

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

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State of Kansas

Attorney General

Opinion No. 90-15

Counties and County Officers—Hospitals and Related Facilities—No-Fund Warrants; Payment. William I. Heydman, Edwards County Attorney, Kinsley, February 15, 1990.

The authority to issue no-fund warrants extends to situations wherein a county hospital is operated by another entity pursuant to a lease and contract for management. Any hospital money available for the operation of the hospital which is over and above the amount established by the hospital board's budget as needed for operation and maintenance must be used to pay the warrants. Cited herein: K.S.A. 19-4601; 19-4605; 19-4607; 19-4611; 19-4612; 19-4624; 19-4626. MWS

Opinion No. 90-16

Insurance—General Provisions Relating to Life Insurance Companies—Standard Nonforfeiture Law; Waiver of Statutory Rights. Ginger Barr, State Representative, 51st District, Auburn, February 15, 1990.

Absent further legislative direction, the rights granted by the standard nonforfeiture statute in the Kansas insurance code may not be waived. Cited herein: K.S.A. 40-420; 40-428. MWS

Opinion No. 90-17

Taxation—Kansas Retailers' Sales Tax—Exempt Sales. Representative Ben Foster, 85th District, Wichita, February 16, 1990.

The Kansas Arts Commission, in selling items at retail as part of a fund-raising program, would be a retailer for purposes of the Kansas retailers' sales tax act, and thus would be responsible for collecting and remitting sales tax on such sales. The amount of the tax imposed is based on the total "selling price" or total consideration given in the transaction. Cited herein: K.S.A. 1989 Supp. 12-189; 12-191; K.S.A. 75-2249; 79-3602; 79-3603; 79-3604; 79-3604a; 79-3607; 79-3608; 79-3609; K.A.R. 92-19-16; 92-19-34; 92-19-46; 92-19-47. JLM

Opinion No. 90-18

Public Health—Emergency Medical Service—Emergency Medical Services Board Established; Members, Appointment; Terms; Meetings; Compensation and Expenses; Approval of Vouchers; Temporary Chairperson.

State Departments; Public Officers and Employees—Public Officers and Employees—Compensation and Allowances—Compensation, Subsistence Allowance, Mileage and Expenses of Members of Board; Board Defined. Robert Orth, Chairman, Kansas Board of Medical Services, Sublette.

An appointed member of the Emergency Medical Services Board may refuse his statutorily authorized per diem compensation by submitting a signed statement to the chairman of the board and thereby releasing the state from liability. Cited herein: K.S.A. 1989 Supp. 65-6102; K.S.A. 75-3223. GE

Robert T. Stephan
Attorney General

Doc. No. 008888

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State of Kansas
Department of Administration
Division of Architectural Services

**Notice of Commencement
of Negotiations
for Engineering Services**

Notice is hereby given of the commencement of negotiations for "on-call" engineering services for Kansas State University and the University of Kansas Medical Center. Interested firms should be capable of assisting university personnel on miscellaneous small engineering projects for two to three years.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before March 16.

Edward A. Martin, AIA
 Director, Division of
 Architectural Services

Doc. No. 008869

State of Kansas
Animal Health Department

**Notice of Hearing
on Proposed
Administrative Regulations**

A public hearing will be conducted at 1:30 p.m. Friday, April 6, in Suite 4B of the Anchor Savings Building, 712 Kansas Ave., Topeka, to consider the adoption by reference of the Federal Animal Welfare Act (7 USC 2131-2157) as in effect January 1, 1990, as K.A.R. 9-13-4.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments concerning the adoption by reference.

This regulation is being adopted to help standardize conditions under the Animal Dealer's Act and is not mandated by federal law.

The department believes the proposed regulation will have little bearing on costs of industry members operating in a conscientious manner. All Kansas dealers licensed by USDA are regulated by this act, and it is being adopted as minimum standards for all other animal dealers. This regulation will have no economic effect on the operation of the department.

The regulation is proposed on a permanent basis. Copies of the proposed regulation and its economic impact statement can be obtained by writing to the Kansas Animal Health Department, Anchor Savings Building, 712 Kansas Ave., Suite 4B, Topeka 66603, (913) 296-2326.

A. T. Kimmell, D.V.M.
 Kansas Livestock Commissioner

Doc. No. 008868

State of Kansas
University of Kansas

Notice to Bidders

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

Monday, March 12, 1990

RFQ #90 0910

Autocut rotary microtome with magnifier

Gene Puckett, L.C.P.M.
 Director of Purchasing

Doc. No. 008880

State of Kansas
Department of Administration
Division of Architectural Services

**Notice to Consulting Architects, Engineers,
Surveyors and Testing Firms**

The Kansas Department of Administration is inviting all consulting firms who are interested in providing architectural, engineering, surveying and testing services for capital improvement projects to prequalify themselves with the Division of Architectural Services, a division of the Department of Administration. Architectural work shall include landscape architecture, engineering services shall include asbestos engineering, and testing services shall include soils and concrete testing. An SF 254 form shall be submitted in order to prequalify.

In order to prequalify, the firm must have an architect, engineer or surveyor registered with the State Board of Technical Professions in any discipline to which the firm is seeking work; i.e., a structural engineer must seal the structural drawings with his Kansas engineering seal. Testing firms must identify their credentials if not required to be licensed by the Board of Technical Professions.

In addition to the above, statutes require that firms annually submit a "Statement of Qualifications." This Federal SF 254 form and its companion form SF 255 may be obtained at the Government Book Store, Bannister Mall, 5600 E. Bannister Road, Kansas City, MO 64133, (816) 765-2256.

Additional information can be obtained by contacting Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to March 16.

Edward A. Martin, AIA
 Director, Division of
 Architectural Services

Doc. No. 008877

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

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

Name and Address of Applicant	Waterway	Type of Discharge
Midwest Machine Works P.O. Box 8250 Topeka, KS 66608 Shawnee County, Kansas	Kansas River via Soldier Creek	Groundwater Cleanup
Kansas Permit No. I-KS72-P014		Fed. Permit No. KS-0086479

Description of Facility: This facility is engaged in a remedial groundwater cleanup project. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council % City Clerk City Hall, 430 Penn Holton, KS 66436 Jackson County, Kansas	Elk Creek	Secondary Wastewater Treatment Facility
Kansas Permit No. M-KS23-0001		Fed. Permit No. KS-0025542

Description of Facility: This facility is designed for the treatment of domestic sewage. This is a new 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 March 30 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-15/16) 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. 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. 008884

State of Kansas

Department of Corrections

Notice of Hearing
on Proposed
Administrative Regulations

A public hearing will be conducted from 10 to 10:30 a.m. Friday, April 6, in the Department of Corrections' conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations 44-8-115, 44-8-116 and 44-7-114 of the Kansas Department of Corrections. These regulations will become effective 45 days after publication in the *Kansas Register* unless a specific date is contained in the regulation. In addition, certain regulations may be revoked.

All interested parties may submit written comments prior to the hearing to Charles E. Simmons, Chief Legal Counsel, Kansas Department of Corrections, 900 S.W. Jackson, 4th Floor, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed regulations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

A summary of the regulations is as follows:

44-8-115. This regulation provides that the private non-prison based employment program is part of the department's work release program. Criteria for placement in a work release program apply except that regarding parole eligibility.

44-8-116. This regulation provides that the private enterprises operating on institution grounds and employing inmates are work release programs. Criteria for placement in a work release program apply except for parole eligibility and custody classification.

44-7-114. This regulation establishes a standard of health care inmates shall receive while incarcerated. It also provides that staff shall not be indifferent to the medical needs of inmates.

The regulations are procedural in nature. The regulations are not estimated to have any economic impact on governmental units, persons subject to proposed rules and regulations, or the general public.

Copies of the proposed regulations and economic impact statement may be obtained by contacting Charles E. Simmons at the address above.

Steven J. Davies
Secretary of Corrections

Doc. No. 008875

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permit

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for the water pollution abatement facilities for the feedlot 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
Lakin Feed Yard Box 1026 Lakin, KS 67860	S 1/2 Section 29, Township 25S, Range 36W, Kearny County, Kansas	Upper Arkansas River Basin

Federal Permit No. KS-0039365 Kansas Permit No: A-UAKE-C003

The feedlot has capacity for approximately 10,000 cattle and a contributing drainage area of approximately 90 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 20 acre-feet.

Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permit may be submitted to Angela Buie, Kansas Department of Health and Environment, Bureau of Environmental Quality, Forbes Field, Building 740, Topeka 66620. All comments received prior to March 30 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-17) 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. 008885

State of Kansas

Kansas Sentencing Commission

Notice of Meetings

The Kansas Sentencing Commission will meet Friday, March 9, and Friday, March 23, in the Senate Room of the Jayhawk Tower, 700 Jackson, Topeka. Both meetings will begin at 9 a.m.

Ben Coates
Executive Director

Doc. No. 008889

State of Kansas

Kansas Insurance Department

Notice of Hearing
on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, April 3, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed regulation of the Kansas Insurance Department.

Copies of the full text of the regulation and the economic impact statement may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th, Topeka 66612. The following is a summary of the economic impact statement and the regulation.

The regulation, K.A.R. 40-10-2, is being amended to identify the tangible assessed valuation figures to be used in calculating the amount of 1989 firefighters relief taxes new firefighters relief associations will receive in 1990.

This amendment will have no fiscal impact on the department, the general public or the taxes paid by insurance companies. It will have a fiscal impact on the amount of firefighters relief taxes received by individual firefighters relief associations, but such impact will be as a result of the stability provided by the amendment to this regulation.

All interested parties may submit written comments prior to the hearing to the Commissioner of Insurance. The period of time between the date of publication of this notice and the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Fletcher Bell
Commissioner of Insurance

Doc. No. 008871

State of Kansas
State Corporation Commission

Notice of Hearing

The State Corporation Commission has directed that an investigation be held and a hearing conducted (pursuant to K.S.A. 55-162 and 55-164) concerning the violation of general rules and regulations governing oil and gas activities in Kansas by Doug Holtz, Russell Kilgariff, and Dennis Terwey, as officers in Live Properties, Inc. and Hutch Well Lease Service, Inc.; Russell Kilgariff and Dennis Terwey, dba R & D Oil & Gas Company; and Ron Brooks as an officer in O.C.S., Inc.

The hearing will be conducted at 10 a.m. Thursday, April 5, in the Conservation Division hearing room, 300 Colorado Derby Building, 202 W. 1st, Wichita.

For further information, contact James E. Browne, Assistant General Counsel, State Corporation Commission, 202 W. 1st, Wichita 67202, (316) 263-3238.

Judith McConnell
Executive Director

Doc. No. 008874

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."

Application set for March 13, 1990

Application for Certificate of Convenience and Necessity:

Stephen E. Cravens, dba) Docket No. 169,674 M
Cravens Recovery & Towing)
Route 1, Box 197)
Delia, KS 66418) MC ID No. 136353

Applicant's Attorney: None

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

Between points and places in Marshall, Nemaha, Brown, Doniphan, Atchison, Riley, Pottawatomie, Jackson, Jefferson, Leavenworth, Wyandotte, Geary, Wabaunsee, Shawnee, Douglas, Johnson, Morris, Lyon, Osage, Franklin and Miami counties.

Also,

Between the above-described territory, on the one

hand, and points and places in the state of Kansas, on the other hand.

Applications set for March 20, 1990

Application for Transfer of Certificate of Convenience and Necessity:

Robert W. Brock, dba) Docket No. 37,344 M
Manhattan Wrecker Service)
115 Colorado)
Manhattan, KS 66502) MC ID No. 100391

TO:
Todd W. Gillmore, dba
Manhattan Wrecker Service
115 Colorado
Manhattan, KS 66502

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

Wrecked, disabled, repossessed and replacement vehicles,

Between points in Clay, Riley, Pottawatomie, Dickinson, Geary, Wabaunsee and Morris counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Dale's Downtown Automotive) Docket No. 169,673 M
Center, Inc.)
29 W. Sherman)
Hutchinson, KS 67501) MC ID No. 130685

Applicant's Attorney: William Mitchell, 119 W. Sherman,
P.O. Box 604, Hutchinson, KS 67504-0604

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, farm and industrial equipment and automotive parts associated therewith,

Between all points and places in Reno, Pratt, Kingman, Sedgwick, Harvey, McPherson, Rice and Stafford counties.

Also,

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

Application for Contract Carrier Permit:

Phillip D. Higgins, dba) Docket No. 169,667 M
Phill Higgins)
5813 W. 8th)
Wichita, KS 67212) MC ID No. 136349

Applicant's Attorney: None

Paper and paper products, wood and wood products, and materials and supplies used in the manufacture and distribution of paper and wood items,

Between all points and places in the state of Kansas. Under contract with Love Box Co., Inc., of Wichita, Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Virgil Adams, dba) Docket No. 147,583 M
 Enterprise Auto Institute)
 900 S. Bluff)
 Enterprise, KS 67441) MC ID No. 123171

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

American Transport, Inc.) Docket No. 169,672 M
 P.O. Box 3100)
 Weirton, WV 26062) MC ID No. 126135

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

General commodities (except classes A and B explosives, household goods and commodities in bulk),
 Between points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Helen Keller) Docket No. 57,682 M
 Route 1, Box 57)
 Zurich, KS 67676) MC ID No. 100545

TO:
 Darrell E. Keller, dba
 Keller Tank Service
 Route 1, Box 56
 Zurich, KS 67676

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

Crude oil used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh water and salt water,

Between points and places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Trego, Ellis, Russell, Dickinson, Scott, Lane, Ness, Rush, Barton, Marion, Lyon, Kiowa, Kingman, Sumner and Cowley counties, Kansas.

Application for Certificate of Convenience and Necessity:

William Kline, dba) Docket No. 169,668 M
 Buckner Valley Express)
 212 E. Washington)
 Jetmore, KS 67854) MC ID No. 136350

Applicant's Attorney: Tom Rost, 827 Topeka Blvd., Topeka, KS 66612

Livestock, grain, dry feed, dry fertilizer, dry feed ingredients, dry fertilizer ingredients, hay, seeds, salt,

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Steven L. Mayers, dba) Docket No. 169,670 M
 Steve's Tank Service)
 401 3rd St.)
 Great Bend, KS 67530) MC ID No. 136352

Applicant's Attorney: Dale Pike, 2109 12th St., P.O. Drawer 1429, Great Bend, KS 67530

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, fresh water for drilling, well completion, fracturing and acidizing purposes, salt water for disposal purposes,

Between all points and places in Barton, Stafford, Pawnee, Edwards, Comanche, Pratt, Kiowa, Clark, Ford, Hodgeman, Barber, Russell, Rush and Ness counties, Kansas.

Application for Certificate of Convenience and Necessity:

Wark Enterprises, Inc.) Docket No. 169,666 M
 Rural Route, Box 92)
 Rexford, KS 67753) MC ID No. 136348

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

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

Between points and places in the state of Kansas.

Construction and building materials, fencing materials and machinery,

Between points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Scott, Kearny, Grant, Haskell, Stevens, Seward, Decatur, Sheridan, Gove, Lane, Finney, Gray, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clarke, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick and Sumner counties.

Also,

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

Alfonzo A. Maxwell
 Administrator
 Transportation Division

Doc. No. 008879

State of Kansas

Kansas Judicial Council

Notice of Meetings

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

Date	Committee	Time	Location
March 2	Probate Law	9:30 a.m.	Room 259
March 8	Care & Treatment	9:30 a.m.	Room 259
March 9	Judicial Council	9:00 a.m.	Room 259
March 16	Criminal Law	9:30 a.m.	Room 259
April 6	Family Law	9:30 a.m.	Room 259
April 20	Criminal Law	9:30 a.m.	Room 259
April 20	Probate Law	9:30 a.m.	Room 275
April 27	PIK	9:30 a.m.	Room 259

Justice Richard W. Holmes
Chairman

Doc. No. 008878

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, March 12, 1990

82924

University of Kansas—Audio and video equipment

82931

University of Kansas Medical Center—Dynamic signal analyzer

82933

Kansas State Industrial Reformatory—Ophthalmic exam equipment

82934

Department of Transportation—Hex foam cartridge, Olathe

82935

Kansas State University—Rental of steam plants

82993

University of Kansas—Reroof Oliver Hall

Tuesday, March 13, 1990

82959

Department of Transportation—Herbicides and weed killers, Salina and Hutchinson

Wednesday, March 14, 1990

27527

Statewide—Large, photo and stage studio lamps

27612

Kansas Correctional Industries—Seasonings, meat processing

82954

University of Kansas Medical Center—Image analysis equipment

82958

University of Kansas—A/A Equipment upgrade

Thursday, March 15, 1990

A-6191

Rainbow Mental Health Facility—Console renovation

27542

Statewide—Room air conditioners

28206

Statewide—Twinaxial cable, connectors, adapters

82975

Department of Transportation—Welders, various locations

Friday, March 16, 1990

82982

Department of Transportation—Trucks

82984

Department of Transportation—Vehicular volume recorders

82998

Kansas State School for the Visually Handicapped—Asbestos Removal

Tuesday, March 20, 1990

A-5919(a)

University of Kansas—Haworth Hall remodeling, Phase II

A-6203

Larned State Hospital—Replace floor finish, Jung Building

Thursday, March 22, 1990

27558

Kansas Department of Transportation—Asphaltic materials

Friday, March 23, 1990

28209

Department of Corrections, Ellsworth Correctional Facility—Property insurance

Friday, March 30, 1990

28210

Department of Corrections—Professional liability insurance, individual physicians

Monday, April 2, 1990

25944

Kansas Turnpike Authority—Bridge insurance

28207

Kansas State Industrial Reformatory—Lease of farmland—Reno County

28208

Department of Wildlife and Parks—Lease of hay land—Melvern

Tuesday, April 3, 1990

26973

Department of Administration—Aircraft insurance

Nicholas B. Roach
Director of Purchases

Doc. No. 008882

**State of Kansas
Private Industry Council**

Public Notice

The Kansas Private Industry Council of Service Delivery Area III is submitting a two-year Job Training Plan to the Governor of Kansas through the Department of Human Resources. Funding for this plan is through Title IIA of the Job Training Partnership Act (JTPA), which is designed to provide training to disadvantaged youth and adults.

The respective program years are July 1, 1990, to June 30, 1991, and July 1, 1991, to June 30, 1992. The funding level for program year 1990 is \$1,736,085. Due to expected passage of JTPA amendments, budgets and planning summaries for program year 1991 are not included at this time.

The SDA plans to serve over 800 eligible youth and adults during program year 1990. The purpose of the proposed program is to prepare youth and unskilled adults for entry into the labor force and to afford job training to economically disadvantaged individuals and other individuals having serious barriers to employment.

The Kansas Private Industry Council of Service Delivery Area III is also submitting to the Governor through the Department of Human Resources a Summer Youth Employment and Training Plan, as a sub-part of the Title IIA two-year plan, for program years 1990 and 1991.

The 1990 Summer Youth Employment and Training Program is October 1, 1989, to September 30, 1990, and the 1991 program year is October 1, 1990, to September 30, 1991. Funding for this plan is through Title IIB of the Job Training Partnership Act, which is designed to provide training for disadvantaged youth.

The SDA plans to serve over 600 youth each program year. The estimated amount to be received for the Summer Youth Program is \$884,334 for each program year or a total of \$1,768,668 for the two-year period. The purpose of the proposed programs and activities is to afford job training to economically disadvantaged youth, ages 14-21, facing serious barriers to employment.

The Kansas Private Industry Council of Service Delivery Area III will also submit to the Governor through the Department of Human Resources a Title III Economic Dislocation and Worker Adjustment Act Plan, as a sub-part of the Title IIA two-year plan. The respective program years will be July 1, 1990, to June 30, 1991, and July 1, 1991, to June 30, 1992. The funding level for program year 1990 is expected to be \$198,106.

The SDA plans to serve approximately 60 eligible participants during program year 1990. The purpose of the program is to reassess and reconfigure service to meet the needs of workers who have been terminated, laid off or have received a notice of termination or layoff due to a permanent closure or substantial layoff at a plant or facility.

There is a 30-day review and comment period for the proposed plan.

The full plan and its Title IIB and Title III sub-parts are available at the following location and may be reviewed upon request. Questions and comments may be directed to the Kansas Private Industry Council, SDA III,

717 Gateway Centre Tower II, 4th and State Ave., Kansas City, KS 66101, (913) 371-1607.

Kansas Private Industry Council

Doc. No. 008886

**State of Kansas
Department of Transportation**

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. April 5, 1990, and then publicly opened:

District Four—Southeast

Greenwood—99-37 K-3136-01—K-99, Honey Creek bridge 31, 5.5 miles south of the west junction of U.S. 54, bridge replacement. (Federal Funds)

District Five—Southcentral

Sedgwick—135-87 K-2617-01—I-135, from the junction of I-235 north to Pawnee Street in Wichita, 3.1 miles, pavement reconstruction. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

Horace B. Edwards
Secretary of Transportation

Doc. No. 008876

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. March 22, 1990, and then publicly opened:

District One—Northeast

Coffey/Osage—35-106 K-3595-02—I-35, 0.3 mile west of U.S. 75 northeast to 0.4 mile east of the west junction of K-31, 5.9 miles, overlay shoulder. (State Funds)

Jackson—75-43 K-3257-01—U.S. 75, from the north city limits of Holton, north to the junction of K-9, 10.2 miles, recycling. (State Funds)

Johnson—46 U-1139-01—119th Street and I-35 interchange in Olathe, 2.0 miles, grading and surfacing. (Federal Funds)

Marshall—9-58 K-3941-01—K-9, Coon Creek bridge 21, 2.3 miles east of the Washington/Marshall county line, bridge overlay. (State Funds)

Nemaha—36-66 K-4081-01—U.S. 36, from the west city limits of Seneca east to 0.1 mile east of the junction of K-236, 7.1 miles, recycling. (State Funds)

Osage—170-70 K-3982-01—I-70, Marais Des Cygnes River bridge 58, 1.5 miles east of the Lyon/Osage county line, bridge overlay. (State Funds)

Shawnee—24-89 K-3954-01—U.S. 24, Atchison, Topeka & Santa Fe Railway bridge 82, Soldier Creek 84 and 85 in Topeka, bridge overlay. (State Funds)

Shawnee—75A-89 K-3621-01—U.S. 75 Alternate (Topeka Boulevard), 7th Street south to 9th Street in Topeka, 0.2 mile, grading and surfacing. (State Funds)

Shawnee—75A-89 K-3969-01—U.S. 75 Alternate, Kansas River bridge 116, 0.6 mile north of 4th Street in Topeka, bridge painting.

Shawnee—470-89 K-2454-03—I-470, Wanamaker Road southeast to 37th Street, 4.2 miles, signing. (Federal Funds)

Shawnee—89 U-1185-01—West 21st Street, Hope to Mission in Topeka, 0.4 mile, grading and surfacing. (Federal Funds)

Shawnee—89 U-1250-01—Kansas Avenue and Soldier Creek cutoff in Topeka, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

Wyandotte—635-105 K-3986-01—I-635, bridge 45 over the Kansas River and on K-32, Union Pacific Railroad Bridge .3 mile south of I-70, bridge repair. (State Funds)

District Two—Northcentral

Clay—14 C-2517-01—County road, 3.5 miles north and 0.5 mile east of Clay Center, then east, 0.1 mile, grading and bridge. (Federal Funds)

Jewell—28-45 K-3959-01—K-28, culvert #511, 2.1 miles south of K-148, culvert. (State Funds)

Geary—31 C-2584-01—County road, 0.6 mile south and 1.2 miles east of the junction of K-57 and U.S. 77, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

Ottawa—72 C-2637-01—County road, 3.5 miles south and 0.5 mile east of Delphos, then east, 0.3 mile, grading and bridge. (Federal Funds)

District Three—Northwest

Decatur—383-20 K-3985-01—K-383, Turtle Creek bridge 15, 5.7 miles northeast of K-123, bridge overlay. (State Funds)

Gove—23-32 K-3950-01—K-23, Plum Creek bridge 22, 4.6 miles north of the Lane/Gove county line, bridge deck. (State Funds)

Gove—23-32 K-3951-01—K-23, Big Creek bridge 28, 6.6 miles north of 4th Street in Gove, bridge overlay. (State Funds)

Logan—55 C-2579-01—County road, 4.0 miles west and 14.0 miles south of Russell Springs, then south, 0.3 mile, grading and bridge. (Federal Funds)

Phillips—36-74 K-3853-01—U.S. 36, from the Norton/Phillips county line southeast to the west city limits of Phillipsburg, 17.1 miles, recycling. (State Funds)

Rawlins—25-77 K-3956-01—K-25, South Fork Driftwood Creek bridge 18, 7.8 miles north of U.S. 36, bridge overlay. (State Funds)

Rawlins—117-77 K-3975-01—K-117, Beaver Creek bridge 17, 5.0 miles north of U.S. 36, bridge overlay. (State Funds)

Rawlins—36-77 K-3759-01—U.S. 36, 9.9 miles east of the Cheyenne/Rawlins county line east to the junction of K-25, 10.0 miles, recycling. (State Funds)

Rooks—24-82 K-3953-01—U.S. 24, Jim Creek bridge 14, 4.5 miles east of the junction of U.S. 183, bridge overlay. (State Funds)

Sherman—27-91 K-3958-01—K-27, South Branch South Fork Beaver Creek 45, 8.7 miles north of I-70, bridge overlay. (State Funds)

Smith—281-92 K-3830-01—U.S. 281, White Rock Creek bridge 28, 4.0 miles north of the junction of K-191, bridge overlay. (State Funds)

District Four—Southeast

Bourbon—6 C-2528-01—County road, 2.2 miles north and 1.5 miles east of Bronson, then east, 0.2 mile, grading and bridge. (Federal Funds)

Crawford—19 C-2460-01—County road, 1.5 miles west of Mulberry, then west, 0.2 mile, grading and bridge. (Federal Funds)

Crawford—19 C-2696-01—County road, from Arma, east, then north and east, 4.1 miles, grading and surfacing. (Federal Funds)

Labette—59-50 K-3821-01—U.S. 59, Labette Creek bridge 14, 0.7 mile north of U.S. 160, bridge overlay. (State Funds)

Labette—59-50 K-3968-01—U.S. 59, bridge 15 over the Missouri-Kansas-Texas Railroad, 2.9 miles north of U.S. 160, bridge repair. (State Funds)

Montgomery—75-63 K-4024-01—U.S. 75, from the Oklahoma/Kansas state line to the south city limits of Caney and 13.1 miles north of the state line north on U.S. 160, 8.3 miles, shoulder. (State Funds)

Montgomery—75-63 K-4087-01—U.S. 75, from the west junction of U.S. 75 and U.S. 160 south 2.2 miles, recycling. (State Funds)

District Five—Southcentral

Butler—196-8 K-3629-01—K-196, State Street east to Jones Street in El Dorado, 0.5 mile, grading and surfacing. (State Funds)

Butler—8 C-2714-01—County road, 1.5 miles west and 6.1 miles north of Benton, then north, 0.3 mile, grading and bridge. (Federal Funds)

Reno—61-78 K-3434-01—K-61, Little Arkansas River bridge 50, 9.7 miles northeast of U.S. 50, bridge replacement. (Federal Funds)

Rice—80 C-2656-01—County road, 4.0 miles east and 4.5 miles south of Lyons, then south, 0.2 mile, grading and bridge. (Federal Funds)

Sedgwick—54-87 K-2605-01—U.S. 54, Cowskin Creek 129 and 130, 0.3 mile west of Wichita, bridge replacement. (Federal Funds)

Sedgwick—87 C-2475-01—County road, 2.0 miles south and 3.0 miles west of Derby, then west, 0.1 mile, bridge. (Federal Funds)

District Six—Southwest

Ford—50-29 K-2851-01—U.S. 50, 1 mile east of FAS 257 east to the Ford/Edwards county line, 9.4 miles, overlay and shoulder. (Federal Funds)

Haskell—83-41 K-3896-01—U.S. 83, from the junction of U.S. 160 and K-144, north to the Haskell/Finney county line, 12.0 miles, recycling. (State Funds)

Meade—54-60 K-3194-01—U.S. 54, from the four lane/two lane divided northeast to the Meade/Clark county line, 14.4 miles, overlay and shoulder. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

Horace B. Edwards
Secretary of Transportation

Doc. No. 008863

State of Kansas State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 8:30 a.m. Friday, March 12, in Conference Room 300A, 109 S.W. 9th, Topeka.

A copy of the agenda can be obtained by contacting Donna Uphaus at (913) 296-3600.

Kenneth Kern
Executive Director

Doc. No. 008970

State of Kansas Northwest Kansas Groundwater Management District No. 4

Notice of Meeting

The Northwest Kansas Groundwater Management District No. 4 will meet at 10 a.m. Tuesday, March 6, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

Wayne A. Bossert
Manager

Doc. No. 008873

State of Kansas Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced in the 1990 Kansas Legislature.

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

Bills introduced February 15-21:

House Bills

HB 3005, by Committee on Insurance: An act concerning school district authority to purchase certain insurance; amending K.S.A. 72-8404 and repealing the existing section.

HB 3006, by Committee on Insurance: An act relating to the state health care benefits program; concerning the personal obligation of participants on the state payroll; amending K.S.A. 75-6506 and repealing the existing section.

HB 3007, by Committee on Federal and State Affairs: An act concerning crimes and punishments; defining and classifying the crime of allowing a minor access to a loaded firearm.

HB 3008, by Committee on Transportation: An act concerning the Kansas elderly and handicapped coordinated public transportation assistance act; amending K.S.A. 75-5034 and repealing the existing section.

HB 3009, by Joint Committee on State Building Construction: An act concerning architectural services for state capital improvement projects; relating to convening negotiating committees; amending K.S.A. 75-1253 and repealing the existing section.

HB 3010, by Joint Committee on State Building Construction: An act concerning state buildings and facilities; relating to incorporation of facilities for child care centers in newly acquired, remodeled or constructed buildings and facilities.

HB 3011, by Joint Committee on State Building Construction: An act relating to space in state buildings and facilities used as child care centers; concerning rental and other expenses thereof.

(continued)

HB 3012, by Committee on Insurance: An act relating to insurance; concerning accident and sickness insurance and the regulation of the rates thereof by the commissioner of insurance; amending K.S.A. 1989 Supp. 40-2215 and repealing the existing section.

HB 3013, by Committee on Taxation: An act relating to taxation; concerning the financing of local governments; providing means to increase revenue producing state tax sources to local units of government to reduce reliance by such local units on revenue received from the levy of property taxes; amending K.S.A. 12-140, 12-194, 40-2801, 79-1107, 79-1108, 79-2959, 79-32,110, 79-32,119, 79-32,120, 79-3603, 79-3620, 79-3703, 79-3710 and 79-34,147 and repealing the existing sections; also repealing K.S.A. 12-188, 12-189a, 12-193, 12-196, 12-197, 12-1,102, 12-1,105, 12-1,106, 12-1,110, 79-3109b, 79-3109c and 79-3109d and K.S.A. 1989 Supp. 12-187, 12-189, 12-190, 12-191, 12-192, 12-195, 12-198, 12-1,101, 12-1,103a, 12-1,104, 12-1,107, 12-1,108 and 12-1,109.

HB 3014, by Committee on Legislative, Judicial and Congressional Apportionment: An act concerning establishment and change of election precincts and precinct boundaries; amending K.S.A. 1989 Supp. 25-26a02, 25-26a03, 25-26a04 and 25-26a05 and repealing the existing sections; also repealing K.S.A. 1989 Supp. 25-26a01.

HB 3015, by Committee on Insurance: An act relating to insurance; requiring certain benefits to be offered under certain accident and health insurance policies upon request of the policyholders; amending K.S.A. 40-2,100, 40-2,101, 40-2,102, 40-2,104 and 40-2,105 and K.S.A. 1989 Supp. 40-2,103, 40-2,114, 40-2229 and 40-2230 and repealing the existing sections.

HB 3016, by Committee on Insurance: An act relating to automobile liability insurance policies; concerning coverage for injury or death caused by uninsured and underinsured motorists; concerning subrogation of insurers providing payments under such coverage; amending K.S.A. 40-287 and K.S.A. 1989 Supp. 40-284 and repealing the existing sections.

HB 3017, by Committee on Commercial and Financial Institutions: An act relating to securities; concerning certain powers of the commissioner; amending K.S.A. 17-1266a and repealing the existing section.

HB 3018, by Committee on Commercial and Financial Institutions: An act relating to securities; concerning violations, penalties; amending K.S.A. 17-1267 and repealing the existing section.

HB 3019, by Committee on Commercial and Financial Institutions: An act relating to securities; concerning exempt securities; amending K.S.A. 17-1261 and repealing the existing section.

HB 3020, by Committee on Judiciary: An act concerning civil procedure; relating to emergency divorces; amending K.S.A. 60-1608 and repealing the existing section.

HB 3021, by Committee on Judiciary: An act concerning the service of process by certified mail; amending K.S.A. 60-203, 60-305, 60-305a, 60-307, 60-311, 60-1402, 60-2003, 61-1703, 61-1719, 61-1802, 61-1807 and 61-2304 and K.S.A. 1989 Supp. 60-245, 60-301, 60-303, 60-304, 60-308, 60-312, 61-1801, 61-1803, 61-1805 and 61-1806 and repealing the existing sections; also amending Form No. 4 in the appendix of forms following K.S.A. 60-269, Form No. 3 in the appendix of forms following K.S.A. 61-2605 and Form No. 1 in the appendix of forms following K.S.A. 1989 Supp. 61-2605 and repealing the existing forms; also repealing K.S.A. 1989 Supp. 60-314.

HB 3022, by Committee on Public Health and Welfare: An act concerning the Kansas nurse practice act; amending K.S.A. 65-1118a and K.S.A. 1989 Supp. 65-1115, 65-1116, 65-1119 and 65-1120 and repealing the existing sections.

HB 3023, by Committee on Transportation: An act designating Interstate highway 635 as the Harry Darby memorial highway.

HB 3024, by Committee on Appropriations: An act concerning financing of statewide reappraisal of real property; relating to state aid for costs incurred by counties therefor; amending K.S.A. 79-4802 and 79-4804 and repealing the existing sections.

HB 3025, by Committee on Appropriations: An act concerning fees charged by the state corporation commission; relating to inspection of natural gas pipelines and supervision of safety standards therefor; amending K.S.A. 66-1,154 and repealing the existing section.

HB 3026, by Committee on Insurance: An act amending the Kansas storage tank act; providing for the administration and disbursement of moneys from the petroleum storage tank release trust fund; amending K.S.A. 1989 Supp. 65-34,105, 65-34,114, 65-34,115, 65-34,119 and 65-34,120 and repealing the existing sections.

HB 3027, by Committee on Insurance: An act relating to insurance; providing for a plan for recording and reporting loss and expense experience by accident and sickness insurers; amending K.S.A. 1989 Supp. 40-19c09 and repealing the existing section; also repealing K.S.A. 1989 Supp. 40-19c09a.

HB 3028, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to medical, physical and vocational rehabilitation; amending K.S.A. 1989 Supp. 44-510g and repealing the existing section.

HB 3029, by Committee on Labor and Industry: An act concerning workers compensation; relating to assistant rehabilitation administrators; amending K.S.A. 1989 Supp. 44-510g and repealing the existing section.

HB 3030, by Committee on Elections: An act relating to county appraisers; providing for the election of county appraisers; amending K.S.A. 19-425, 19-426, 19-432, 19-433, 19-434, 19-435, 25-101, 25-213, 25-611, 75-5105a, 79-1412a, 79-1436, 79-1455, 79-1476 and 79-1479 and repealing the existing sections and also repealing K.S.A. 19-428 and 19-430 and K.S.A. 1989 Supp. 19-431.

HB 3031, by Committee on Insurance: An act relating to insurance; concerning jurisdiction of the commissioner of insurance with respect to voluntary employees' beneficiary associations; concerning regulation of administrators; requiring registration of agreements between administrators and insurers and payment of fees therefor; amending K.S.A. 40-2222 and 40-3802 and K.S.A. 1989 Supp. 40-3810 and repealing the existing sections.

HB 3032, by Committee on Insurance: An act relating to insurance; concerning adjustment and settlement of claims for automobile losses.

HB 3033, by Committee on Pensions, Investments and Benefits: An act repealing K.S.A. 72-1759a; concerning elimination of social security reduction for certain retirement plans in certain cities.

HB 3034, by Committee on Pensions, Investments and Benefits: An act concerning retirements and benefits; relating to lump-sum death benefit for certain local school annuitants.

HB 3035, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to disability benefits; amending K.S.A. 1989 Supp. 74-4927 and repealing the existing section.

HB 3036, by Committee on Labor and Industry: An act concerning workers compensation; relating to aggravation of an injury by medical treatment; amending K.S.A. 1989 Supp. 44-501 and 44-504 and repealing the existing sections.

HB 3037, by Committee on Local Government: An act concerning county treasurers; relating to certification as a public finance officer.

HB 3038, by Committee on Judiciary: An act concerning civil procedure; relating to child hearsay evidence; amending K.S.A. 1989 Supp. 60-460 and repealing the existing section.

HB 3039, by Committee on Judiciary: An act concerning controlled substances; relating to the forfeiture of property; amending K.S.A. 1989 Supp. 65-4171 and repealing the existing section.

HB 3040, by Committee on Judiciary: An act concerning the division of resources and income; relating to dependent children of the qualified applicant or recipient; amending K.S.A. 1989 Supp. 39-785, 39-786, 39-787 and 39-789 and repealing the existing sections.

HB 3041, by Committee on Judiciary: An act concerning juvenile offenders; relating to the length of detention; amending K.S.A. 38-1632 and repealing the existing section.

HB 3042, by Committee on Judiciary: An act amending the Kansas tort claims act; relating to persons covered thereby; amending K.S.A. 75-6102 and repealing the existing section.

HB 3043, by Committee on Judiciary: An act concerning civil procedure; relating to compensation for screening panel members; amending K.S.A. 1989 Supp. 60-3508 and repealing the existing section.

HB 3044, by Committee on Judiciary: An act concerning district coroners; relating to the filing of reports; amending K.S.A. 1989 Supp. 22a-232 and repealing the existing section.

HB 3045, by Committee on Judiciary: An act concerning court fees; amending K.S.A. 1989 Supp. 28-172a and repealing the existing section.

HB 3046, by Committee on Judiciary: An act concerning the probate code; relating to simplified estates and informal administration; amending K.S.A. 59-3203 and repealing the existing section.

HB 3047, by Committee on Judiciary: An act concerning judges; relating to the procedure to change.

HB 3048, by Committee on Judiciary: An act concerning professional corporations; allowing a revocable trust to be included as a qualified person; amending K.S.A. 17-2707 and repealing the existing section.

HB 3049, by Committee on Judiciary: An act concerning driving under the influence; relating to a work release program being part of imprisonment; amending K.S.A. 1989 Supp. 8-1567 and K.S.A. 1988 Supp. 8-1567, as amended by section 42 of chapter 38 of the 1989 Session Laws of Kansas, and repealing the existing sections; also repealing K.S.A. 1989 Supp. 8-1567, as amended by section 1 of this act.

HB 3050, by Committee on Judiciary: An act concerning parole el-

igibility; amending K.S.A. 1989 Supp. 22-3717 and repealing the existing section.

HB 3051, by Committee on Judiciary: An act concerning public health; relating to liens for medical services; amending K.S.A. 65-406 and repealing the existing section.

HB 3052, by Committee on Judiciary: An act concerning the uniform commercial code; relating to funds transfers.

HB 3053, by Committee on Judiciary: An act concerning the uniform commercial code; relating to leases; amending K.S.A. 84-1-105 and 84-9-113 and K.S.A. 1989 Supp. 84-1-201 and repealing the existing sections.

HB 3054, by Committee on Judiciary: An act concerning judges pro tem; amending K.S.A. 1989 Supp. 20-310a and repealing the existing section.

HB 3055, by Committee on Energy and Natural Resources: An act relating to insurance; concerning apportionment or assignment of risk of certain liability insurance required as financial responsibility with respect to underground storage tanks.

HB 3056, by Committee on Energy and Natural Resources: An act authorizing the state corporation commission to regulate rates for certain wholesale sales of LP gases.

HB 3057, by Committee on Elections: An act relating to elections; concerning voter registration; providing that an application for voter registration be included as a part of the application for motor vehicle drivers' licenses and nondriver identification cards.

HB 3058, by Committee on Local Government: An act concerning planning and zoning; amending K.S.A. 24-126 and repealing the existing section; also repealing K.S.A. 3-701 to 3-713, inclusive, 12-701 to 12-704, inclusive, 12-704a, 12-705, 12-705a, 12-705b, 12-705c, 12-706, 12-706a, 12-707 to 12-715, inclusive, 12-715a, 12-717 to 12-735, inclusive, 19-2901, 19-2902, 19-2902a, 19-2902b, 19-2902c, 19-2903, 19-2904, 19-2905, 19-2905a, 19-2906 to 19-2916, inclusive, 19-2916a, 19-2916b, 19-2916c, 19-2916d, 19-2918, 19-2918a, 19-2918b, 19-2918c, 19-2919, 19-2920, 19-2921, 19-2924, 19-2925, 19-2925a, 19-2926, 19-2926a, 19-2926b, 19-2927 to 19-2934, inclusive, 19-2934a, 19-2935 to 19-2938, inclusive, 19-2950 to 19-2966, inclusive, and K.S.A. 1989 Supp. 12-715b, 12-715c, 12-715d, 12-716 and 12-736.

HB 3059, by Committee on Judiciary: An act concerning prosecution district attorneys; establishing a state funded system; amending K.S.A. 22a-101, 22a-102, 22a-103, 22a-104, 22a-105, 22a-106 and 22a-107 and repealing the existing sections; also repealing K.S.A. 19-701, 19-702, 19-703, 19-704, 19-705, 19-706b, 19-711, 19-712, 19-713, 19-714, 19-715 and 22a-108.

HB 3060, by Committee on Judiciary: An act concerning durable power of attorney; relating to those made for health-care decisions and non-health-care decisions; amending K.S.A. 58-610, 58-611, 58-612, 58-613 and 58-614 and K.S.A. 1989 Supp. 58-629 and 58-632 and repealing the existing sections; also repealing K.S.A. 1989 Supp. 58-625, 58-626, 58-627 and 58-628.

HB 3061, by Committee on Judiciary: An act concerning public employer-employee relations; relating to the costs of mediation and fact-finding and other expenses incurred; amending K.S.A. 75-4332 and repealing the existing section.

HB 3062, by Committee on Judiciary: An act concerning certain unsworn declarations and verification of documents; establishing an exception thereof; amending K.S.A. 1989 Supp. 53-601 and repealing the existing section.

HB 3063, by Committee on Labor and Industry: An act concerning the employment security law; relating to disqualification for benefits for illegal drug use; amending K.S.A. 1989 Supp. 44-706 and repealing the existing section.

HB 3064, by Committee on Economic Development: An act enacting the Kansas limited liability company act.

HB 3065, by Committee on Elections: An act relating to governmental ethics; redesignating the Kansas public disclosure commission as the Kansas governmental ethics commission; concerning certain powers and duties of such commission; amending K.S.A. 25-4119a, 25-4119d, 25-4152, 25-4178, 46-253, 75-4303a and K.S.A. 1989 Supp. 25-4143, 25-4180, 25-4181, 25-4182, 25-4183, 25-4184, 25-4185, 46-269, 46-280, 46-288, 46-289, 46-290, 46-291, 46-292 and 74-7275 and repealing the existing sections.

HB 3066, by Committee on Energy and Natural Resources: An act concerning solid waste management; relating to recycling; providing for state and local programs and activities relating thereto.

HB 3067, by Committee on Judiciary: An act concerning corporations; establishing who shall be authorized to sign an annual report; authorizing a telefacsimile communication to become a temporary filing and pro-

viding the procedure thereof; amending K.S.A. 17-2718 and 17-7504 and K.S.A. 1989 Supp. 17-7503 and 17-7505 and repealing the existing sections.

HB 3068, by Committee on Insurance: An act authorizing school district and community college boards to act as a self-insurer in providing certain employee and dependent benefits; amending K.S.A. 72-8414 and repealing the existing section.

HB 3069, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to the administration thereof and benefits provided thereunder; amending K.S.A. 44-515, 44-516, 44-518, 44-519, 44-551, 44-5a04 and 44-5a18 and K.S.A. 1989 Supp. 44-501, 44-508, 44-510, 44-510c, 44-510e, 44-510g, 44-512a, 44-528 and 44-556 and repealing the existing sections.

Senate Bills

SB 660, by Committee on Transportation and Utilities: An act concerning vehicle registration fees; amending K.S.A. 1989 Supp. 8-145 and repealing the existing section.

SB 661, by Committee on Ways and Means: An act concerning support payment; providing for support payment centers; prescribing procedures; affecting certain functions of courts and the state department of social and rehabilitation services.

SB 662, by Committee on Ways and Means: An act authorizing the secretary of social and rehabilitation services to sell or lease certain property currently being used as a workshop for the blind.

SB 663, by Committee on Ways and Means: An act concerning imprest fund for area offices of the department of social and rehabilitation services; amending K.S.A. 75-3061 and repealing the existing section.

SB 664, by Committee on Ways and Means: An act repealing K.S.A. 75-3302d and 75-3302e relating to mental health and retardation services advisory committee.

SB 665, by Committee on Ways and Means: An act relating to furnishing social security numbers; certificates of birth; amending K.S.A. 1989 Supp. 65-2422 and repealing the existing section.

SB 666, by Committee on Ways and Means: An act relating to work therapy projects and work therapy project funds; amending K.S.A. 75-3728e, 75-3728f, 75-3728g, 75-3728h and 75-3728i and repealing the existing sections.

SB 667, by Committee on Economic Development: An act amending and supplementing the Kansas private activity bond allocation act; amending K.S.A. 1989 Supp. 74-5060 and repealing the existing section.

SB 668, by Committee on Local Government: An act concerning the emergency medical services board; relating to the powers, duties and functions thereof; amending K.S.A. 80-1557 and K.S.A. 1989 Supp. 65-6110, 65-6112, 65-6121, 65-6126, 65-6132, 65-6133, 65-6136, 65-6146 and 65-6149 and repealing the existing sections.

SB 669, by Committee on Public Health and Welfare: An act concerning determination of parentage; relating to blood tests used to determine paternity; amending K.S.A. 38-1118 and K.S.A. 1989 Supp. 38-1121 and repealing the existing sections.

SB 670, by Committee on Assessment and Taxation: An act relating to real property; concerning the requirement for certificates of value; amending K.S.A. 58-2223c and repealing the existing section.

SB 671, by Committee on Judiciary: An act concerning surrogate mothers; rendering voidable agreements for services of a surrogate mother; providing for penalty for promoting such agreements for certain persons.

SB 672, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1991, for the department of corrections; imposing certain restrictions and limitations.

SB 673, by Committee on Judiciary: An act concerning certain victims of crime; relating to confidentiality of communications with counselors.

SB 674, by Committee on Judiciary: An act concerning crime victims compensation; relating to claims; eligibility; amending K.S.A. 1989 Supp. 74-7305 and repealing the existing section.

SB 675, by Committee on Ways and Means: An act establishing the health data commission; providing for the powers, duties and functions thereof; authorizing the assessing of subscription dues from certain persons; providing for confidentiality of certain information.

SB 676, by Committee on Assessment and Taxation: An act relating to property taxation; authorizing the director of property valuation to order countywide reappraisal of real property; amending K.S.A. 79-1436b and repealing the existing section.

SB 677, by Committee on Ways and Means: An act concerning salaries

(continued)

and compensation of justices and judges of the judicial branch of state government; amending K.S.A. 75-3120l and repealing the existing section.

SB 678, by Committee on Economic Development: An act establishing the information network of Kansas, Inc., to provide access to information stored, gathered or generated by the state to the public; providing for the membership and organization thereof; providing powers, duties and functions therefor.

SB 679, by Committee on Economic Development: An act concerning the employment security law; relating to the definition of employment; amending K.S.A. 1989 Supp. 44-703 and repealing the existing section.

SB 680, by Committee on Judiciary: An act concerning protection from abuse; mandating the enforcement of protection from abuse orders by law enforcement officers; amending K.S.A. 20-1204a and repealing the existing section.

SB 681, by Committee on Judiciary: An act concerning crimes and penalties; relating to records of incidents and reporting thereof; amending K.S.A. 21-2501a and repealing the existing section.

SB 682, by Committee on Judiciary: An act concerning the protection from abuse act; relating to orders for relief, compensation; amending K.S.A. 1989 Supp. 60-3105, 60-3106 and 60-3107 and repealing the existing sections.

SB 683, by Committee on Judiciary: An act concerning controlled substances; relating to forfeiture of property; disposition of proceeds; amending K.S.A. 1989 Supp. 65-4173 and repealing the existing section.

SB 684, by Committee on Judiciary: An act concerning crimes and punishment; relating to anticipatory crimes; when adult uses child in certain crimes; amending K.S.A. 21-3302 and 21-3303 and repealing the existing sections.

SB 685, by Committee on Judiciary: An act concerning controlled substances; relating to forfeitures of property; amending K.S.A. 1989 Supp. 65-4171 and repealing the existing section.

SB 686, by Committee on Judiciary: An act concerning criminal prosecution; relating to the statute of limitations; amending K.S.A. 21-3106 and repealing the existing section.

SB 687, by Committee on Judiciary: An act concerning crimes and punishment; relating to definition of sodomy; amending K.S.A. 21-3501 and repealing the existing section.

SB 688, by Committee on Judiciary: An act concerning criminal procedure; relating to arrest; stopping of suspect; amending K.S.A. 22-2402 and repealing the existing section.

SB 689, by Committee on Judiciary: An act concerning civil procedure; limitations on action for latent disease.

SB 690, by Committee on Judiciary: An act concerning probate procedure; relating to venue; amending K.S.A. 59-2203 and repealing the existing section.

SB 691, by Committee on Federal and State Affairs: An act concerning agriculture; relating to hormone-type herbicides; amending K.S.A. 1989 Supp. 2-2438a and repealing the existing section.

SB 692, by Committee on Assessment and Taxation: An act relating to taxation; providing means to increase revenue producing state tax sources to local units of government to reduce reliance on revenue received from the levy of property taxes; amending K.S.A. 79-2959, 79-32,110, 79-32,119, 79-32,120, 79-32,121, 79-34,147, 79-3603 and 79-3606 and repealing the existing sections.

SB 693, by Committee on Elections: An act relating to elections; concerning registration of voters; providing for the establishment of a centralized voter registration database; amending K.S.A. 25-2304 and repealing the existing section.

SB 694, by Committee on Elections: An act relating to elections; concerning voter registration; amending K.S.A. 1989 Supp. 25-2323 and repealing the existing section.

SB 695, by Committee on Transportation and Utilities: An act concerning motor fuels; relating to the international fuel tax agreement.

SB 696, by Committee on Transportation and Utilities: An act designating Interstate highway 635 as the Harry Darby memorial highway.

SB 697, by Committee on Ways and Means: An act concerning cities and counties; relating to unpaid property taxes.

SB 698, by Committee on Labor, Industry and Small Business: An act enacting the Kansas existing industry training act; making and concerning appropriations for the fiscal year ending June 30, 1991, for the department of education; imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing.

SB 699, by Committee on Governmental Organization: An act concerning the public employees relations board; relating to the adminis-

trative procedure act; amending K.S.A. 77-526 and repealing the existing section.

SB 700, by Committee on Judiciary: An act concerning driving under influence of alcohol or drugs; relating to the conduct of driver's license revocation hearings; amending K.S.A. 1989 Supp. 8-1002 and repealing the existing section.

SB 701, by Committee on Judiciary: An act concerning driving under the influence; relating to a work release program being part of imprisonment; amending K.S.A. 1989 Supp. 8-1567 and K.S.A. 1988 Supp. 8-1567, as amended by section 42 of chapter 38 of the 1989 Session Laws of Kansas, and repealing the existing sections; also repealing K.S.A. 1989 Supp. 8-1567, as amended by section 1 of this act.

SB 702, by Committee on Judiciary: An act concerning crimes and punishments; relating to fines, dispositions and forfeitures; creating the Kansas bureau of investigation special asset forfeiture fund and the Kansas highway patrol special asset forfeiture fund; amending K.S.A. 21-4503 and K.S.A. 1989 Supp. 65-4135, 65-4171 and 65-4173 and repealing the existing sections.

SB 703, by Committee on Judiciary: An act concerning criminal procedures; relating to diversion agreements; when prohibited; amending K.S.A. 22-2908 and repealing the existing section.

SB 704, by Committee on Judiciary: An act concerning crimes and punishment; relating to classification of penalties; sentencing; amending K.S.A. 1989 Supp. 21-4504, 21-4606a and 21-4606b and repealing the existing sections.

SB 705, by Committee on Judiciary: An act concerning crimes and punishment; relating to the use of firearms in drug offenses.

SB 706, by Committee on Judiciary: An act concerning the uniform controlled substances act; relating to definition of sell; amending K.S.A. 1989 Supp. 65-4101 and repealing the existing section.

SB 707, by Committee on Judiciary: An act concerning the uniform controlled substances act; creating a separate offense for unlawful manufacture of controlled substances; amending K.S.A. 1989 Supp. 65-4127a and 65-4127b and repealing the existing sections.

SB 708, by Committee on Judiciary: An act concerning criminal procedure; relating to preliminary examinations; amending K.S.A. 22-2902 and repealing the existing section.

SB 709, by Committee on Judiciary: An act concerning crimes and punishments; relating to conspiracy; amending K.S.A. 21-3302 and repealing the existing section.

SB 710, by Committee on Judiciary: An act concerning crimes and punishments; relating to murder in the first degree; amending K.S.A. 1989 Supp. 21-3401 and repealing the existing section. **SB 711**, by Committee on Judiciary: An act concerning crimes and punishment; creating the crime of criminal battery and prescribing a penalty therefor.

SB 712, by Committee on Judiciary: An act concerning the Kansas code of criminal procedure; relating to disposition of defendant pending appeal by prosecution; amending K.S.A. 22-3604 and repealing the existing section.

SB 713, by Committee on Judiciary: An act concerning crimes and punishment; relating to use of lethal force by law enforcement officer in making an arrest; amending K.S.A. 21-3215 and repealing the existing section.

SB 714, by Committee on Judiciary: An act concerning crimes involving child victims; child testimony; amending K.S.A. 22-3434 and repealing the existing section.

SB 715, by Committee on Judiciary: An act concerning crimes and punishment; creating the crime of construction fund fraud; prescribing penalties therefor.

SB 716, by Committee on Judiciary: An act concerning recovery from parents for malicious or willful acts by certain children; increasing the limit or damages obtainable; amending K.S.A. 38-120 and repealing the existing section.

SB 717, by Committee on Judiciary: An act concerning probate procedure; relating to wills; affidavits; amending K.S.A. 59-606 and repealing the existing section.

SB 718, by Committee on Judiciary: An act concerning courts; relating to witness fees and mileage; amending K.S.A. 28-125 and repealing the existing section.

SB 719, by Committee on Judiciary: An act concerning marriage; relating to who is an officiating person; amending K.S.A. 23-104a and repealing the existing section.

SB 720, by Committee on Judiciary: An act enacting the uniform fraudulent transfer act.

SB 721, by Committee on Judiciary: An act concerning marriage licenses and marriage officiants' credentials; amending K.S.A. 23-107

and 23-112 and repealing the existing sections; also repealing K.S.A. 23-104b, 23-107a and 23-113.

SB 722, by Committee on Judiciary: An act concerning the rules of civil procedure; amending K.S.A. 60-228 and repealing the existing section.

SB 723, by Committee on Judiciary: An act concerning domestic relations; relating to enforcement of support; relating to international reciprocity.

SB 724, by Committee on Judiciary: An act concerning crimes and punishments; relating to sentencing; repealing K.S.A. 21-4613.

SB 725, by Committee on Judiciary: An act concerning public health laboratory testing; relating to the validity of tests; amending K.S.A. 1989 Supp. 65-1,108 and repealing the existing section.

SB 726, by Committee on Judiciary: An act concerning criminal procedure; relating to preliminary examinations; amending K.S.A. 22-2902 and repealing the existing section.

SB 727, by Committee on Local Government: An act concerning municipalities; relating to lease-purchase agreements; amending K.S.A. 10-1116b and repealing the existing section.

SB 728, by Committee on Local Government: An act concerning roads and highways; relating to maintenance, repair and construction of township roads; amending K.S.A. 68-561 and repealing the existing section.

SB 729, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the date of payment of taxes levied on escaped property; amending K.S.A. 79-1427a and 79-1475 and repealing the existing sections; also repealing K.S.A. 79-417 and 79-418.

SB 730, by Committee on Ways and Means: An act concerning the uniform commercial code; prescribing certain fees for filings and information requests; amending K.S.A. 1989 Supp. 84-9-403, 84-9-405, 84-9-406 and 84-9-407 and repealing the existing sections.

SB 731, by Committee on Ways and Means: An act concerning the imprest fund of the secretary of state; amending K.S.A. 75-3071 and repealing the existing section.

SB 732, by Committee on Economic Development: An act relating to economic development; providing for the establishment, licensure and regulation of business and industrial development corporations; providing for powers and duties of the state bank commissioner, state banking board and department of commerce; providing for a loan of state moneys to the initial business and industrial development corporation established under the act; providing for tax credits for investments in such corporations and guarantees made to secure the loan of state moneys.

SB 733, by Committee on Economic Development: An act concerning the issuance of revenue bonds for economic development purposes; amending K.S.A. 12-1741a and repealing the existing section.

SB 734, by Committee on Elections: An act relating to the department of human resources; concerning political activities by certain officers and employees; amending K.S.A. 1989 Supp. 44-714 and repealing the existing section.

SB 735, by Committee on Public Health and Welfare: An act concerning the Kansas code for care of children; amending K.S.A. 38-1562, 38-1564, 38-1582, 38-1583 and 38-1591 and K.S.A. 1989 Supp. 38-1563 and 38-1584 and repealing the existing sections.

SB 736, by Committee on Public Health and Welfare: An act amending and supplementing the Kansas tort claims act; providing that charitable health care providers are employees of the state for the purposes of such act; amending K.S.A. 75-6102 and 75-6115 and repealing the existing sections.

SB 737, by Committee on Local Government: An act concerning service fees for police and fire protection.

SB 738, by Committee on Local Government: An act concerning certain fire districts; relating to the annexation of territory by cities; amending K.S.A. 19-3616 and repealing the existing section.

SB 739, by Committee on Local Government: An act concerning municipalities; relating to the consolidation of operations, procedures and functions; amending K.S.A. 1989 Supp. 12-3903 and 12-3904 and repealing the existing sections.

SB 740, by Committee on Federal and State Affairs: An act relating to the Kansas department of wildlife and parks; authorizing the department to assist and cooperate with citizen support organizations.

SB 741, by Committee on Judiciary: An act concerning juvenile offenders; relating to their release at the age of 21; providing for a hearing to allow the department of social and rehabilitation services to retain custody; amending K.S.A. 38-1604 and 38-1675 and repealing the existing sections.

SB 742, by Committee on Judiciary: An act concerning juveniles;

prohibiting detention in adult jails; development of alternatives to detention; amending K.S.A. 38-1632, 38-1671 and 75-5389 and K.S.A. 1989 Supp. 8-2117, 32-1040, 38-1502, 38-1602 and 38-1664 and repealing the existing sections.

SB 743, by Committee on Judiciary: An act concerning corrections; comprehensive plans for correctional services and corrections advisory boards including juvenile offenders advisory boards; amending K.S.A. 75-5296 and 75-5297 and repealing the existing sections.

SB 744, by Committee on Judiciary: An act concerning victims of property crimes; compensation and assistance therefor; creating fees; disposition of fines, fees, penalties and forfeitures; restitution; amending K.S.A. 75-5211 and 75-5268 and K.S.A. 1989 Supp. 22-2909, 22-2909b and 74-7304 and repealing the existing sections.

SB 745, by Committee on Judiciary: An act concerning the treatment act for mentally ill persons; amending K.S.A. 1989 Supp. 59-2902 and repealing the existing section.

House Concurrent Resolutions

HCR 5049, by Representatives Spaniol and Whiteman: A concurrent resolution relating to the joint rules of the senate and house of representatives; amending Joint Rule 3 relating to the amendment of bills and resolutions by the house, not the house of origin thereof.

House Resolutions

HR 6030, by Representative Turnbaugh: A resolution congratulating and commending Robyn DeBoard on her selection as the 1990 Kansas State Honey Queen.

HR 6031, by Representatives Aylward, Lynch and Turnquist: A resolution congratulating and commending the Salina Area Vocational Technical School on its 25th anniversary of operations.

HR 6032, by Representatives Spaniol and Whiteman: A resolution relating to the rules of the House of Representatives for the 1989-1990 biennium; amending Rule No. 1102.

HR 6033, by Representative Shallenburger: A resolution commemorating the year 1992 as the year of the Columbus Quincentennial and designating Columbus, Kansas, as the official Quincentennial City.

HR 6034, by Committee on Appropriations: A resolution congratulating and commending Marshall Crowther for being selected one of the top ten pension fund leaders in the nation and co-winner of the 1989 Public Sector Benefits Administrator Award.

HR 6035, by Representative Baker: A resolution adopting a code of ethics for the House of Representatives for the 1989-1990 biennium; and providing for the administration and enforcement thereof.

HR 6036, by Representative Douville: A resolution in memory of Harold R. Fatzer.

HR 6037, by Representative Wilbert: A resolution congratulating and commending Pittsburg State University on its successful football program.

Senate Concurrent Resolutions

SCR 1638, by Senator Winter: A concurrent resolution ratifying the proposed original second amendment to the Constitution of the United States relative to the compensation of members of the United States Congress and when any variances therein shall take effect.

Senate Resolutions

SR 1813, by Senator Kanan: A resolution congratulating and commending Senator Richard L. Bond for his efforts on behalf of Wyandotte House, Inc.

SR 1814, by Senator Vidricksen: A resolution congratulating and commending the Salina Area Vocational Technical School on its 25th anniversary of operations.

SR 1815, by Senator Martin: A resolution congratulating and commending Bert S. Bland, Jr., and David L. McDonald for their heroic acts.

SR 1816, by Senator Martin: A resolution congratulating and commending Pittsburg State University on its successful football program.

SR 1817, by Senator Martin: A resolution commemorating the year 1992 as the year of the Columbus Quincentennial and designating Columbus, Kansas, as the official Quincentennial City.

Doc. No. 008883

State of Kansas
State Corporation Commission
 Permanent Administrative
 Regulations

Article 11.—NATURAL GAS PIPELINE SAFETY

82-11-3. Transportation of natural and other gas by pipeline; annual reports and incident reports. The federal rules and regulations entitled "transportation of natural and other gas by pipeline; annual reports and incident reports," title 49 CFR, part 191, as in effect on October 30, 1989, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) 49 CFR 191.3(1)(ii) is deleted and replaced by "(ii) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$5,000 or more for purposes of the gas pipeline safety section, and \$50,000 or more for the U.S. department of transportation."

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

(c) 49 CFR 191.5(b) is deleted and replaced by "(b) Each notice required by paragraph (a) of this section shall be made by telephone to the gas pipeline safety section and to the U.S. department of transportation. Both notices shall include the following information:

- (1) The names of the operator and the person making the report and their telephone numbers;
- (2) the location of the incident;
- (3) the time of the incident;
- (4) the number of fatalities and personal injuries, if any; and
- (5) all other significant facts known by the operator that are relevant to the cause of the incident or extent of the damages."

(d) 49 CFR 191.7 is deleted.

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

(f) 49 CFR 191.9(a) is deleted and replaced by "(a) Except as provided in paragraph (c) of this section, each operator of a distribution pipeline system shall submit U.S. department of transportation form RSPA F 7100.1 as soon as practicable but not more than 30 calendar days after detection of an incident required to be reported under 49 CFR 191.5."

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

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

than March 1 of each year, for the preceding calendar year."

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

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

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

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

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

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

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

(p) 49 CFR 191.21 is deleted.

(q) The term "Secretary," as used in 49 CFR 191.25, means commission. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, February 25, 1989; revoked T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended April 16, 1990.)

82-11-4. Transportation of natural and other gas by pipeline; minimum safety standards. The federal rules and regulations entitled "transportation of natural and other gas by pipeline; minimum federal safety standards," title 49 CFR, part 192, including appendices A,B,C and D, as in effect on October 30, 1989, are adopted by reference with the following exceptions, deletions, additions, and modifications:

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Regulator station piping;
- (2) bridge crossings;

(3) aerial crossings or spans;

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

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

(6) Pipelines in class 1 locations."

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

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

(1) Regulator station piping;

(2) bridge crossings;

(3) aerial crossings or spans;

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

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

(1) 49 CFR 192.319(a) is deleted and replaced by "(a) When installed in a ditch, each transmission line that is to be operated at a pressure producing a hoop stress of 20 percent or more SMYS shall be installed so that the pipe fits the ditch so as to minimize stresses and protect the pipe coating from damage."

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

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

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

(2) conduct annual flame ionization leak surveys on all unprotected bare steel service lines and initiate a program to place anodes on all bare steel service lines by December 31, 1991; or

(3) conduct annual flame ionization surveys on all un-

(continued)

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

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

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

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

(1) Bare or ineffectively coated transmission lines;

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

(3) bare or coated distribution lines.

(c) The operator shall determine the areas of active corrosion by electrical survey. In areas where electrical survey is impractical, the operator shall conduct flame ionization leak surveys at least once every three years at intervals not exceeding 42 months. A repair/replacement program for unprotected bare steel transmission lines and mains shall be established based upon the number of leaks in a defined area. It shall be considered practical to conduct electrical surveys in all areas, except the following:

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

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

(3) in areas with stray current; or

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

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

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

year, with a different one-third checked each subsequent year, so that the entire system is tested in each three-year period."

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

(s) 49 CFR 192.465(e) is deleted and replaced by "(e) After the initial evaluation required by paragraphs (b) and (c) of 192.455 and paragraph (b) of 192.457, each operator shall, at intervals not exceeding three years, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, or where electrical survey is impractical, by the completion of flame ionization leak surveys at intervals at least once every three years at intervals not exceeding 42 months. A repair/replacement program for bare steel transmission lines and mains shall be established based upon the number of leaks in a defined area."

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

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

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

(3) in areas with stray current; or

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

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

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

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

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

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

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

(aa) 49 CFR 192.553(a)(1) is deleted and replaced by "(1) At the end of each incremental increase, the pressure shall be held constant while the entire segment of pipeline that is affected is checked for leaks. This leak survey by flame ionization shall be conducted within eight hours after the stabilization of each incremental pressure increase provided in the uprating procedure. If the operator elects to not conduct the leak survey within the specified

time frame because of nightfall or other circumstance, the pressure increment in the line shall be reduced that day with repetition of that particular increment during the next day that the uprating procedure is continued."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A class 3 leak means a leak that is non-hazardous at the time of detection and can reasonably be expected to remain non-hazardous. These leaks shall be rechecked at least every six months and repaired or replaced within 30 months. This class of leak may include but not be limited to the following conditions:

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

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

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

(gg) 49 CFR 192.707(c) is deleted and replaced by "(c) Pipelines aboveground. Line markers shall be placed

(continued)

and maintained along each section of a main and transmission line that is located aboveground in an area accessible to the public."

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

Maximum Intervals Between Patrols

Class location of line	At highway and railroad crossings	At all other locations
1, 2	7½ months; but at least twice each calendar year.	15 months; but at least once each calendar year.
3	4½ months; but at least four times each calendar year.	7½ months; but at least twice each calendar year.
4	4½ months; but at least four times each calendar year.	4½ months; but at least four times each calendar year.

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

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

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

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

(3) An initial flame ionization survey shall be conducted for all service lines and buried customer-owned piping between the main and the building wall by October 1, 1989, and thereafter at least once every three years at intervals not exceeding 42 months. Flame ionization surveys conducted on piping between the main and building wall after November 30, 1988, shall be exempt from the initial leak survey requirement. Unprotected bare steel yard lines shall be inspected with annual flame ionization leak surveys thereafter in combination with a program to notify all customers in a defined area when 25% of the yard lines in the defined area have experienced leaks. Thereafter, unprotected bare steel yard lines in a defined area which have experienced leaks in greater than 25%

of the unprotected bare steel yard lines shall have flame ionization leak surveys performed at six month intervals. This notification to the customers in writing shall include a recommendation that their yard line be scheduled for replacement. All service lines, whether company or customer-owned, shall be provided with flame ionization leak surveys after the initial survey at least once every three years at intervals not exceeding 42 months."

(jj) 49 CFR 192.747 is deleted and replaced by "Valve maintenance; distribution systems. Each valve, the use of which may be necessary for the safe operation of a distribution system, shall be inspected and partially operated at intervals not exceeding 15 months, but at least once each calendar year."

(kk) Cast iron evaluation and replacement. Effective January 1, 1990, each operator with cast iron piping shall institute the following:

(1) Collect a coupon each time cast iron piping is uncovered. If long stretches of pipe are uncovered or if a series of short sections of pipe are uncovered, it is not necessary to take coupons at less than 200 foot intervals;

(2) Take additional coupons, if necessary, to obtain a random sample of the entire system. The minimum annual rate of such sampling shall be one (1) coupon for each two (2) miles of cast iron pipe installed. The maximum required annual rate is one (1) coupon for each one (1) mile of cast iron pipe installed;

(3) Conduct laboratory analysis on all coupons to determine the percentage of graphitization. Coupons are to be submitted for analysis within thirty (30) days of collection.

Maximum depth

$$\text{Percent} = \frac{\text{of graphitization} \times 100}{\text{wall thickness}}$$

(4) Replace at least one (1) city block (approximately 500 feet) within one hundred twenty (120) days of the operator's knowledge of the laboratory test results, each time the results show graphitization equal to or greater than the following in a coupon:

Diameter	Percent Graphitization
2.0 inch	25%
3.0 inch and 4.0 inch	60%
6.0 inch and 8.0 inch	75%
10.0 inch or greater	90%

(5) Retain all sampling records for the life of the facility, but not less than five (5) years. (Authorized by and implementing K.S.A. 66-1,150; effective T-82-10-28-88, October 28, 1988; effective T-82-2-25-89, February 25, 1989; revoked T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended April 16, 1990.)

82-11-10. Drug Testing. The federal rules and regulations entitled "drug testing," title 49 CFR, part 199 as in effect January 26, 1990, are adopted by reference only as they apply to operators of pipeline facilities which deal in transportation of natural gas by pipeline. (Authorized by and implementing K.S.A. 66-1,150; effective April 16, 1990.)

Judith McConnell
Executive Director

State of Kansas

Kansas Insurance Department

Permanent Administrative
Regulations

Article 3.—FIRE AND CASUALTY INSURANCE

40-3-35. Fire and casualty insurance; Kansas automobile injury reparations act; Kansas automobile assigned claims plan; requirements; review of plan; approval; disapproval; procedure; amendments. (a) The Kansas automobile assigned claims plan shall consist of every insurer and self-insurer authorized to write motor vehicle liability insurance in this state. Each authorized insurer and self-insurer shall, in accordance with K.S.A. 1988 Supp. 40-3116, cooperate in preparing and submitting to the commissioner of insurance a plan or plans for the assignment of applicants for certain motor vehicle personal injury protection claims for certain persons injured in automobile accidents in Kansas. The plan or plans shall provide:

(1) Reasonable rules governing the operating procedures of the Kansas automobile assigned claims plan, including:

- (A) The designation of servicing insurers;
- (B) the distribution of claims to servicing insurers; and
- (C) adequate provision for the equitable payment of assigned claims;

(2) a method providing applicants for personal injury protection benefits and insurers with a hearing on grievances and the right of appeal to the commissioner; and

(3) for the establishment of procedures regarding records to be kept of all financial transactions of the Kansas automobile assigned claims plan and the submission of an annual financial report to the commissioner of insurance.

(b) Each plan shall be subject to the approval of the commissioner and may be disapproved if it fails to meet the requirements set forth in paragraphs (1), (2), and (3) of subsection (a).

(c) A submitted plan that does not meet the standards set forth in paragraphs (1), (2), and (3) above shall be, after a hearing, revised to meet the requirements. If after a hearing, the commissioner finds that an activity or practice of an insurer or rating organization in connection with the operation of the plan or plans is unfair or unreasonable or otherwise inconsistent with the provisions of this regulation, the commissioner may issue a written order specifically identifying the unfair, unreasonable, or inconsistent activity or practice, and may require discontinuance of the activity or practice.

(d) For each plan or plans, a governing committee shall be appointed by the commissioner of insurance. The committee shall meet at least once annually to review and prescribe operating rules.

(e) The committee shall consist of nine members who shall be appointed as follows:

- (1) Three members shall be representatives of foreign insurance companies.
- (2) Two members shall be representatives of domestic insurance companies.
- (3) Two members shall be licensed independent insurance agents.

(4) Two members shall be representative of the general public interest.

(f) Each member shall be appointed for a term specified by the commissioner. (Authorized by K.S.A. 40-103, 40-3119, K.S.A. 1988 Supp. 40-3116(d); implementing K.S.A. 1988 Supp. 40-3116; effective, E-74-8, Jan. 1, 1974; effective May 1, 1975; amended May 1, 1976; amended May 1, 1979; amended May 1, 1986; amended April 16, 1990.)

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-35a. Medicare supplement policies; medicare catastrophic coverage repeal act of 1989; transitional requirements. Sections 3, 4, 5, 6, 7, 8, 9, 10 and appendix A of the national association of insurance commissioner's model regulation to implement transitional requirements for the conversion of medicare supplement insurance benefits and premiums to conform to repeal of medicare catastrophic coverage act, December 1989 edition, are hereby adopted by reference, subject to the following additions or exceptions:

(a) Section 5C.(2) is hereby amended to read as follows: "(2) Coverage for all of the medicare part A inpatient hospital deductible amount."

(b) Section 5D.(1) is hereby amended to read as follows: "(1) No later than January 31, 1990, every insurer, health care service plan or other entity providing medicare supplement insurance or benefits to a resident of this state shall notify its policyholders, contract holders and certificateholders of modifications it has made to medicare supplement insurance policies or contracts. Such notice shall be in the format adopted by the NAIC as appendix A."

(c) Section 5D.(1)(b) is hereby amended to read as follows: "(b) The notice shall inform each covered person as to when any premium adjustment resulting from changes in medicare benefits will be effective."

(d) Section 6C. is hereby amended to read as follows: "C. Any premium adjustments shall produce an expected loss ratio under such policy or contract necessary to conform with minimum loss ratio standards for medicare supplement policies and shall result in an expected loss ratio at least as great as that originally anticipated by the insurer, health care service plan or other entity for such medicare supplement insurance policies or contracts."

(e) The provisions entitled "accelerated policy adjustment procedures" included in the drafting note which follows section 6C. are not adopted. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-2221; effective T-40-12-16-88, Dec. 16, 1988; effective May 15, 1989; amended April 16, 1990.)

40-4-38. Accident and sickness insurance; specified disease policies; replacement; credit for waiting periods and other time sensitive limitations. (a) This regulation shall apply to individual specified disease policies as defined in K.A.R. 40-4-32 issued by any insurance company, health maintenance organization, or nonprofit hospital and medical service corporation.

(b) Whenever a specified disease policy issued or issued for delivery in this state replaces or is in addition to an existing specified disease policy, the issuing entity shall

(continued)

give credit for the expired portion of any waiting period, elimination period, probationary period or any similar provision.

(c) The credit required by section (b) shall not exceed that earned by the insured under the replaced or previously existing policy and need not be used to place the insured in a more favorable position than would have been the case had a replacement or additional policy not been issued. (Authorized by K.S.A. 40-103 and 40-2404a; implementing K.S.A. 1988 Supp. 40-2404, as amended by L. 1989, Ch. 139, Sec. 1; effective April 16, 1990.)

Article 7.—AGENTS

40-7-11. Agents; cancellation of licenses or certification; procedure. (a) Licenses or certifications, or both, shall be cancelled upon written request of the agent.

(b) Certifications shall be cancelled upon written request of insurance companies or corporations, associations, partnerships, sole proprietorships and other legal entities acting as insurance agents and holding a direct agency appointment from an insurance company. The cancellation form prescribed by the commissioner shall be submitted to the department upon termination of the contract of the agent. The requesting entity shall notify the agent of certification cancellation. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-241i as amended by L. 1988, Ch. 151; effective Jan. 1, 1966; amended, E-70-28, July 1, 1970; amended Jan. 1, 1971; amended, E-79-25, Oct. 19, 1978; amended May 1, 1979; amended May 1, 1981; amended May 1, 1986; amended April 16, 1990.)

40-7-22. Agents; appointment by company; classes of business. All agents in an agency shall be appointed by each company the agency represents for each class of business the agent is qualified to transact. (Authorized by K.S.A. 40-103, L. 1988, Ch. 151, Sec. 6; implementing L. 1988, Ch. 151, Sec. 4; effective April 16, 1990.)

40-7-23. Agents; license; identification. Business entities holding a contract with an insurance company under a "doing business as" (DBA) name shall be licensed in the "DBA" name. (Authorized by K.S.A. 40-103, L. 1988, Ch. 151, Sec. 6; implementing L. 1988, Ch. 151, Sec. 2; effective April 16, 1990.)

40-7-24. Agencies; agents; employees. Each business entity holding an agency license must have at least one licensed agent in its employ except those offering only credit life or credit health insurance. (Authorized by K.S.A. 40-103, L. 1988, Ch. 151, Sec. 6; implementing L. 1988, Ch. 151, Sec. 2; effective April 16, 1990.)

40-7-25. Agencies; termination of contract; certification. Termination of an agency contract by an insurer shall automatically terminate the certification of all individual agents in that agency. (Authorized by K.S.A. 40-103, L. 1988, Ch. 151, Sec. 6; implementing L. 1988, Ch. 151, Sec. 4; effective April 16, 1990.)

Article 14.—INSURANCE PREMIUM FINANCE COMPANIES

40-14-1. Insurance premium finance companies; changes in officers; management. (a) Each premium fi-

nance company authorized in Kansas shall report to the commissioner of insurance each change in officers and directors, as listed on page one of the application form, and file for each a biographical sketch, unless a biographical sketch has been previously filed upon admission to this state.

(b) Each premium finance company authorized in this state shall report the sale of controlling stock interests to the insurance department within 30 days after such sale is completed and the controlling interests are transferred. (Authorized by K.S.A. 40-103, 40-2608; implementing K.S.A. 40-2604; effective Jan. 1, 1969; amended May 1, 1986; amended April 16, 1990.)

40-14-4. Same; printing of forms. The printing of the items required by K.S.A. 40-2609, paragraph C, must be in at least 10 point, pica style type and print at least as bold as any other printing on the premium finance agreement. The style of type required by this regulation shall be used on all premium finance agreements delivered on and after January 1, 1991. (Authorized by K.S.A. 40-103, 40-2608; implementing K.S.A. 40-2609; effective Jan. 1, 1969; amended May 1, 1986; amended April 16, 1990.)

Fletcher Bell
Commissioner of Insurance

Doc. No. 008872

(Published in the *Kansas Register*, March 1, 1990.)

**Notice of Redemption
Industrial Revenue Bonds
M.M.K., Inc.
Series A, 1982, Dated April 1, 1982
of the
City of Goddard, Kansas**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 298 of the city of Goddard, Kansas, passed and approved on April 12, 1982, owners of the following described Industrial Revenue Bonds, Series A, 1982, dated April 1, 1982, authorized and issued under the aforesaid ordinance, are hereby notified that said city has directed that said bonds be called for redemption and payment on April 1, 1990:

Bond Numbers	Maturity Date	Interest Rate
47-57	04/01/91	13.00%
58-70	04/01/92	13.00%

The principal amount of the above described bonds shall become due and payable on April 1, 1990, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, with a premium equal to 3 percent of the principal amount of the bonds so called.

On April 1, 1990, all bonds will be due and payable at the principal office of the First National Bank in Wichita, Wichita, Kansas. From and after April 1, 1990, interest on the aforesaid bonds will cease to accrue.

Dated March 1, 1990.

First National Bank in Wichita
Wichita, KS 67202

Doc. No. 008867

(Published in the Kansas Register, March 1, 1990.)

**Notice of Redemption
SEDGWICK COUNTY, KANSAS**

**Single Family Mortgage Revenue Bonds
(Multiple Originators and Servicers)**

1980 Series A

Due April 1, 1991/1995 and April 2, 2011

NOTICE IS HEREBY GIVEN that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1980, and as amended by the First Supplemental Trust Indenture, dated as of September 1, 1986, \$1,270,000 principal of Bonds has been drawn pro-rata among maturities and by lot within each maturity, for redemption at par on April 1, 1990.

Coupon Bonds of \$5,000 Denominations, called in full, bearing CUSIP No. 815618 and Suffix:

AK9	AM5	1703	2557	4266	5020	5744	7205	7569	7819	8350	8899	9367	9964
969	1376	AP8	2565	4406	5047	5845	7263	7570	7848	8354	9009	9385	10043
995	1380	1804	2761	4468	5138	6067	7298	7589	7871	8411	9013	9410	10102
1056	1382	1829	3479	4500	5353	6079	7439	7598	7888	8470	9017	9431	10110
1084	1423	1835	3496	4651	5360	6253	7485	7602	7896	8539	9112	9568	10159
AL7	1455	1849	3842	4685	5555	6296	7518	7670	8024	8569	9118	9659	10182
1104	AN3	1902	3871	4730	5556	6447	7520	7677	8026	8586	9217	9760	10318
1115	1517	1963	3898	4810	5559	6454	7527	7753	8037	8637	9279	9785	10462
1199	1603	1964	3952	4839	5569	6636	7539	7781	8048	8815	9282	9820	10480
1258	1607	AQ6	3987	4842	5630	6647	7547	7794	8073	8823	9283	9824	
1276	1701	2479	3991	4954	5650	6657	7554	7801	8231	8875	9305	9885	

The serial numbers of the Registered Bonds, bearing CUSIP No. 815618, to be redeemed in whole or in part, and the principal amount to be redeemed are as follows:

<u>Bond Number</u>	<u>Par Amount</u>	<u>Amount Called</u>	<u>Suffix</u>	<u>Bond Number</u>	<u>Par Amount</u>	<u>Amount Called</u>	<u>Suffix</u>
R199	\$ 5,000	\$5,000	AK9	R299	\$ 5,000	\$ 5,000	AQ6
R317	10,000	5,000	AL7	R314	10,000	5,000	AQ6
R192	5,000	5,000	AN3	R349	3,955,000	475,000	AQ6
R229	15,000	5,000	AQ6	R393	335,000	30,000	AQ6
R293	30,000	5,000	AQ6				

Coupons Bonds with the April 1, 1990 and all subsequent coupons attached and all Registered Bonds should be presented to one of the offices of the Paying Agents:

BY HAND DELIVERY:

**Continental Bank, National Association
Attention: Corporate Trust Operations
230 South Clark Street-19th Floor
Chicago, Illinois 60697**

**Southwest National Bank of Wichita
Attention Corporate Trust Department
P.O. Box 1401
Wichita, Kansas 67201**

BY MAIL:

**Continental Bank, National Association
Attention: Corporate Trust Operations
231 South LaSalle Street-19th Floor
Chicago, Illinois 60697**

**Morgan Guaranty Trust Company of New York
Attention: Corporate Trust Department
30 West Broadway-12th Floor
New York, New York 10015**

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

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before April 1, 1990 to one of the above given addresses. Sending the certificates by registered mail is suggested.

Interest on the Bonds or portions of Bonds called for redemption will cease to accrue on April 1, 1990.

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

**By: Continental Bank, National Association
Trustee for Sedgwick County, Kansas**

February 26, 1990

(Published in the *Kansas Register*, March 1, 1990.)

**Notice of Redemption
Shawnee County, Kansas
Single Family
Mortgage Revenue Bonds
1980 Series A**

Notice is hereby given that \$990,000 principal amount of bonds, as listed below, are called for redemption on April 1, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. The serial numbers of the serial and term bonds to be redeemed are as follows:

Serial Bonds

April 1, 1991: 845, 878, 886, 904	Cusip 820624 AK0
April 1, 1992: 948, 980, 991, 1027, 1048	Cusip 820624 AL8
April 1, 1993: 1110, 1167, 1188, 1202, 1223	Cusip 820624 AM6
April 1, 1994: 1329, 1357, 1372, 1391, 1409, 1424	Cusip 820624 AN4
April 1, 1995: 1454, 1470, 1538, 1610, 1618, 1622	Cusip 820624 AP9

Term Bonds

April 1, 2011	Cusip 820624 AR5
2190, 2245, 2253, 2258, 2370, 2538, 2568, 2580, 2614, 2703, 2722, 2763, 2775, 2814, 3013, 3240, 3267, 3321, 3411, 3554, 3563, 3579, 3588, 3759, 3768, 3771, 3789, 3834, 3852, 3951, 3957, 3990, 3991, 3994, 4137, 4318, 4345, 4351, 4437, 4454, 4463, 4527, 4590, 4675, 4729, 4731, 4815, 4818, 4957, 4976, 5008, 5130, 5220, 5331, 5346, 5523, 5525, 5586, 5593, 5595, 5628, 5660, 5724, 5731, 5766, 5778, 5886, 5921, 5979, 5989, 5998, 6064, 6106, 6119, 6299, 6315, 6331, 6376, 6381, 6452, 6462, 6537, 6762, 6960, 6987, 7001, 7167, 7233, 7339, 7365, 7405, 7413, 7519, 7560, 7573, 7692, 7740, 7783, 7893, 7897, 7928, 7996, 8175, 8315, 8386, 8472, 8487, 8592, 8643, 8667, 8718, 8735	

Registered bonds also being called are listed below:

April 1, 2011: R299
R315
R341
R350
R354
R180
R85
R135
RR153
R163
R120
R325

Please present registered bonds to Merchants National Bank of Topeka only.

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

On and after April 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 addresses: The Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601-0178; or Morgan Guaranty Trust Company of New York, 30 N. Broadway, 12th Floor, Coupon Paying Section, New York, NY 10015.

Merchants National Bank
of Topeka

Doc. No. 008887

(Published in the *Kansas Register*, March 1, 1990.)

**Notice of Call for Redemption
to the holders of
City of Udall, Kansas
Cable Television Revenue Bonds
Series 1982
Dated March 1, 1982**

Notice is hereby given that pursuant to the provisions of Section 4 of Ordinance No. 395 of the city of Udall, Kansas, the above mentioned bonds numbered 11 and 18 maturing in the year 1992 have been called for redemption and payment on April 1, 1990, at the offices of the Southwest National Bank of Wichita, P.O. Box 1401, 400 E. Douglas, Wichita, KS 67201.

On such redemption date there shall become due and payable on each of the above mentioned bonds a redemption price thereof equal to 100 percent of the principal amount of each bond, together with interest accrued to the redemption date (upon presentation and surrender for each such bond and all appurtenant coupons). Interest shall cease to accrue on the bonds from and after April 1, 1990, and the interest coupons maturing after March 1, 1990, shall be void.

The Southwest National Bank of Wichita,
Kansas, as Trustee for the
City of Udall, Kansas
P.O. Box 1401
Wichita, KS 67201

Doc. No. 008892

(Published in the *Kansas Register*, March 1, 1990.)

**Summary Notice of Bond Sale
\$165,000
Kearny County, Kansas
General Obligation Public Building Bonds
Series 1990
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated February 12, 1990, sealed bids will be received by the county clerk of Kearny County, Kansas, on behalf of the Board of County Commissioners at the county clerk's office, Kearny County Courthouse, P.O. Box 324, Lakin, KS 67860, until 2 p.m. M.S.T. on Monday, March 12, 1990, for the purchase of \$165,000 principal amount of General Obligation Public Building Bonds, Series 1990. 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 each or any integral multiple thereof. The bonds will be dated April 1, 1990, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1991	\$165,000

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 semian-

nually on April 1 and October 1 in each year, beginning on April 1, 1991.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$3,300 (2 percent of the principal amount of the bonds).

Delivery

The county will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 1, 1990, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$189,755,590. The total general obligation indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$990,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the Kearny county clerk, Leona Randolph, or from bond counsel, Suite 201, 220 S.W. 33rd, Topeka, KS 66611.

Dated February 12, 1990.

Leona Randolph
County Clerk

Doc. No. 008881

State of Kansas

OFFICE OF SECRETARY OF STATE

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

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

Bill Graves
Secretary of State

(Published in the *Kansas Register*, March 1, 1990.)

SENATE BILL No. 520

AN ACT relating to property taxation; concerning the procedure for protest of taxes; amending K.S.A. 79-2005, as amended by section 3 of 1989 Special Session House Bill No. 2001, and repealing the existing section.

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

Sec. 1. K.S.A. 79-2005, as amended by section 3 of 1989 Special Session House Bill No. 2001, is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes levied in 1989, if the whole or part of the taxes are paid on or before January 16, 1990, no later than January 16, 1990, to file a written statement with the county treasurer, on forms approved by the state board of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. The county treasurer shall forward a copy of the written statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule a formal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within five 15 business days thereof, notify the taxpayer and the state board of tax appeals, in the event the valuation of the taxpayer's property is changed, in writing of the results of the formal meeting. The state board of tax appeals may within 30 45 days after receipt of notification of such change review such change and schedule a hearing thereon upon a finding that the taxpayer's property may not be valued according to law. If the state board of tax appeals takes no action within such 30 45 day period, the results of the formal meeting shall be final.

(b) If the grounds of such protest shall be that the valuation or assessment of the property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(c) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(d) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such protest to the governing body of the taxing district making the levy being protested.

(e) Within 30 days after notification of the results of the formal meeting, the protesting taxpayer may, if aggrieved by the results of the formal meeting with the county appraiser, appeal such results to the board of county commissioners, or the hearing officer or panel appointed pursuant to K.S.A. 79-1602, of the county wherein the property is located by filing a notice of such appeal with the county clerk, or, at the taxpayer's option, the taxpayer may appeal the results of the formal meeting directly to the state board of tax appeals, on forms approved by the state board of tax appeals and provided by the county treasurer, together with a copy of the written statement of protest. A copy of the written notification of the results of the formal meeting with the county appraiser shall be provided by the county appraiser.

(f) Upon receipt of the copy of the written statement of protest and a copy of the written notification of the results of the formal meeting with the county appraiser, the board of county commissioners or hearing officer or panel shall within 30 days of such receipt hear the taxpayer's appeal and shall within 15 days thereafter notify the taxpayer and the state board of tax appeals, in the event the valuation of the taxpayer's property is changed. The state board of tax appeals may within 45 days after receipt of notification of such change review such change and schedule a hearing thereon upon a

(continued)

finding that the taxpayer's property may not be valued according to law. If the state board of tax appeals takes no action within such 45 day period, the decision of the board of county commissioners or the hearing officer or panel shall be final. If the taxpayer remains aggrieved by the results of such hearing, such taxpayer may appeal such results to the state board of tax appeals within 30 days of the date of such notice. Thereupon, the board shall docket the same and notify the taxpayer and the county treasurer of such fact. In addition thereto if the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(g) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the formal meeting with the county appraiser, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(h) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy of the written notification of the results of the formal meeting with the county appraiser with the board. In all instances where the board sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor.

(i) When a determination is made as to the merits of the tax protest, the board shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(j) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy of the written notification of the results of the formal meeting with the county appraiser with the board within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(k) In the event the board orders that a refund be made and no appeal is taken from such order, the county treasurer shall, as soon

thereafter as reasonably practicable, refund to the taxpayer such protested taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes.

(l) Whenever, by reason of the refund of taxes from any fund, it will be impossible to pay for the imperative functions of such fund for the current budget year, the governing body of the taxing district affected shall issue no-fund warrants in an amount necessary to pay such refund. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto; except they shall not bear the notation required by such section and may be issued without the approval of the state board of tax appeals. The governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized or limited by law and the tax levy limitations imposed by article 19 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and K.S.A. 79-5001 to 79-5016, inclusive, and amendments thereto, shall not apply to such levies.

(m) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(n) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the board of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the right to a refund of taxes paid under protest should that owner be successful in that appeal.

Sec. 2. K.S.A. 79-2005, as amended by section 3 of 1989 Special Session House Bill No. 2001, is hereby repealed.

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

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
1-2-1	Amended	V. 8, p. 1472
1-5-9	Amended	V. 8, p. 1207
1-5-9	Amended	V. 8, p. 1472
1-5-10	Amended	V. 8, p. 1207
1-5-10	Amended	V. 8, p. 1472
1-5-11	Amended	V. 8, p. 130
1-5-11	Amended	V. 8, p. 1473
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-5-19b	Amended	V. 8, p. 1208
1-5-19b	Amended	V. 8, p. 1473
1-5-19c	Amended	V. 8, p. 1208
1-5-19c	Amended	V. 8, p. 1473
1-5-24	Amended	V. 8, p. 1209
1-5-24	Amended	V. 8, p. 1474

1-5-29	New	V. 8, p. 1210
1-5-29	New	V. 8, p. 1475
1-6-24	Amended	V. 8, p. 131
1-6-31	New	V. 8, p. 131
1-6-32	Amended	V. 9, p. 10
1-7-10	Amended	V. 8, p. 1210
1-7-10	Amended	V. 8, p. 1475
1-9-19a	Amended	V. 9, p. 10
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
4-7-510	Amended	V. 9, p. 189
4-7-511	New	V. 9, p. 189
4-7-512	New	V. 9, p. 189
4-7-513	New	V. 9, p. 190
4-7-900		
4-7-905	New	V. 8, p. 1731, 1732
4-8-27	Amended	V. 8, p. 1732
4-13-4	Amended	V. 9, p. 190
4-13-4a	New	V. 9, p. 190
4-13-5	Amended	V. 9, p. 191
4-13-8	Amended	V. 9, p. 191
4-13-26	New	V. 9, p. 191
4-13-27	New	V. 9, p. 191
4-20-3	Amended	V. 9, p. 191
4-20-5	Amended	V. 9, p. 192
4-20-6	Amended	V. 9, p. 192
4-20-7	New	V. 9, p. 192

4-20-8	New	V. 9, p. 192
4-20-11	New	V. 9, p. 192
4-20-12	New	V. 9, p. 192
4-20-13	New	V. 9, p. 192
4-20-14	New	V. 9, p. 193
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. 9, p. 193
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
7-35-1	New	V. 8, p. 1556
7-35-2	New	V. 8, p. 1556

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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9-7-7	Amended	V. 8, p. 1804
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9-17-4	Amended	V. 8, p. 1804, 1805
9-17-6	New	V. 8, p. 1805
9-17-7	New	V. 8, p. 1805
9-17-8	New	V. 8, p. 1805
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

Table with columns: Reg. No., Action, Register. Rows include 16-7-1 through 16-7-9 (New) and 16-7-9 (New).

AGENCY 17: STATE BANKING DEPARTMENT

Table with columns: Reg. No., Action, Register. Rows include 17-19-1 through 17-19-4 (New).

AGENCY 22: STATE FIRE MARSHAL

Table with columns: Reg. No., Action, Register. Rows include 22-1-1 through 22-13-35 with various actions like Amended, New, Revoked.

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with columns: Reg. No., Action, Register. Rows include 23-1-10 through 23-18-4 with various actions like Revoked, Amended.

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Table with columns: Reg. No., Action, Register. Rows include 25-4-1 (Amended).

AGENCY 26: DEPARTMENT ON AGING

Table with columns: Reg. No., Action, Register. Rows include 26-8-1 through 26-9-4 (New).

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with columns: Reg. No., Action, Register. Rows include 28-4-113 through 28-51-108 with various actions like Amended, New, Revoked.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with columns: Reg. No., Action, Register. Rows include 30-4-35 through 30-4-102 with various actions like Amended, Revoked.

Table with columns: Action, Register. Rows include Amended, Revoked, New with corresponding register numbers and page references.

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AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 33-1-4 through 33-4-10.

AGENCY 36: DEPARTMENT OF TRANSPORTATION

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AGENCY 40: KANSAS INSURANCE DEPARTMENT

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 40-1-28 through 40-7-21.

AGENCY 44: DEPARTMENT OF CORRECTIONS

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

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 51-24-4 and 51-24-5.

AGENCY 63: BOARD OF MORTUARY ARTS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 63-1-3 through 63-6-8.

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulation 66-10-9.

AGENCY 68: BOARD OF PHARMACY

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AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulation 70-5-1.

AGENCY 71: KANSAS DENTAL BOARD

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 71-2-1 through 71-4-1.

AGENCY 74: BOARD OF ACCOUNTANCY

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 74-5-202 through 74-13-2.

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 81-3-2 through 81-5-6.

AGENCY 82: STATE CORPORATION COMMISSION

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 82-3-101 through 82-3-123.

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AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 85-4-1 through 85-7-1.

AGENCY 86: REAL ESTATE COMMISSION

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 86-1-10 and 86-1-13.

AGENCY 88: BOARD OF REGENTS

Table with 3 columns: Regulation Number, Action, and Register. Includes regulations 88-20-1 through 88-21-10.

AGENCY 91: DEPARTMENT OF EDUCATION

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111-4-176	Revoked	V. 8, p. 1668, 1669
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111-6-13	Amended	V. 8, p. 299
111-6-16	Revoked	V. 8, p. 212
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111-7-10	New	V. 7, p. 1192, 1193
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111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

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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
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112-7-22	New	V. 8, p. 593, 594
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112-9-38	New	V. 8, p. 726-737
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