al., Appellees.	Harold T. McCubbin S. Philip Stover	Gove

10:00 a.m.

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| 63,584 | In the Matter of the Estate of Thelma R. Wood. | Daniel C. Walter
Kenneth Clark
Karen L. Griffiths
Mark C. Whitney | Norton |
| 63,569 | In the Matter of the Marriage of Eldon R. Reynolds and Charlene Reynolds. | Mark C. Whitney
Evelyn Zabel-Wilson | Graham |
| 63,036 | Edith Shafer Foster and Ralph Shafer, Appellants,
v.
Stella Gahm Shafer and Loretta Jane Erwin, Appellees. | Caleb Boone

Ron Shalz
Michael H. Haas | Sheridan |

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 008362

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT**

**NOTICE CONCERNING KANSAS
WATER POLLUTION CONTROL PERMITS**

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
HRC Feed Yards, Incorporated Box 186 Scott City, KS 67871	S 1/2 Section 13, Township 18S, Range 34, Scott County	Upper Arkansas River Basin

Federal Permit No. KS-0039292 Kansas Permit No. A-UASC-C004

The feedlot has capacity for approximately 17,500 cattle and a contributing drainage area of approximately 180 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 58.5 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Grant County Feeders, Continental Grain Company Box 447 Ulysses, KS 67880	Section 28 and 33, Township 29S, Range 38W, Grant County	Cimarron River Basin

Federal Permit No. KS-0037702 Kansas Permit No. A-CIRT-C001

The feedlot has capacity for approximately 75,000 cattle and a contributing drainage area of approximately 600 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent

disposal upon agricultural land. Storage capabilities are provided in excess of 200 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Cow Camp, Inc. dba Bunner Ranch Route 1, P.O. Box 74 Ramona, KS 67475	SW 1/4 Section 34, Township 16S, Range 2E, Dickinson County	Smoky Hill River

Federal Permit No. KS-0086614 Kansas Permit No. A-SHDK-C001

The feedlot has capacity for approximately 1,000 cattle and a contributing drainage area of approximately 17 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 7.2 acre-feet.

Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permits may be submitted to Walt Wagner, Kansas Department of Health and Environment, Division of Environment, Bureau of Environmental Quality, Certification/Enforcement Unit, Forbes Field, Topeka 66620. All comments received prior to October 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-89-30/32) and name of applicant as listed when preparing comments.

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

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 008388

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

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

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council % City Clerk City Hall, Main Street LaHarpe, KS 66751 Allen County, Kansas	Neosho River via Elm Creek via Unnamed Tributary	Secondary Wastewater Treatment Facility
Kansas Permit No. M-NE39-0001	Fed. Permit No. KS-0115991	

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to November 3 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-50) and the name of applicant as listed when preparing comments.

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

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health and Environment

Doc. No. 008379

State of Kansas

BEHAVIORAL SCIENCES REGULATORY BOARD

NOTICE OF ACCEPTANCE OF APPLICATIONS FOR EXECUTIVE DIRECTOR

The Behavioral Sciences Regulatory Board voted at its September 16 meeting to advertise for its unclassified position of executive director, to serve at the will and the pleasure of the board. The salary for this position has been set at \$26,500.

Apply by sending vitae and three personal references to Delbert Potter, P.O. Box 408, Fort Scott 66701. The deadline for applications is October 20.

The State of Kansas is an Equal Opportunity Employer.

BEHAVIORAL SCIENCES REGULATORY BOARD

Doc. No. 008371

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING VARIANCE REQUEST FROM HAZARDOUS WASTE REGULATIONS

The Kansas Department of Health and Environment is providing public notice that on January 11, 1989, Loctite Corporation, 3255 Harvester Road, Kansas City, Kansas, submitted a request for renewal of a variance from specific hazardous waste regulations. The request for a variance was submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-4 and 40 CFR 265.176, which requires the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

Loctite Corporation generates ignitable hazardous waste. The hazardous waste is stored prior to being shipped off-site for reclamation. Loctite Corporation proposes to store this waste next to a rail spur, which is secured by a chain-link fenced area and sits upon an asphalt base. KDHE has reviewed the variance request and concluded that the variance is justified.

In accordance with K.A.R. 28-31-13(b), public notice was provided that KDHE considered the request for renewal of a variance justified and made a tentative decision to grant the variance. A public comment period to receive comments regarding this tentative decision was established between August 10, 1989, and September 10, 1989. Public comments regarding this decision were received.

Therefore, in accordance with K.A.R. 28-31-13(b), KDHE announces its decision to approve this request for a renewal of variance and not to include any special conditions. The variance shall become effective on October 5, 1989, and shall remain in effect until October 5, 1992.

STANLEY C. GRANT
Secretary of Health and Environment

Doc. No. 008386

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****NOTICE CONCERNING PROPOSED HAZARDOUS
WASTE STORAGE FACILITY PERMIT**

The U.S. Environmental Protection Agency, Region VII, Kansas City, Kansas, and the Kansas Department of Health and Environment are providing public notice that they may issue a joint hazardous waste storage permit to Air Products and Chemicals, Inc., 6601 S. Ridge Road, Wichita.

The EPA and KDHE have jointly reviewed the hazardous waste permit application from Air Products and Chemicals, Inc.. If a decision is made to issue a joint permit, the EPA portion of the permit would be issued under the authority of the Resource Conservation and Recovery Act (RCRA), and the KDHE portion of the permit would be issued under the authority of Kansas Statutes Annotated 65-3431(i) and 65-3431(s). Kansas has received final authorization to operate all portions of the RCRA permit program, except for the portions covered by the Hazardous and Solid Waste Amendments of 1984 (HSWA). Therefore, the EPA portion of the joint permit will address the requirements of HSWA.

The permit would allow for the operation of two storage facilities for waste nickel catalyst and liquid ignitable wastes. The wastes will be stored in a maximum of 250 drums meeting the U.S. Department of Transportation specifications in a storage area with secondary containment or in a 15,000 gallon tank.

Copies of the administrative record, which includes the draft permit, permit application, and all information submitted by Air Products and Chemicals, Inc., are available for public review at the EPA Region VII Headquarters, 726 Minnesota Ave., Kansas City, Kansas, from 7:30 a.m. to 4:30 p.m. weekdays; and at the KDHE, Building 730, Forbes Field, Topeka, and the KDHE district office, 1919 Amidon, Suite 130, Wichita, from 8 a.m. to 4:30 p.m. weekdays.

Comments on the proposed permit may be directed in writing to Lyndell Harrington, RCRA Branch, EPA Region VII, 726 Minnesota Ave., Kansas City 66101; or to John Goetz, Hazardous Waste Section, KDHE, Topeka 66620. Comments must be submitted in writing prior to November 19. Requests for additional information, including the fact sheet, may be made by contacting EPA at (913) 236-2888 or KDHE at (913) 296-1607.

A public hearing has not been scheduled; however, if requests are received that indicate a significant degree of public interest in this draft permit, a public hearing will be scheduled. Requests for a public hearing shall be in writing to the addresses listed for submittal of comments and shall state the nature of proposed issues to be raised at the hearing. Such requests shall be submitted prior to November 4.

After consideration of all comments received and of the requirements of RCRA and state statutes, EPA and KDHE will make a final permit decision. If the decision is made to issue a joint permit that is substantially unchanged from those drafts made available for public comment as announced by this notice, the EPA regional

administrator and the KDHE secretary will jointly notify all persons submitting comments or requesting notice of final decision. If the draft permit is substantially changed, the EPA regional administrator and the KDHE secretary will jointly issue a public notice indicating the revised decisions.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 008385

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****NOTICE CONCERNING PROPOSED
AIR QUALITY PERMIT**

The secretary of the Kansas Department of Health and Environment is proposing to issue an air quality permit to Kansas Gas Supply (OXY NGL, Inc., Operator) for installation and operation of a new gas compressor unit to be located at the NW 1/4 of Sec. 27; T30S, R16W in Kiowa County. The permit would be issued in accordance with Kansas Administrative Regulation 28-19-14, permits required.

Estimates of emissions by the Bureau of Air and Waste Management (BAWM) using federal emission factors have shown that the natural gas pumping engine can be expected to meet applicable emission limits.

Written materials related to this permit action, including the application, permit summary, draft permit and the analysis of the BAWM describing the basis for this proposed permit are available for public inspection through November 3 by contacting Wayne Neese at the KDHE office at Dodge City, (316) 225-0596, and at Building 740, Forbes Field, Topeka.

Kansas Statutes Annotated 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request must be in writing and addressed to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. If the secretary determines the request presents sufficient reason, a hearing will be conducted—the place, date and time of which will be announced in this publication. Request for hearing and comments on the proposed permit must be submitted to the secretary on or before November 3. Questions concerning the proposed permit or public hearing should be directed to L. C. Hinthner, (913) 296-1576.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 008382

State of Kansas

**BEHAVIORAL SCIENCES
REGULATORY BOARD****PERMANENT ADMINISTRATIVE
REGULATIONS****Article 2.—LICENSING OF
SOCIAL WORKERS**

102-2-3. Fees. (a) Each applicant for a social work license shall pay the application fee as set forth below:

(1) Licensed baccalaureate social worker (LBSW), 70 dollars;

(2) Licensed master social worker (LMSW), 70 dollars;

(3) Licensed specialist clinical social worker (LSCSW), 70 dollars; or

(4) Temporary license fee, 15 dollars.

(b) Each licensee applying for renewal of his or her license shall pay the applicable fee as set forth below:

(1) Licensed associate social worker (LASW), 70 dollars;

(2) Licensed baccalaureate social worker (LBSW), 70 dollars;

(3) Licensed master social worker (LMSW), 70 dollars; and

(4) Licensed specialist clinical social worker (LSCSW), 70 dollars.

(c) The fee for a social work examination shall be 70 dollars.

(d) Each licensee applying for renewal of his or her license after the date of its expiration shall pay a penalty fee, which is a separate fee in addition to the renewal fee, as set forth below:

(1) Licensed associate social worker (LASW), 70 dollars;

(2) Licensed baccalaureate social worker (LBSW), 70 dollars;

(3) Licensed master social worker (LMSW), 70 dollars;

(4) Licensed specialist clinical social worker (LSCSW), 70 dollars.

(Authorized by and implementing K.S.A. 75-5359, as amended by 1989 HB 2434, § 5; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended, May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987; amended T-_____ ; amended Nov. 20, 1989.)

**BEHAVIORAL SCIENCES
REGULATORY BOARD**

State of Kansas

SOCIAL AND REHABILITATION SERVICES**PERMANENT ADMINISTRATIVE
REGULATIONS****Article 5.—PROVIDER PARTICIPATION, SCOPE OF
SERVICES, AND REIMBURSEMENTS FOR THE
MEDICAID (MEDICAL ASSISTANCE) PROGRAM**

30-5-81. Scope of hospital services. (a) Each hospital shall be medicare-certified.

(b) Outpatient services shall be covered with the following limitations:

(1) Services shall be ordered by an attending physician who is not serving as an emergency room physician, except for those services related to emergency situations. Orders shall be related specifically to the present diagnosis of the recipient.

(2) Prosthetic devices shall replace all or part of an internal body organ, including the replacement of these devices.

(3) Rehabilitative therapies shall be restorative in nature, shall be provided following physical debilitation due to acute physical trauma or physical illness and shall be prescribed by the attending physician.

(4) Services provided in the emergency department shall be emergency services.

(5) Elective surgery shall not be covered, except for sterilization operations or for Kan Be Healthy program participants.

(6) Ambulance services shall not be covered.

(7) Non-emergency visits in place of physician office visits shall be considered as physician office visits and shall be counted against the physician office visit limitation pursuant to K.A.R. 30-5-88.

(c) Inpatient services shall be covered, subject to the following limitations:

(1) Services shall be ordered by a physician and shall be related specifically to the present diagnosis of the recipient.

(2) Transplant surgery shall be limited to prior authorized liver transplants, prior authorized heart transplants performed at the Kansas university medical center, and corneal, kidney and bone marrow transplants and related services.

(3) Inpatient services shall be limited to those provided on days of stay that are determined to be medically necessary.

(4) Reimbursement shall not be made for services provided on days of discharge.

(5) Long term care services in swing beds shall be provided pursuant to 42 CFR 405 subpart K and 442 subpart F, revised October 1, 1987, which are adopted by reference.

(6) Therapeutic and diagnostic surgical services, and related services that can be performed on an outpatient basis, shall not be reimbursed on an inpatient basis unless medical necessity is documented.

(7) Inpatient services shall be subject to utilization review which shall determine whether services are medically necessary, are furnished at the appropriate level of

care and are of a quality that meets professionally recognized standards.

(8) Psychotherapy, directed by a psychiatrist or approved hospital staff under the direction of a psychiatrist, shall be provided to each psychiatric patient on a daily basis.

(9) Substance abuse treatment services shall be limited to three treatment admissions per lifetime.

(10) Inpatient acute care related to substance abuse treatment services shall be limited to those patients who are in need of acute detoxification or a drug and alcohol treatment program approved by the division of medical programs.

(11) Elective surgery shall not be covered, except for sterilization operations or for Kan Be Healthy program participants. The effective date of this regulation shall be November 24, 1989. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; modified, L. 1982, ch. 469, May 1, 1982; amended May 1, 1983; amended, T-84-7, March 29, 1983; amended, T-84-11, July 1, 1983; amended May 1, 1984; amended, T-85-9, April 11, 1984; amended, T-85-24, Sept. 18, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended, T-89-24, May 27, 1988; amended Sept. 26, 1988; amended T-1-10-28-88, Oct. 28, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended T-30-7-29-89, July 29, 1989; amended Nov. 24, 1989.)

30-5-88. Scope of physician services. (a) Except as set forth in subsection (b), the program shall cover medically necessary services recognized under Kansas law provided to program recipients by physicians who are licensed to practice medicine and surgery in the jurisdiction in which the service is provided.

(b) The following services shall be excluded from coverage under the program, except as noted:

(1) Visits. The following types of visits shall be excluded:

(A) Office visits when the only service provided is an injection or some other service for which a charge is not usually made;

(B) non-psychiatric office visits which exceed 12 per calendar year;

(C) psychotherapy services which are not prior authorized when provided concurrently by the same provider with both targeted case management services and partial hospitalization services;

(D) psychotherapy services which exceed an average of 32 hours of individual therapy or 32 hours of group therapy or any combination of these per calendar year per recipient, unless the recipient is a Kan Be Healthy program participant and:

(i) Psychotherapy services do not exceed 40 hours per calendar year per Kan Be Healthy program participant; or

(ii) psychotherapy services are being rendered pursuant to a plan approved by the agency. Prior authorization for the plan shall be required. The plan shall not exceed a two-year period and shall be subject to a reimbursement limit established by the secretary. Quarterly progress reports shall be submitted to the division of medical programs;

(E) inpatient hospital visits in excess of those allowable

days for which the hospital is paid or would be paid, if there were no spenddown requirements; and

(F) nursing home visits in excess of one per month unless medical necessity is documented.

(2) Consultations. Consultations shall be excluded as follows:

(A) Consultations which are absent a written report;

(B) inpatient hospital consultations in excess of one per condition per 10-day period unless written documentation confirming medical necessity is attached to the claim; and

(C) other consultations in excess of one per condition per 60-day period unless written documentation confirming medical necessity is attached to the claim.

(3) Surgical procedures. Surgical procedures shall be excluded as follows:

(A) Procedures that are experimental, pioneering, cosmetic, or designated as non-covered;

(B) transplants, other than prior authorized liver transplants, prior authorized heart transplants performed at the Kansas university medical center, and corneal, kidney and bone marrow transplants and related services;

(C) services of a surgical assistant when surgery is determined not to require an assistant; and

(D) elective surgery, except for sterilization operations, or for Kan Be Healthy program participants.

(4) Miscellaneous procedures. Miscellaneous procedures shall be excluded as follows:

(A) Diagnostic radiological and laboratory services unless the services are medically necessary to diagnose or treat injury, illness or disease;

(B) physical therapy unless:

(i) Performed by a physician or registered physical therapist under the direction of a physician; and

(ii) prescribed by the attending physician.

(C) medical services of medical technicians unless the technicians are under the direct supervision of a physician; and

(D) inpatient services which were provided on days of hospital stay which are determined to not be medically necessary.

(5) Family planning services and materials.

(A) Family planning services and materials shall be excluded unless:

(i) The services are provided by a physician, family planning clinic, or county health department;

(ii) written informed consent is obtained as necessary; and

(iii) the scope of services provided are in compliance with applicable federal and state statutes and regulations.

(B) Reverse sterilizations shall be excluded.

(6) Concurrent care. Concurrent care shall be excluded unless the patient:

(A) Has two or more diagnoses involving two or more systems; and

(B) the special skills of two or more physicians are essential in rendering quality medical care. The occasional participation of two or more physicians in the performance of one procedure shall be recognized. Each physician involved shall submit that physician's usual charge only for that portion of the procedure for which the physician is actually responsible.

(continued)

(7) Psychological services for an individual entitled to receive these services as a part of care or treatment from a facility already being reimbursed by the program or by a third party payor shall be excluded.

(8) Services provided by physician extenders shall be excluded, except as listed below:

(A) Adult care home visits, certifications and recertifications;

(B) routine, annual medical histories and physicals;

(C) subsequent day hospital visits;

(D) routine, standard home visits; and

(E) standard office visits. The effective date of this regulation shall be November 24, 1989. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-9, April 11, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended, T-89-24, May 27, 1988; amended Sept. 26, 1988; amended T-1-10-28-88, Oct. 28, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended T-30-7-29-89, July 29, 1989; amended Nov. 24, 1989.)

WINSTON BARTON
Secretary of Social and
Rehabilitation Services

Doc. No. 008366

State of Kansas
DEPARTMENT OF ADMINISTRATION

**PERMANENT ADMINISTRATIVE
REGULATIONS**

Article 2.—DEFINITIONS

1-2-1. Abbreviated salary range. Abbreviated salary range means a salary range which, as specified in the salary ranges book, consists of steps A, B, C, D, and E only. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1981; revoked T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

Article 5.—COMPENSATION

1-5-9. Salary of temporary or emergency employee.

(a) Except as provided in subsections (b) or (c) that follow, the salary of a temporary or emergency employee shall be step A of the range.

(b) If a higher salary is authorized for an original appointment, pursuant to K.A.R. 1-5-8(b)(2), a temporary or emergency appointment may be made at the higher salary, at the option of the appointing authority.

(c) Any person appointed on a temporary or an emergency appointment who has had, within three years, permanent status in the same class or another class at the same or a higher range may be paid at the same step of the range in the class in which the person is temporarily employed as the step on which he or she was being paid at the time of his or her most recent employment with permanent status. For persons whose previous employment ended under a pay plan in effect prior to fiscal year 1990, the step will be determined by the same method

as was used for implementation of the new pay plan for fiscal year 1990.

(d) Nothing herein shall prevent the appointing authority from making the appointment at a step in the range lower than permitted by this subsection (b) or (c).

(e) No person appointed on a temporary or an emergency basis shall be eligible for salary step increase during his or her period of temporary or emergency employment. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2938 and 1989 HB 2553; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-10. Salary of employee reinstated or reemployed. (a) Except as otherwise provided in this subsection, any person appointed by reinstatement may be paid at the same step of the range for the class to which the employee is reinstated as the step on which the employee was previously paid for the class which serves as the basis for the employee's eligibility for reinstatement. Reinstatement appointments at a higher step of the range for the class to which the employee is reinstated shall be made only under the following circumstances:

(1) When the employee to be reinstated has exceptional qualifications and the agency cannot hire the person at the previous step, the agency's appointing authority may request that the director of personnel services approve a starting salary at a higher step in the range. Such a request shall include information concerning the former employee's education, training, experience, and other qualifications.

(2) When a higher step in the range has been established as the starting salary for original appointments to the class pursuant to K.A.R. 1-5-8, the agency shall appoint the employee to the step at which it makes original appointments in the class.

(3) Nothing in this subsection shall prevent a person from accepting an appointment by reinstatement at a step lower than that on which the person was being paid in the class which serves as the basis for the employee's eligibility for reinstatement. The pay increase date for any person appointed by reinstatement shall be governed by the time-on-step requirement of the step to which appointed. Time-on-step on a previous appointment shall not count towards the time-on-step requirement.

(b)(1) Any person appointed by reemployment to the same class from which the person was laid off, or to a class with the same salary range as that class:

(A) shall be paid at the same step of the range as the step on which the person was being paid on the date the person was laid off, provided the agency has sufficient funds budgeted to fund the position at that step; or

(B) may be paid at a lower step in the range than the step on which the person was being paid on the date the person was laid off, provided the step paid is no lower than the step the agency has budgeted for the position. If the person is reemployed at a step lower than the step on which the person was being paid on the date the person was laid off, and if funds become available within one year from the date the person is reemployed, the agency shall increase the person's salary up to the step

the person was being paid on the date the person was laid off. Such an increase shall not affect the person's eligibility for salary step increases provided for in K.A.R. 1-5-19b.

(2) Any person appointed by reemployment to a class with a salary range lower than the class from which the person was laid off:

(A) may be paid at the same salary rate (dollar amount) as the rate the person was being paid immediately prior to being laid off, if the rate is on a step in the lower range. If that rate is within the range for the class but not on a step, the person may be paid at the next lower step or the next higher step. However, in no case shall the person be paid above the maximum step of the lower salary range; or

(B) may be paid at a lower salary rate (dollar amount) than the person was being paid immediately prior to being laid off. However, such a person shall not be paid at a step less than the same step of the range for the lower class as the step on which the person was being paid on the date the person was laid off, provided the agency has sufficient funds to fund the position at that step. If the agency does not have sufficient funds budgeted, the person shall be paid at the step of the range for which the agency has budgeted for the position. If the person is reemployed at a step lower than the step on which the person was being paid on the date the person was laid off, and if funds become available within one year from the date the person is reemployed, the agency shall increase the person's salary to the step the person was being paid on the date the person was laid off. Such an increase shall not affect the person's eligibility for salary step increases provided for K.A.R. 1-5-19b.

(c)(1) In determining the pay increase date for any person appointed by reemployment to the class from which the person was laid off, to a class with the same salary range as that class, or to a class with a salary range lower than that class, the length of time the employee had spent on the same salary step immediately prior to the date the person was laid off shall count toward the time-on-step requirement. If the pay increase date for such a person is less than six months after the date of reemployment, the agency may use the person's last performance evaluation rating prior to layoff or may give a new performance evaluation rating in determining the person's eligibility for a salary step increase, as provided in K.A.R. 1-5-19b.

(d) The salary step for persons who are reinstated or reemployed, and whose previous employment ended under a pay plan in effect prior to fiscal year 1990, shall be determined by the same method as was used for conversion to the new pay plan for fiscal year 1990. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2938 and 75-2948, K.S.A. 1988 Supp. 75-3746, and 1989 HB 2553; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-11. Salary of employee returned from military leave. (a) Except as provided in subsection (b) of this regulation, any employee who returns from military leave

to a position in the same class in which the employee was employed when the leave was granted, or to a position in the same salary range, shall be paid at the same step in the salary range at which the employee was being paid when he or she went on leave. For persons who were granted military leave under a pay plan in effect prior to fiscal year 1990, the step shall be determined by the same method as was used for conversion to each of the pay plans implemented following the effective date of military leave. In determining the employee's new pay increase date, credit shall be given for the time served in the armed forces.

(b) The appointing authority shall grant one or more salary step increases to an eligible employee upon the employee's return from military leave if the authority is reasonably certain the employee would have received the increase had the employee been continuously employed and state service not interrupted by military leave. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2947 and 1989 HB 2553; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended March 20, 1989; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-19b. Individual salary step increases. (a) Each employee whose latest performance evaluation rating in the preceding 12-month period is at least satisfactory shall receive salary step increases pursuant to this regulation, except as otherwise ordered by the governor.

(b) Each employee who is on step A or B of a range shall receive a one-step salary increase after six full months on that step of the range.

(c) Each employee who is on step C of a range or any higher step, except 0, shall receive a one-step salary increase after 12 full months on that step of the range. (Authorized by K.S.A. 1988 Supp. 75-3747 and 1989 HB 2553; implementing K.S.A. 75-2938 and 1989 HB 2553; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-19c. Effect of range changes on salary. (a) When the governor has assigned a class of positions to a higher salary range, each employee in the class of positions assigned to the higher salary range shall be placed on the step of the higher range that is the same rate (dollar amount) as the current rate paid to the employee.

(b) If the employee is being paid a dollar amount below step A of the higher range, an increase shall be made to step A. However, if the employee has been employed continuously in the class for at least six months, the increase may be step B.

(c) In all cases, the length of time the incumbent has spent on the step of the previous range shall count toward the time-on-step requirement for computing the next pay increase date. If the number of months accumulated is greater than the number of months required for a step increase, the employee shall be granted one or more step increases and any unused months shall count toward the next pay increase. (Authorized by K.S.A. 1988 Supp. 75-

(continued)

3747; implementing K.S.A. 75-2938 and 1989 HB 2553; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-24. Overtime. (a) Except as otherwise provided by the statutes or regulations, employees of the state who are eligible to receive overtime compensation under the Fair Labor Standards Act of 1938, as amended, shall be compensated for overtime as provided in that act. State employees in agricultural positions shall also be eligible for overtime compensation. The director shall make the final determination as to eligibility to receive overtime pursuant to this subsection for all classified employees and all unclassified employees whose salaries are subject to approval by the governor under K.S.A. 75-2935b and amendments thereto.

(b)(1) The rate at which any eligible employee is to be compensated for overtime worked shall be one and a half times the employee's regular rate of pay; this rate shall not include premium pay for holidays worked or any call-in and call-back compensation paid for hours not actually worked.

(2) All employees eligible for overtime compensation, and who were paid for overtime during the 12 months preceding the receipt of longevity pay shall receive an additional overtime payment to be calculated as follows:

(A) Divide longevity pay by total hours worked in the preceding 12 months to obtain increase in regular rate; and

(B) Multiply increase in regular rate by the number of overtime hours paid in the preceding 12 months; then, multiply that product by one half. The result will be the employee's additional overtime pay.

No additional overtime pay shall be due for any overtime hours worked during the preceding 12 months for which compensatory time was given under subsection (f).

(c) Each appointing authority shall be responsible for control of overtime in the agency. Overtime, to the extent possible, shall be authorized in advance by the responsible supervisor.

(d) Eligibility for overtime for a class or position that is not eligible for overtime under subsection (a) may be authorized by the director.

(e) In determining whether an employee in a position or class determined to be eligible for overtime pay has worked any overtime in a given workweek or work period, all time in pay status shall be considered as time worked. For the purpose of this regulation, "in pay status" shall be defined as in K.A.R. 1-5-5(c).

(f)(1) In lieu of paying an eligible employee at the time and a half rate for overtime worked, an agency may elect to compensate an employee for overtime worked by granting compensatory time off, at the rate of one and a half hours off for each hour of overtime worked, at some time after the workweek or work period in which the overtime was worked.

(2)(A) An eligible employee shall not accrue more than 120 hours of compensatory time for overtime hours worked except as provided in paragraph (B). Any eligible employee who has accrued 120 hours of compensatory time off shall, for any additional overtime hours of work, be compensated with overtime pay.

(B) Upon written request by an appointing authority, a higher maximum accumulation of compensatory time may be approved by the secretary of administration for a class or a group of eligible employees within that agency, provided that the maximum accumulation shall not exceed 40 hours.

(3) If an eligible employee is paid for accrued compensatory time off, such compensation shall be paid at the regular rate earned by the employee at the time the employee receives the payment.

(4) (A) Each eligible employee who has accrued compensatory time off authorized under this subsection shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than:

(i) the average regular rate received by such eligible employee during the last three years of the employee's employment; or

(ii) the final regular rate received by such eligible employee, whichever is higher.

(B) Any longevity payments received during the last three years of employment shall be included in determining the average regular rate and the final regular rate in paragraph (4)(A).

(5)(A) Each eligible employee who has accrued compensatory time off authorized under this subsection, and who has requested the use of compensatory time, shall be permitted by the appointing authority to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the agency.

(B) Each employee who has accrued compensatory time off under this subsection may be required by the appointing authority to use the compensatory time within a reasonable period after receiving notice of such a requirement. The notice shall state the length of time in which a specified number of hours of compensatory time are to be used.

(g) When an employee who is eligible for overtime works additional time that could result in overtime hours, that employee's agency may give the employee equivalent time off, on an hour for hour basis, in the workweek or work period in which the additional time is worked if:

(1) the agency notifies the employee of the change in the employee's normal work schedule for that workweek or work period at least five calendar days in advance of the day in which the employee's normal work schedule is first changed; or

(2) the agency has established a written policy stating that the employee may be required to take equivalent time off, on an hour for hour basis, in the workweek or work period in which additional time is worked; or

(3) the employee requests or agrees to take equivalent time off during the workweek or work period in which additional time was worked, and the agency determines that this arrangement is not detrimental to the operations of the agency.

In any case, the equivalent time off shall be taken at a time agreeable with the agency during the workweek or work period in which the additional time is worked. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2938 and 1989 HB 2553; effective May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended,

T-86-36, December 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986; amended May 1, 1987; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

1-5-29. Longevity Pay. (a) Each employee who has at least 120 months of satisfactory service credit on their service anniversary date shall be eligible for longevity pay. For the purposes of this regulation, service anniversary date shall be the date on which the employee began employment under the Kansas civil service act. Service credit shall be length of service as defined in K.A.R. 1-2-46 except as follows:

(1) All documented time spent on a temporary or emergency position shall be added to length of service credit.

(2) Except for documented periods of unsatisfactory service, all service prior to June 18, 1989, shall be presumed to be satisfactory.

(3) All periods of documented part-time employment shall be converted to full-time equivalency in the same manner as provided in K.A.R. 1-2-46(b)(1), for intermittent employees.

(4) The provisions of K.A.R. 1-2-46(e) shall not apply when calculating service credit.

(b) Except as provided in paragraph (a)(2), service credit shall not be provided for any period in which an unsatisfactory performance rating applies.

(c) Unless an exception is approved by the director, longevity pay shall only be issued when a documented performance rating has occurred in the 12 months immediately preceding the employee's service anniversary date.

(d) The longevity payment for each eligible employee shall be computed by multiplying \$40 by the number of full years of satisfactory service, not to exceed 25 years. Full years of satisfactory service shall be calculated by dividing total number of months of service credit by 12, and excluding any fractions of a year. However, fractions of a year in service credit shall not be excluded from further continuous accumulation of service credit.

(e) Longevity pay shall increase the regular rate applying to overtime pay for hours worked during the 12 months preceding the service anniversary date, and shall be considered in calculating the payment for annual compensatory time to an employee upon termination as provided in K.A.R. 1-5-24. (Authorized by and implementing 1989 HB 2553; effective T-1-7-27-89, July 27, 1989; effective Nov. 20, 1989.)

Article 7.—PROBATIONARY PERIOD AND EMPLOYEE EVALUATION

1-7-10. Performance evaluation ratings. (a) Performance evaluation ratings shall be considered:

(1) in determining salary increases and decreases within the limits established in the pay plan;

(2) as a factor in determining service credit for longevity payments as provided in K.A.R. 1-5-29;

(3) as a factor in civil service promotional tests;

(4) as a factor in determining the order of layoff and in establishing the order in which names are to be placed on the reemployment lists; and

(5) as a means of discovering employees who should be

promoted or transferred, or who because of their low performance, should be demoted or dismissed.

(b) The appointing authority shall have performance evaluation ratings made for each employee under the authority's jurisdiction in the classified service. The ratings shall be made, at least annually, in the manner required, and on the forms prescribed by the director. The appointing authority may have a special evaluation made for any employee at any time.

(c) The actual rating of each employee shall be made by the employee's immediate supervisor, or by another qualified person or persons designated by the appointing authority. A qualified person is one who is familiar with the duties and responsibilities of the employee's position and with the job performance of the employee.

(d) The supervisor shall develop, with input from the employee, a list of major duties and responsibilities of the employee's position, and the performance requirements for each of these duties and responsibilities. The employee shall be given a copy of the list and the performance requirements at the beginning of the rating period. When the employee is evaluated, the employee shall be rated as to how well he or she meets the performance requirements for each of the major duties and responsibilities and shall be assigned a final adjective rating. The employee shall be given a copy of the evaluation.

(e) The employee shall be given the opportunity to sign the evaluation as evidence that the employee has been informed of the evaluation; that signature shall not abridge the employee's right of appeal if the employee disagrees with the evaluation. Failure of the employee to sign an evaluation shall not invalidate the evaluation. Employees entitled to appeal an evaluation may do so within seven calendar days after being informed of the rating.

(f) After the seven calendar day period for filing appeals has expired, if no appeal has been filed, the appointing authority or the authority's designated agent shall review the rating, shall make any changes deemed necessary, shall sign the rating form, and shall have copies transmitted to the employee, to the rater or raters and the reviewer or reviewers as the appointing authority deems necessary. If the appointing authority makes any change in the rating, or adds any comment on the rating form, the form shall be returned to the employee to be signed again, and the employee, if eligible to appeal the rating, shall again have seven calendar days to file an appeal to the appointing authority. Final results of evaluation shall be submitted to the director. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2943 and 1989 HB 2553; effective May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989.)

SHELBY SMITH
Secretary of Administration

Doc. No. 008365

State of Kansas

STATE BANKING DEPARTMENT

PERMANENT ADMINISTRATIVE
REGULATIONSArticle 19.—BANK SUBSIDIARIES ENGAGED IN
SECURITIES ACTIVITIES

17-19-1. Organization; application approval. (a) Prior to its organization to engage in securities activities in this state, each bank subsidiary shall make application to and obtain approval from the state bank commissioner and the state banking board. Each application shall contain all required information as prescribed by the commissioner and the state banking board.

(b) Upon filing an application to form a bank subsidiary to engage in securities activities, the following criteria shall be considered by the commissioner and the state banking board prior to granting authority:

(1) the financial standing, general business experience and character of the organizers and incorporators;

(2) the character, qualifications and experience of the officers of the proposed bank subsidiary;

(3) the public need for the proposed bank subsidiary;

(4) the prospects for success of the proposed bank subsidiary; and

(5) any other factors the commissioner or the state banking board deems relevant to the applicant.

(c) Each expense incurred in making any examination and investigation of an application to form a bank subsidiary to engage in securities activities shall be paid by the applicant, who shall pay \$1,000 to the commissioner to defray such expense. The commissioner may require an additional payment not to exceed \$4,000 at any time deemed necessary. Any unused portion of such payment shall be refunded.

(d) Any application may be denied or authority revoked for any bank to own, hold or otherwise operate a bank subsidiary engaged in securities activities upon finding any violation of the state banking department regulations.

(e) Each bank subsidiary subject to revocation of authority to own, hold or otherwise operate a bank subsidiary engaged in securities activities shall be afforded the right to a hearing pursuant to the Kansas administrative procedure act. (Authorized by and implementing K.S.A. 1988 Supp. 9-1101, effective Nov. 20, 1989.)

17-19-2. Registration and licensing; violations; examination. (a) Prior to engaging in securities activities, each bank subsidiary shall comply with registration and licensing requirements of the appropriate federal and state securities regulatory agencies. Each bank subsidiary shall maintain on file with the Kansas banking department copies of all required registration documents, together with copies of each license or registration documents issued to the bank subsidiary by each regulatory agency.

(b) Any application may be denied or authority revoked for any bank to own, hold or otherwise operate a bank subsidiary engaged in securities activities upon notification of any violation of federal or state securities laws or regulations.

(c) Any denial of an application or revocation of au-

thority for a bank to own, hold or otherwise operate a bank subsidiary engaged in securities activities shall be made by the commissioner, subject to confirmation by the state banking board.

(d) Each bank subsidiary found to be in violation of any federal or state securities law or regulation shall notify the commissioner of each violation within 10 days of such finding. Each notice shall include all material facts surrounding such violation including:

(1) identification of parties involved;

(2) date of violation;

(3) nature of violation; and

(4) penalties assessed.

(e) The expense, including salaries, travel expenses, supplies and equipment, of each examination of a bank subsidiary deemed necessary by the bank commissioner after receiving notification as required by subsection (d) of this regulation shall be paid by the bank. (Authorized by and implementing K.S.A. 1988 Supp. 9-1101, effective Nov. 20, 1989.)

17-19-3. Wholly-owned subsidiary; leasing; employees; office location. (a) Each bank subsidiary engaged in securities activities shall be a wholly-owned subsidiary of the parent bank.

(b) Any parent bank may lease or sell office space to its subsidiary engaged in securities activities; provided the lease or sale is of a bona fide nature and represents a fair market value in the community market place. Office space leased or sold by a parent bank to its subsidiary engaged in securities activities shall be separate and distinct from the office space of the parent bank.

(c) Each bank subsidiary engaged in securities activities may employ parent bank employees provided those employees are fairly compensated by the bank subsidiary.

(d) Each bank subsidiary engaged in securities activities shall locate no office outside the state of Kansas unless the prior approval of the bank commissioner and the state banking board is obtained. (Authorized by and implementing K.S.A. 1988 Supp. 9-1101, effective Nov. 20, 1989.)

17-19-4. Capital; lending limit. The aggregate of unsecured loans and capital investments to each bank subsidiary by each parent bank shall not exceed 15 percent of the total amount of capital stock paid in and unimpaired and the unimpaired surplus fund of the parent bank. (Authorized by and implementing K.S.A. 1988 Supp. 9-1101, effective Nov. 20, 1989.)

W. NEWTON MALE
State Bank Commissioner

Doc. No. 008364

State of Kansas

DEPARTMENT OF WILDLIFE
AND PARKSTEMPORARY ADMINISTRATIVE
REGULATIONS

Article 4.—BIG GAME

115-4-8. Big game; clothing requirements. (a) Each person hunting deer or elk in a management unit during a firearms deer or elk season shall wear clothing of a bright orange color having a predominant lightwave length of 595-605 nanometers, commonly referred to as daylight fluorescent orange, hunter orange, blaze orange or safety orange.

(b) The bright orange color shall be worn as follows:

(1) a hat with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions;

(2) a minimum of 100 square inches of the bright orange color on the front of the torso; and

(3) a minimum of 100 square inches of the bright orange color on the back of the torso. (Authorized by 1989 HB 2005, section 9; implementing 1989 HB 2005, sections 9 and 126; effective T-115-9-26-89, Sept. 26, 1989.)

115-4-10. Big game; shooting hours. The shooting hours for big game hunting during each day of any established big game hunting season shall be from 1/2 hour before sunrise to sunset. (Authorized by and implementing 1989 HB 2005, section 9; effective T-115-9-26-89, Sept. 26, 1989.)

ROBERT L. MEINEN
Secretary of Wildlife and Parks

Doc. No. 008367

(Published in the *Kansas Register*, October 5, 1989.)

SUMMARY NOTICE OF BOND SALE

City of Horton, Kansas

General Obligation Sewer Improvement Bonds
Series A, 1989(general obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and official statement dated October 2, 1989, sealed bids will be received by the city clerk of the city of Horton, Kansas, on behalf of the governing body at the City Hall, 205 E. 8th, Horton, until 7 p.m. C.D.T. on Monday, October 16, 1989, for the purchase of \$133,000 principal amount of General Obligation Sewer Improvement Bonds, Series A, 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$8,000. The bonds will be dated November 1, 1989, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1990	\$ 8,000
1991	10,000
1992	10,000
1993	15,000
1994	15,000
1995	15,000
1996	15,000
1997	15,000
1998	15,000
1999	15,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$2,660 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before November 15, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$3,607,417. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$262,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, Sheila Gibson, Horton, KS 66439, (913) 486-2681; or from the financial advisor, First Securities Company of Kansas, Inc., One Main Place, Suite 200, Wichita, KS 67202, Attention: Larry L. McKown, (316) 262-4411.

City of Horton, Kansas

Doc. No. 008376

(Published in the *Kansas Register*, October 5, 1989.)

NOTICE OF BOND SALE
\$1,800,000
General Obligation Park Bonds
Series 1989
of Prairie Village, Kansas

Prairie Village, Kansas, will receive sealed bids addressed to Joyce Hagen Mundy, City Clerk, City Hall, 7700 Mission Road, Prairie Village, KS 66208 (913-381-6464), until 7:30 p.m. C.D.T. on Monday, October 16, 1989, for the purchase of \$1,800,000 General Obligation Park Bonds, Series 1989, of the city, at which time and place such bids will be publicly opened and read at a meeting of the city council and the city council will thereafter accept the best bid or reject all bids at that meeting. No oral or auction bids will be considered.

Terms of the Bonds

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

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

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

Principal Amount	Maturity September 1
\$ 40,000	1990
45,000	1991
50,000	1992
55,000	1993
60,000	1994
65,000	1995
70,000	1996
70,000	1997
75,000	1998
80,000	1999
85,000	2000
95,000	2001
100,000	2002
105,000	2003
115,000	2004
120,000	2005
130,000	2006
140,000	2007
145,000	2008
155,000	2009

Bonds maturing on September 1, 2000, and thereafter

will be subject to redemption prior to maturity at the option of the city, as a whole or in part, in inverse order of maturity (selection of bonds for partial redemption of bonds of the same maturity to be by such method as the bond registrar shall deem fair and appropriate) on September 1, 1999, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed plus accrued interest to the redemption date, without a premium.

Authority, Purpose and Security

The bonds are being issued pursuant to elections held in the city and pursuant to the provisions of K.S.A. 10-101 *et seq.*, as amended, and K.S.A. 12-1301 *et seq.*, as amended, for the purpose of financing the complete reconstruction and renovation of an existing swimming pool facility and the reconstruction of other swimming pool facilities and for the purpose of paying the costs of the acquisition and improvement of land for park and recreational purposes. The principal of and interest on the bonds will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city.

Conditions of Bids

Bids will be received for the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be a multiple of $\frac{1}{8}$ th or $\frac{1}{20}$ th of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed $2\frac{1}{2}$ percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the "20 Bond Index" of treasury bonds published in *Muniweek* (formerly the weekly *Credit Markets*) in New York, New York, on October 9, 1989, plus 2 percent. No bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by the city, and will be addressed to Joyce Hagen Mundy, City Clerk, City Hall, 7700 Mission Road, Prairie Village, KS 66208, and will be plainly marked "Bond Bid." Each bid will specify the total interest cost to the city on the basis of such bid and the average annual net interest rate on the basis of such bid. The net interest cost to the city will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The city will be entitled to rely on such dollar amount as stated in the bid as the basis of determining the lowest net interest cost bid. If there is any discrepancy between the said net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check equal to \$36,000, made payable to Treasurer, City of Prairie Village, Kansas. In the event a bidder whose bid is accepted fails to carry out the contract to purchase the bonds, said deposit will be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Basis of Award

The city reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city.

Delivery of the Bonds

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

The number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than October 31, 1989.

The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 11 a.m. Kansas City time on the day of delivery. Delivery of the bonds will be made to the successful bidder on or before November 7, 1989, at such location as may be specified by the purchaser. The purchase price, including accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

Tax Exemption

In the opinion of bond counsel, under existing statutes, regulations, rulings and court decisions, including the Internal Revenue Code of 1986, interest on the bonds is not includable in gross income for purposes of federal and Kansas income taxation. In rendering its opinion, bond counsel will state that it has assumed the city's present and continuing compliance with covenants in the proceedings of the city authorizing the issuance of the bonds and other documents. Interest on the bonds is not an item of tax preference for purposes of the individual or corporate alternative minimum tax, except that interest on the bonds may be subject indirectly to a federal and Kansas corporate alternative minimum tax as pre-tax book income in taxable years beginning in 1988 and 1989 or as adjusted earnings and profits for taxable years beginning after 1989. Interest on the bonds also may be subject to a tax based on the modified alternative minimum taxable income of a corporation under the Superfund Amendments and Reauthorization Act of 1986 in taxable years beginning after 1986. In addition, interest on the bonds held by certain foreign corporations may be subject to the branch profits tax under the code in taxable years

beginning after 1986. The city will designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code relating to interest deductions for banks and thrift institutions. Reference is made to the preliminary official statement for further discussion of federal income tax matters relating to the interest on the bonds.

CUSIP Identification Numbers

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

Bond Rating

The outstanding general obligation bonds of the city are rated "Aa" by Moody's Investors Service, Inc., and the city has applied to Moody's Investors Service, Inc. for a rating on the bonds.

Assessed Valuation and Bonded Indebtedness

The total assessed valuation of the taxable tangible property within the city for 1989 for the computation of limits upon bonded indebtedness is \$140,516,039. The total general obligation bonded indebtedness of the city as of November 1, 1989, including this \$1,800,000 proposed issue of bonds, will be \$3,270,000.

Preliminary Official Statement and Official Statement

The city has prepared a preliminary official statement dated October 2, 1989, copies of which may be obtained from the undersigned or the district's financial advisor. Upon the sale of the bonds, the board will approve the final official statement and will furnish the successful bidder a reasonable number of copies thereof without additional cost. Additional copies may be ordered at the successful bidder's expense.

Official Information

Additional copies of this notice of bond sale, the official bid form or further information may be obtained from Zahner & Company, Kansas City, MO 64105, (816) 221-4311, the city's financial advisor.

Dated October 2, 1989.

Prairie Village, Kansas
By Joyce Hagen Mundy
City Clerk

Doc. No. 008380

(Published in the *Kansas Register*, October 5, 1989.)

(Published in the *Kansas Register*, October 5, 1989.)

NOTICE OF BOND REDEMPTION
City of Parsons, Kansas

To: First National Bank and Trust Company, Parsons, Kansas, trustee for Series O, 1976 Industrial Revenue Bonds of the city of Parsons, A. H. Speer Co., and J. O. Davidson & Associates, original underwriters of the bonds, all bond holders and any other interested party.

Take notice that on December 1, 1989, the city of Parsons shall upon request of the tenant redeem bond numbers 112 through 138, inclusive, at par value thereof, plus accrued interest to date of redemption, together with a premium equal to 4 percent of the par value of the principal amount of said bonds so called for redemption and payment, provided funds are available to pay the same.

City of Parsons, Kansas
By: Mary Kay Ramsey
Mayor
Attest: Mary E. Reed
City Clerk

Doc. No. 008363

NOTICE OF REDEMPTION
City of Ellis, Ellis County, Kansas
Electric and Waterworks System Revenue Bonds
Series 1981

Notice is hereby given that \$50,000 principal amount of city of Ellis, Kansas, Electric and Waterworks System Revenue Bonds, Series 1981, as listed below, maturing in 1990-1992, inclusive, are called for redemption on March 1, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon at the redemption date, plus a premium of 2 percent of the principal amount of bonds to be redeemed:

Bonds numbered 11 to 20, inclusive, in the aggregate amount of \$50,000.

On March 1, 1990, all bonds designated for redemption will become due and payable upon presentation thereof at the addresses given below.

On or after March 1, 1990, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following address: Kansas State Treasurer, Landon State Office Building, 900 S.W. Jackson, Topeka, KS 66612.

The City of Ellis, Kansas
Mary Jo Carpenter
City Clerk

Doc. No. 008370

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 1989 Index Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-1	Revoked	V. 8, p. 1207
1-5-9	Amended	V. 8, p. 1207
1-5-10	Amended	V. 8, p. 1207
1-5-11	Amended	V. 8, p. 130
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-5-19b	Amended	V. 8, p. 1208
1-5-19c	Amended	V. 8, p. 1208
1-5-24	Amended	V. 8, p. 1209
1-5-29	New	V. 8, p. 1210
1-6-24	Amended	V. 8, p. 131
1-6-31	New	V. 8, p. 131
1-7-10	Amended	V. 8, p. 1210
1-62-1	New	V. 8, p. 1004

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-1-17	Amended	V. 8, p. 1004
4-1-17	Amended	V. 8, p. 1070
4-2-17	Revoked	V. 8, p. 1004

4-2-17	Revoked	V. 8, p. 1087
4-2-17a	New	V. 8, p. 1087
4-2-17a	New	V. 8, p. 1395
4-4-2	Amended	V. 8, p. 1005
4-4-2	Amended	V. 8, p. 1070
4-33-1	New	V. 8, p. 132

AGENCY 5: BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-23-3	Amended	V. 8, p. 1088
5-23-4	Amended	V. 8, p. 1089
5-23-9	Revoked	V. 8, p. 1089

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-34-1	New	V. 8, p. 1139
7-34-1	New	V. 8, p. 1183

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-18-1	New	V. 8, p. 1138
9-18-1	New	V. 8, p. 1183

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

Reg. No.	Action	Register
14-17-6	New	V. 8, p. 750

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-7-1	through	
16-7-9	New	V. 8, p. 1326, 1327
16-7-1	through	
16-7-9	New	V. 8, p. 1447, 1448

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-1	Amended	V. 8, p. 1090
22-1-2	Amended	V. 8, p. 1090
22-3-1	Amended	V. 8, p. 1090
22-3-2	New	V. 8, p. 1090
22-5-6	New	V. 8, p. 1090
22-6-17	New	V. 8, p. 1090
22-8-1	Amended	V. 8, p. 1091
22-10-3	Amended	V. 8, p. 1091
22-10-12	Amended	V. 8, p. 1092
22-10-17	New	V. 8, p. 1092
22-13-35	Amended	V. 8, p. 1092

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	Vol. 8, p. 1290

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-8-4	Revoked	V. 8, p. 1356
23-11-1	Revoked	V. 8, p. 1356
23-14-1	Revoked	V. 8, p. 1356
23-17-1	Revoked	V. 8, p. 1356
23-17-2	Revoked	V. 8, p. 1356
23-17-3	Revoked	V. 8, p. 1356

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-16-110	through	
28-16-138	New	V. 8, p. 517-520
28-19-7	Amended	V. 8, p. 1291
28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	Amended	V. 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296

28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298
28-19-56	Amended	V. 8, p. 1298
28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, p. 200
28-39-87	Amended	V. 8, p. 871
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

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1180
30-4-64	New	V. 8, p. 1180
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 8, p. 1181
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 8, p. 1181
30-4-90	Amended	V. 8, p. 1182
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 8, p. 715
30-4-102	Amended	V. 8, p. 715
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1182
30-4-112	Amended	V. 8, p. 1182
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-130	Amended	V. 8, p. 1182
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 8, p. 715
30-5-59	Amended	V. 8, p. 1182
30-5-60	Amended	V. 8, p. 717
30-5-70	Amended	V. 8, p. 717
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 8, p. 718
30-5-81	Amended	V. 8, p. 1205
30-5-81a	Amended	V. 8, p. 718
30-5-81b	Amended	V. 8, p. 718
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 8, p. 719
30-5-84	Amended	V. 8, p. 719
30-5-88	Amended	V. 8, p. 719
30-5-88	Amended	V. 8, p. 1206
30-5-89	Amended	V. 8, p. 719
30-5-94	Amended	V. 8, p. 719
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 8, p. 1182
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 8, p. 719
30-5-115	New	V. 8, p. 719
30-5-115a	New	V. 8, p. 719
30-5-116	New	V. 8, p. 719
30-5-116a	New	V. 8, p. 720
30-5-169	Amended	V. 8, p. 720
30-6-35	Amended	V. 8, p. 720
30-6-53	Amended	V. 8, p. 720
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1182
30-6-74	Amended	V. 8, p. 721
30-6-77	Amended	V. 8, p. 721
30-6-86	Amended	V. 8, p. 721

30-6-103	Amended	V. 8, p. 1183
30-6-106	Amended	V. 8, p. 1183
30-6-109	Amended	V. 8, p. 721
30-6-110		
through		
30-6-113	Amended	V. 8, p. 1183
30-7-26		
through		
30-7-63	Revoked	V. 8, p. 721
30-7-64		
through		
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1183

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-16-1	Amended	V. 8, p. 1162

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	New	V. 8, p. 454
40-4-38	New	V. 8, p. 455
40-5-108	Amended	V. 8, p. 800
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

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-11-113	Amended	V. 8, p. 451
44-11-121	Amended	V. 8, p. 451
44-11-123	Amended	V. 8, p. 451

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
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
82-3-114	Amended	V. 8, p. 427
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
82-3-139	Amended	V. 8, p. 430
82-3-140	Amended	V. 8, p. 430
82-3-142	New	V. 8, p. 430
82-3-143	New	V. 8, p. 430
82-3-203	Amended	V. 8, p. 431
82-3-205	Amended	V. 8, p. 431
82-3-305	Amended	V. 8, p. 431
82-3-311	Amended	V. 8, p. 431
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
82-11-1		
through		
82-11-7	Revoked	V. 8, p. 517
82-11-1		
through		
82-11-9	New	V. 8, p. 377-383

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
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
91-1-58	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
91-1-107a	Amended	V. 8, p. 96
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
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
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
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-3	Amended	V. 8, p. 1361
91-31-4a	New	V. 8, p. 1362
91-31-7	Amended	V. 8, p. 103
91-31-11	Revoked	V. 8, p. 1362
91-31-12a	Amended	V. 8, p. 104
91-31-12h	Amended	V. 8, p. 1362
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	Amended	V. 8, p. 105
91-33-3	Amended	V. 8, p. 1363
91-33-5	Amended	V. 8, p. 106
91-33-8	Amended	V. 8, p. 1364
91-33-9	Revoked	V. 8, p. 1364
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107
91-34-6	Revoked	V. 8, p. 1364
91-34-7	Amended	V. 8, p. 1364
91-34-13	Amended	V. 8, p. 1365

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-56-1		
through		
92-56-5	New	V. 8, p. 1324, 1325

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-6-1		
through		
98-6-4	New	V. 8, p. 1121, 1122

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

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-49-4	Amended	V. 8, p. 654
100-49-4	Amended	V. 8, p. 1069

(continued)

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Table with columns: Reg. No., Action, Register. Rows include 102-1-7, 102-1-15, 102-2-1a, 102-4-1, 102-4-1 through 102-4-11, 102-4-3 through 102-4-11.

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Table with columns: Reg. No., Action, Register. Rows include 105-3-2, 105-5-6, 105-5-7, 105-5-8, 105-7-5, 105-8-4, 105-10-1, 105-10-1.

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Table with columns: Reg. No., Action, Register. Rows include 109-1-1, 109-2-1, 109-2-2, 109-2-4, 109-2-5 through 109-2-9, 109-2-10, 109-2-11, 109-2-12, 109-3-1, 109-4-1, 109-4-2, 109-4-3, 109-5-1, 109-5-2, 109-5-3, 109-8-1, 109-9-1, 109-9-2, 109-9-4, 109-10-1, 109-11-1 through 109-11-8, 109-12-1, 109-12-2.

AGENCY 110: DEPARTMENT OF COMMERCE

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

AGENCY 111: THE KANSAS LOTTERY

Table with columns: Reg. No., Action, Register. Rows include 111-1-2, 111-1-5, 111-2-1, 111-2-5, 111-2-6, 111-2-7, 111-2-8, 111-2-9, 111-2-10, 111-2-11, 111-2-12, 111-3-1, 111-3-3, 111-3-4, 111-3-7, 111-3-9, 111-3-10 through 111-3-31, 111-3-10.

Table with columns: Action, Register. Rows include 111-3-11, 111-3-12, 111-3-13, 111-3-14, 111-3-14a, 111-3-16, 111-3-17, 111-3-19 through 111-3-22, 111-3-20, 111-3-21, 111-3-22, 111-3-22a, 111-3-25, 111-3-27, 111-3-30, 111-3-31, 111-3-32, 111-3-33, 111-4-1, 111-4-2, 111-4-4, 111-4-6, 111-4-7, 111-4-8, 111-4-12, 111-4-16, 111-4-19, 111-4-22 through 111-4-40, 111-4-41, 111-4-42, 111-4-43, 111-4-44, 111-4-46 through 111-4-64, 111-4-66 through 111-4-77, 111-4-66, 111-4-67, 111-4-68, 111-4-69, 111-4-70, 111-4-71, 111-4-71a, 111-4-71b, 111-4-72, 111-4-73, 111-4-73a, 111-4-74, 111-4-75, 111-4-77a, 111-4-77b, 111-4-78 through 111-4-82, 111-4-82a, 111-4-83 through 111-4-87, 111-4-88 through 111-4-91, 111-4-92 through 111-4-95, 111-4-96 through 111-4-114, 111-4-99a, 111-4-99b, 111-4-100, 111-4-101, 111-4-102, 111-4-104, 111-4-105, 111-4-107, 111-4-115 through 111-4-118, 111-4-118a.

Table with columns: Action, Register. Rows include 111-4-119 through 111-4-125, 111-4-126 through 111-4-129, 111-4-130 through 111-4-137, 111-4-137, 111-4-138 through 111-4-152, 111-4-153 through 111-4-160, 111-4-160, 111-4-161 through 111-4-176, 111-4-177 through 111-4-180, 111-4-181 through 111-4-184, 111-5-1 through 111-5-23, 111-5-9 through 111-5-15, 111-5-17, 111-5-19, 111-5-20, 111-5-21, 111-6-1 through 111-6-15, 111-6-1, 111-6-12, 111-6-13, 111-6-16, 111-6-17, 111-7-1 through 111-7-10, 111-7-1, 111-7-4, 111-7-5, 111-7-11, 111-7-12, 111-7-32 through 111-7-32b, 111-7-32b, 111-7-33 through 111-7-43, 111-7-33, 111-7-33a, 111-7-34a, 111-7-37a, 111-7-43, 111-8-1, 111-8-2, 111-8-3, 111-8-4, 111-8-4a, 111-8-5 through 111-8-13, 111-9-1 through 111-9-12, 111-9-13 through 111-9-18, 111-10-1 through 111-10-9, 111-10-7.

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1 through 112-4-14	New	V. 8, p. 255-257
112-4-1	Amended	V. 8, p. 1244
112-4-1	Amended	V. 8, p. 1288
112-4-3	Amended	V. 8, p. 1245
112-4-3	Amended	V. 8, p. 1288
112-4-4	Amended	V. 8, p. 1245
112-4-4	Amended	V. 8, p. 1288
112-4-5	Amended	V. 8, p. 1246
112-4-5	Amended	V. 8, p. 1288
112-4-8	Amended	V. 8, p. 1246
112-4-8	Amended	V. 8, p. 1288
112-4-10	Amended	V. 8, p. 1246
112-4-10	Amended	V. 8, p. 1288
112-4-11	Amended	V. 8, p. 1246
112-4-11	Amended	V. 8, p. 1289
112-4-14a	New	V. 8, p. 1214
112-4-14a	New	V. 8, p. 1289
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	Amended	V. 8, p. 1214
112-4-19	Amended	V. 8, p. 1289
112-4-20	Amended	V. 8, p. 1246
112-4-20	Amended	V. 8, p. 1289
112-4-22	Amended	V. 8, p. 1246
112-4-22	Amended	V. 8, p. 1289
112-5-1 through 112-5-9	New	V. 8, p. 258-260
112-6-1 through 112-6-8	New	V. 8, p. 261-263
112-7-2 through 112-7-22	New	V. 8, p. 593, 594
112-7-2 through 112-7-22	New	V. 8, p. 641-648

112-8-2 through 112-8-12	New	V. 8, p. 263-267
112-8-3	New	V. 8, p. 596
112-8-3	New	V. 8, p. 725
112-8-9	New	V. 8, p. 596
112-8-9	New	V. 8, p. 725
112-9-2 through 112-9-38	New	V. 8, p. 726-737
112-9-39 through 112-9-41	New	V. 8, p. 1214-1216
112-9-39 through 112-9-41	New	V. 8, p. 1289
112-10-1 through 112-10-12	New	V. 8, p. 598
112-10-2 through 112-10-12	New	V. 8, p. 737-740
112-10-37 through 112-10-32	New	V. 8, p. 1246-1248
112-10-37 through 112-10-37	Amended	V. 8, p. 1289
112-11-1 through 112-11-19	New	V. 8, p. 594, 595
112-11-1 through 112-11-20	New	V. 8, p. 648-653
112-11-20	New	V. 8, p. 904
112-11-21	New	V. 8, p. 595
112-11-21	New	V. 8, p. 653
112-12-2 through 112-12-13	New	V. 8, p. 1007
112-12-2 through 112-12-13	New	V. 8, p. 1123-1126

112-13-2	New	V. 8, p. 596
112-13-2	New	V. 8, p. 267
112-13-3	New	V. 8, p. 598
112-13-3	New	V. 8, p. 740
112-14-2 through 112-14-10	New	V. 8, p. 1162-1164
112-14-2 through 112-14-10	New	V. 8, p. 1184, 1185

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-3-1	New	V. 8, p. 1160
115-3-1	New	V. 8, p. 1185
115-3-2	New	V. 8, p. 1160
115-3-2	New	V. 8, p. 1185
115-4-8	New	V. 8, p. 1356
115-4-10	New	V. 8, p. 1357
115-8-3	New	V. 8, p. 1161
115-9-6	New	V. 8, p. 1161
115-9-6	New	V. 8, p. 1185
115-15-1	New	V. 8, p. 1357
115-15-2	New	V. 8, p. 1357
115-15-3	New	V. 8, p. 1358
115-18-1 through 115-18-5	New	V. 8, p. 1359, 1360
115-18-7	New	V. 8, p. 1361
115-30-1	New	V. 8, p. 1361

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-1-1	New	V. 8, p. 1191
116-1-1	New	V. 8, p. 1326
116-1-2	New	V. 8, p. 1191
116-1-2	New	V. 8, p. 1326
116-2-1	New	V. 8, p. 1191
116-2-1	New	V. 8, p. 1326

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