

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

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**(913) 296-2236**



**Register Office:**  
**235-N, State Capitol**  
**(913) 296-3489**

## State of Kansas

**Social and Rehabilitation Services****Kansas Commission for the Deaf  
and Hearing Impaired****Notice of Meeting**

The Kansas Commission for the Deaf and Hearing Impaired will meet at 10 a.m. Saturday, May 5, in Room 231, Hubbard Hall, Wichita State University, Wichita.

Gabriel R. Faimon  
Commissioner of Rehabilitation Services

Doc. No. 009058

## State of Kansas

**Real Estate Commission****Notice of Hearing  
on Proposed  
Administrative Regulations**

A public hearing will be conducted at 2 p.m. Tuesday, May 15, in Room 203 of the Federal Building, 444 S.E. Quincy, Topeka, to consider the adoption of proposed changes in an existing rule and regulation of the Kansas Real Estate Commission.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Commission, Landon State Office Building, 900 S.W. Jackson, Room 501, Topeka, KS 66612-1220. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows.

The regulation, K.A.R. 86-1-10, outlines procedures by which schools obtain approval of courses that are offered to meet prelicense or continuing education requirements. The amendment to the regulation deletes the provision that stipulates who may proctor examinations for correspondence courses.

There is an economic impact in that schools offering correspondence courses have to schedule at least one proctored examination. There should be a savings to schools that offer correspondence courses in that a person other than the school coordinator will not have to be approved as an instructor in order to proctor examinations. There is no significant economic impact to state agencies, employees or the general public.

Copies of the regulation and its economic impact statement may be obtained from the Kansas Real Estate Commission at the address above, (913) 296-3411.

Jean Duncan  
Administrative Officer

Doc. No. 009064

## State of Kansas

**Department of Health  
and Environment****State Emergency Response Commission****Notice of Meeting**

The State Emergency Response Commission will meet at 9 a.m. Tuesday, April 17, in the Mills Building, Board of Agriculture conference room, 109 S.W. 9th, Topeka.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009065

## State of Kansas

**Kansas Water Office****Notice of Hearing**

The Kansas Water Office will conduct a hearing on the application of Western Kansas Groundwater Management District No. 1, Scott City, to conduct cloud seeding activities in portions of west-central and southwest Kansas. The hearing will begin at 10 a.m. Tuesday, April 24, at the offices of Groundwater Management District No. 3, 409 Campus Drive, Suite 100, Garden City. The public is invited to attend.

The proposed project is jointly sponsored by Western Kansas Groundwater Management District No. 1 and the counties comprising the target area. The primary target area consists of the south quarter of Wallace County and all of Gray, Greeley, Wichita, Scott, Lane, Kearny, Finney, Ford, Stanton and Haskell counties in Kansas. Areas immediately adjacent to this primary target area and varying from 15 to 25 miles in width are considered to be within the area of influence. It is not believed that other areas will be materially affected.

The proposed project contemplates the use of four seeding aircraft, three of which will be flown at cloud base and release silver iodide smoke into cloud updrafts; one other aircraft will be flown at higher altitudes and dispense dry ice (solid carbon dioxide) within or above growing clouds. The intended effect of the seeding activity is to increase rainfall and decrease hail in the primary target area. The project is scheduled to begin May 1 and conclude September 15.

Complete details of the proposed project are on file with the Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612, and with Western Kansas Groundwater Management District No. 1, P.O. Box 604, Scott City 67871. The operational plan is available for public inspection at either of these locations during regular office hours.

Joseph F. Harkins  
Director

Doc. No. 009074

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Proposed  
Permit Action

The Secretary of the Kansas Department of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Collins Bus Corporation to install and spray-paint booths at its shop for assembling bus bodies located at 415 W. 6th in South Hutchinson.

Collins Bus Corporation has reported five paint booths. One of these has a conveyor for continuous movement through the booth of items being painted. Each of the booths is equipped with an exhaust fan and filters through which the exhaust air is passed before being discharged to the atmosphere.

The painting activities generate volatile organic compounds (solvent vapors) and particulate matter (paint particles). The filters are capable of removing paint particles. The plant is expected to emit between 10 and 18 tons per year of volatile organic compounds (VOC) from painting the assembled bus bodies. This quantity of VOC is below the level of emissions at which installation of pollution control equipment is required.

Written materials, including the application and information relating to the application submitted by Collins Bus Corporation, the draft permit, summary, and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through May 14 by contacting David Butler, KDHE district office, 1919 N. Amidon, Wichita 67203. The materials also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka 66620. Questions concerning this proposed permit should be directed to Gene Saltee, Bureau of Air and Waste Management, Forbes Field, Topeka 66620.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before May 14.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009053

## State of Kansas

## State Conservation Commission

## Notice to Contractors

Sealed bids for the construction of a 34,000 cubic yard detention dam and a 50,200 cubic yard detention dam, Sites 50 and 59 in Pottawatomie County, will be received by the Rock Creek Watershed District No. 45 at the King Engineering office, 125 W. 4th, Holton 66436, (913) 364-4312, and the Soil Conservation Service office, 5th and State St., Westmoreland 66549, (913) 457-3398, until 5 p.m. May 1. Bids will be opened at 8 p.m. May 1 at the Soil Conservation Service office.

A copy of the invitation for bids and the plans and specifications can be obtained from the King Engineering office or the Soil Conservation Service office. Plans and specifications can be reviewed only at the Soil Conservation Service office.

Kenneth F. Kern  
Executive Director

Doc. No. 009060

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Proposed  
Permit Action

The Secretary of the Kansas Department of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Popejoy Construction Co., Inc., Ulysses, to install and operate portable asphalt concrete mixing plant at Section 33, T28S, R37E, Grant County.

Written materials, including the permit application and information relating to the application submitted by Popejoy, draft permit, permit summary and analysis of KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through May 11 by contacting Wayne Nesse, KDHE, 302 W. McArtor Road, Dodge City 67801, (316) 225-0596.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before May 11.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009054



## State of Kansas

## Grain Inspection Department

Notice of Grain Advisory  
Board Meeting

The Kansas State Grain Inspection Department will conduct its quarterly Grain Advisory Board meeting at 10 a.m. Friday, April 20, in the conference room of the Evans Grain Company at the Salina Board of Trade. The meeting is open to the public.

T.D. Wilson  
Director

Doc. No. 009067

## State of Kansas

## Board of Nursing

Notice of Hearing  
on Proposed  
Administrative Regulations

The Kansas State Board of Nursing will conduct a public hearing at 1 p.m. Thursday, May 17, in the basement conference room/auditorium of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider amendments to K.A.R. 60-11-108, requirements for advanced registered nurse practitioner programs of study.

The permanent regulation has been revised to clarify the requirement of the program to meet requirements of the regulation. One additional change has been made to set a specific date as to when the faculty of an ARNP program shall have a graduate degree and when a majority of the faculty is to be certified as advanced registered nurse practitioners.

By establishing a future date when the faculty of an ARNP program shall have a majority of the faculty as advanced registered nurse practitioners certified as well as having a graduate degree, current educational institutions that wish to establish an advanced registered nurse practitioner program will be able to commence with programming rather than wait until their faculty meet present regulations. The economic impact will be to increase the numbers of advanced registered nurse practitioners in the state of Kansas, thus providing another avenue for health care to the public.

There will be no changes with regard to economic impact on the Kansas State Board of Nursing other than the possible increase in the number of advanced registered nurse practitioners who would be applying for certification. The board has present fiscal means to handle any increase in these requests.

Public comments regarding the regulation may be given at the hearing or written comments may be submitted to the Board of Nursing. Complete copies of the regulation are available upon request from the Kansas State Board of Nursing, Suite 551-S, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1256.

Patsy L. Johnson, R.N., M.N.  
Executive Administrator

Doc. No. 009061

## State of Kansas

## Department on Aging

Request for Proposals for  
In-Home Nutrition Services

The Kansas Department on Aging is currently accepting proposals for in-home nutrition services funded by state resources for the program period July 1, 1990, through June 30, 1991. Complete proposals must be submitted on or before May 15.

The In-Home Nutrition Program provides home-delivered meals containing at least one-third of the current recommended dietary allowance to income eligible homebound individuals age 60 or older once a day, five or more days a week. Programs may be funded in all areas of the state; however, priority will be given to maintaining services in areas currently served by the In-Home Nutrition Program.

Organizations interested in receiving a request for proposal should contact Marilyn Kossler, R.D., Nutrition Specialist, Kansas Department on Aging, Docking State Office Building, Room 122-S, 915 S.W. Harrison, Topeka 66612-1500, (913) 296-4986.

Esther Valladolid Wolf  
Secretary of Aging

Doc. No. 009059

(Published in the Kansas Register, April 12, 1990.)

Summary Notice of Bond Sale  
\$300,000  
City of Wilson, Kansas  
General Obligation Water System Bonds  
(general obligation bonds payable from  
unlimited ad valorem taxes)

## Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of April 2, 1990, of the city of Wilson, Kansas, in connection with the bonds hereinafter described, sealed, written bids shall be received at the city's offices at 2407 Avenue E, Wilson, until 5 p.m. C.D.T. on Thursday, April 19, 1990, for the purchase of General Obligation Water System Bonds, Series A, 1990, of the city, which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

The bonds to be sold are in the aggregate principal amount of \$300,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk. Bids may be submitted by mail or may be delivered in person and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, shall be made payable to the order of

(continued)

the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of May 1, 1990. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on May 1 and November 1 of each year, commencing May 1, 1991, and the bonds shall mature serially on November 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 5,000	1991
5,000	1992
5,000	1993
10,000	1994
10,000	1995
10,000	1996
10,000	1997
10,000	1998
10,000	1999
15,000	2000
15,000	2001
15,000	2002
15,000	2003
20,000	2004
20,000	2005
20,000	2006
25,000	2007
25,000	2008
25,000	2009
30,000	2010

**Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Security for the Bonds**

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Wednesday, May 9, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the suc-

cessful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The city's 1989 assessed valuation is as follows:

Assessed valuation of taxable tangible property	\$1,409,722
Taxable value of motor vehicles	672,533
Equalized assessed tangible valuation for computation of bonded debt limitations	2,082,255

Exclusive of the bonds described herein, the city has outstanding general obligation indebtedness at the date hereof of \$60,000.

**Official Statement**

The city has prepared a preliminary official statement, dated as of April 2, 1990, relating to the bonds, copies of which may be obtained from the city or the city's financial advisors. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities Exchange Commission's Rule 15c2-12(b) (1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

**Additional Information**

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisors, Brian Corrigan, The Columbian Securities Corporation, 550 N. 159th St. East, Wichita, KS 67230, (316) 733-0014; or Gale Doner, Hanifen Imhoff, Inc., 120 S. Market, Suite 330, Wichita, KS 67202, (316) 264-0701.

Vera Ehrlich, City Clerk  
City Hall, 2407 Avenue E  
Wilson, KS 67490  
(913) 658-2272

Doc. No. 009070

## State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice of Commencement  
of Negotiations  
For Technical Services**

Notice is hereby given of the commencement of negotiations for "on-call" asbestos consultant services for the Kansas Department of Social and Rehabilitation Services. Two firms will be selected to provide this service. Services may include the identification and location of asbestos, laboratory testing and confirmation, cost estimates of removal procedures, preparation of plans and specifications for competitive bidding of removal or encapsulization, construction administration, and air monitoring and testing during removal or encapsulization work. Projects will vary in size and be assigned by the department.

Many of the projects will require the removal of asbestos and the replacement with an acceptable material; therefore, the design service will also need to include architectural and engineering services that can be included as a consulting service.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before April 27. An SF 255 form should be submitted with letters of interest.

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

Doc. No. 009055

## State of Kansas

**Secretary of State**

**Notice of Corporations Forfeited**

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited March 15, 1990, for failure to file an annual report and pay the annual franchise tax as required by the Kansas general corporation code.

**Domestic Corporations**

Ack-Ack Tank Service, Inc., Ness City, KS.  
Alfred GilGore Medical Associates P.A., Lenexa, KS.  
Alpha Phi Society of Lawrence, Kansas, A Corporation, Mission, KS.  
Alpha XI Chapter of the Sigma Chi Fraternity, Kansas City, MO.  
American Production & Inventory Control Society, Salina Chapter #294, Salina, KS.  
Amerkan Resources Group Limited, Wichita, KS.  
Aves Numus, Inc., Wichita, KS.  
Bazine Chamber of Commerce, Bazine, KS.  
Berean Christian College, Wichita, KS.  
Bird Farms, Inc., Anthony, KS.  
Builders Service, Inc., Hugoton, KS.

Burks Waterproofing, Inc., Wichita, KS.  
Butler & Owens C.P.A.'s, P.A., Lenexa, KS.  
Cambridge Group, Inc., Overland Park, KS.  
Cee Gee Sales, Inc., Olathe, KS.  
Cedar Vale Clinic, Inc., Cedar Vale, KS.  
Center for Applied Behavior Analysis, Inc., Lawrence, KS.  
Chi Omega Fraternity, Manhattan, KS.  
Clark's Jewelers of Dodge City, Inc., Dodge City, KS.  
Computer Stores of America, Inc., Overland Park, KS.  
Concerned Women for America Education and Legal Defense Foundation, Washington, D.C.  
Country Cable Communications, Inc., Wichita, KS.  
Covington Greens Condominium Owners Association, Halstead, KS.  
Cross-Lines Towers, Inc., Kansas City, KS.  
Crosswinds Interiors Ltd., Wichita, KS.  
Dalton-Brecheisen Mfg. Co, Inc., Jean, NV.  
Dandales, Inc., Wichita, KS.  
Dawson Drug Store, Inc., Russell, KS.  
Day, Inc., Overland Park, KS.  
Double B Enterprises, Inc., Wichita, KS.  
E & E, Inc., Bird City, KS.  
Event Marketing, Inc., Prairie Village, KS.  
Farmers Fuel, Inc., Hoxie, KS.  
Fishwerkes, Inc., Leawood, KS.  
Glasco Tank Company, Inc., Ellinwood, KS.  
Gold Crown Lanes, Inc., Stafford, KS.  
Greenbrook Development Corporation, Kansas City, MO.  
Grocery Masters, Inc., Kansas City, KS.  
Havencroft and Associates, Inc., Chanute, KS.  
Hays Arts Council, Inc., Hays, KS.  
Heritage Homes, Inc., Prescott, AZ.  
Homecare, Inc., of Riley County Kansas, Manhattan, KS.  
Howard Refrigeration & Heating, Inc., Topeka, KS.  
Independence Holding Company, Inc., Independence, MO.  
Independent Oil Company, Inc., Coldwater, KS.  
International Association for Financial Planning—Greater Kansas City Chapter, Inc., Mission, KS.  
J. Alfred Casad Charitable Foundation, Wichita, KS.  
JTI Liquidating Co., Olathe, KS.  
Kansas Association of Future Homemakers of America, Topeka, KS.  
Kansas Beef Company, Aurora, CO.  
Kansas City Presbyterian Manor, Inc., Newton, KS.  
Kansas Zeta Alumni Corporation of Sigma Phi Epsilon, Hays, KS.  
K.I.T. Communications, Inc., Osawatomie, KS.  
Kurt Thomas, Inc., Topeka, KS.  
Lawrence Civic Choir, Inc., Lawrence, KS  
Leavenworth Christian Education Corporation, Leavenworth, KS.  
Lock Protectors, Inc., Shawnee Mission, KS.  
Lewis Supply Company, Inc., Leoti, KS.  
Meadowlark Management Company, Inc., Leawood, KS.  
Mervyn Webster Tennis, Inc., Wichita, KS.  
Metro Air Conditioning, Inc., Wichita, KS.  
Mid America Directs, Inc., Olathe, KS.

(continued)

Mid-America State Universities Association,  
Lawrence, KS.  
Morrison Jewelry, Inc., Great Bend, KS.  
N. and W. Fertilizer, Inc., Kirwin, KS.  
National Sudden Infant Death Syndrome Foundation,  
Inc., Landover, MD.  
Native American Church of North America in Kansas,  
Inc., Hoyt, KS.  
Newton-Mid Kansas Orchestra Association,  
North Newton, KS.  
Night Life, Inc., Wichita, KS.  
North American Investment Company Incorporated,  
Hutchinson, KS.  
Olathe National Education Association, Olathe, KS.  
Palace Clothier, Inc., Larned, KS.  
Paladin Computer System, Inc., Kansas City, KS.  
Petroleum Recovery, Inc., Olathe, KS.  
Power Play Sports, Inc., Mission, KS.  
Prapas Gerjarusak, M.D., P.A., Shawnee Mission, KS.  
Prestige Productions, Inc., Prairie Village, KS.  
Preston Cooperative Grain & Mercantile Company,  
Preston, KS.  
Professional Services Corporation of Kansas,  
Wichita, KS.  
Progress Builders, Inc., Wichita, KS.  
R & L Freight, Inc., Salina, KS.  
R. & R. Drilling Co., Inc., Iola, KS.  
Ram Mortgage Corporation, Overland Park, KS.  
Refinery Insulation and Maintenance Company, Inc.,  
Winfield, KS.  
Remcor, Inc., Kansas City, MO.  
Restaurant Equipment Distribution Company, Inc.,  
Wichita, KS.  
Revap, Inc., Wichita, KS.  
S & R Service Company Inc., Shawnee, KS.  
S. & H. Farnequip., Inc., Abilene, KS.  
Salina Associaton of Life Underwriters, Inc.,  
Topeka, KS.  
Sandy, Inc., Hutchinson, KS.  
Scottdale Resort Network, Inc., Kansas City, KS.  
Sister Cities Of Prairie Village, Inc.,  
Prairie Village, KS.  
Small World, Inc., Lawrence, KS.  
Snapback Film Service, Inc., Wichita, KS.  
Southwick Automotive, Inc., Topeka, KS.  
Specialized Transportation Services, Inc., Wichita, KS.  
Sun Cementing and Acidizing, Inc., Eureka, KS.  
Taylor Forge and Anvil, Inc., Newton, KS.  
Technology for Advancement, Inc., Kansas City, KS.  
Tercon Management International, Inc., Lenexa, KS.  
The Answer Corporation, Wichita, KS.  
The Crown Room Club, Inc., Wichita, KS.  
The Kansas Association of Christian Schools, Inc.,  
Hays, KS.  
The Little Balkans Press, Inc., Pittsburg, KS.  
The Northeast Kansas Chapter of the American Society  
of Chartered Life Underwriters, Topeka, KS.  
The Oronoque Foundation, Overland Park, KS.  
The Topeka Association of Life Underwriters,  
Topeka, KS.  
The Vocal Instrumental Parents, Inc.,  
Shawnee Mission, KS.

Theta Phi Corporation, Wichita, KS.  
Thompson Petroleum, Inc., Wichita, KS.  
Topeka Emergency Care, P.A., Topeka, KS.  
Topeka General Agents and Managers Association, Inc.,  
Topeka, KS.  
Upsilon Chapter House Corporation Alpha Phi  
International Fraternity, Inc., Topeka, KS.  
Voyageur's Ltd., Olathe, KS.  
W.D. Rodgers & Company, Shawnee Mission, KS.  
Washburn Phi Delta Theta Fraternity Alumni  
Association, Topeka, KS.  
Wichita Apparel, Inc., Wichita, KS.  
Wilson's Daylight Donuts, Inc., Marysville, KS.  
Wunderlich & Associates, Inc., Overland Park, KS.

#### Foreign Corporations

A.J. Wiese, Inc., Sioux Falls, SD.  
Al-Jon/United, Inc., Topeka, KS.  
American Super Clubs, Inc., Tulsa, OK.  
Cameraamerica Franchising, Inc., Overland Park, KS.  
City Wide Food & Beverage Co., Kansas City, MO.  
Coopers Animal Health, Inc., Kansas City, KS.  
Crew Energy U.S.A., Inc., Grand Prairie, TX.  
CVN Companies, Inc., Plymouth, MN.  
Entre' Computer Centers of Virginia, Inc., McLean,  
VA.  
Equity Drilling Company, Inc., Dewey, OK.  
Facilities Leasing Corporation, St. Louis, MO.  
Franchise Equipment Distributors, Inc.,  
Oklahoma City, OK.  
Hansen Building Specialties, Inc., Hastings, NE.  
Healthcall Corporation, Milwaukee, WI.  
Holweg Corporation, Overland Park, KS.  
Home Shopping Club Securities, Inc., Dallas, TX.  
Infolink Corporation, Northbrook, IL.  
J. & R. Drilling Services, Inc., Des Moines, IA.  
Long Distance/USA, Inc., Honolulu, HI.  
Magic Woods, Inc., Kansas City, KS.  
Microwave, Inc., Beaverton, OR.  
Moon Petro-Chem, Inc., Bethany, OK.  
Moto Photo, Inc., Trotwood, OH.  
Mr. Z's Corp., Cedarburg, WI.  
Oklahoma Home Health, Inc., Oklahoma City, OK.  
Overland Park Racquet Club, Inc., St. Louis, MO.  
PSL Business Group, Inc., Beverly Hills, CA.  
Resources Investment Corporation, Denver, CO.  
RNR Incorporated, Grandview, MO.  
Sandy Carpenter Interiors, Inc., Kansas City, MO.  
Shane Miller, Inc., Leawood, KS.  
Sportec International Inc., Chattanooga, TN.  
Systemhouse Inc., Arlington, TX.  
T-G Excavating Inc., Fort Wayne, IN.  
The Brokerage Corporation of America, New York, NY.  
TLS, Co., Cedar Rapids, IA.  
Tourette Syndrome Association, Inc., Bayside, NY.  
Vac-N-Jet Environmental, Inc., Pueblo, CO.  
Westfield Energy, Inc., Sharon Springs, KS.  
Wheel City, Inc., Cleveland, OH.  
Window Resource—Midwest, Inc., Shawnee, KS.

Bill Graves  
Secretary of State

## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consultant engineers for engineering services for the following projects:

**Package No. 1A**

Norton—283-69 K-4028-01 (FY92)—U.S. 283, North Fork Solomon River bridge (015), 3.57 miles north of the Graham-Norton county line. Bridge replacement based on a 36-foot roadway including 6-foot shoulders. Construction cost approximately \$1,557,000.

**Package No. 2A**

Marshall—36-58 K-2066-01 (FY93)—U.S. 36, Spring Creek bridge (003), 5.62 miles east of the east junction of U.S. 77. Bridge replacement based on a 44-foot roadway including 10-foot shoulders. Construction cost approximately \$821,000.

**Package No. 3A**

Pratt—61-76 K-2860-01 (FY93)—K-61, Ninnescah River drainage bridge (013), 4.9 miles northeast of U.S. 54, bridge replacement based on a 40-foot roadway including 8-foot shoulders. Construction cost approximately \$1,214,000.

**Package No. 4A**

Montgomery—75-63 K-336-01 (FY93)—U.S. 75, Elk River bridge (010) and Elk River drainage bridge (011), 2.57 and 2.79 miles north of the east junction of U.S. 160, bridge replacements based on a 44-foot roadway including 10-foot shoulders. Construction cost approximately \$3,107,000.

**Package No. 5A**

Washington—36-101 K-4056-01 (FY94)—U.S. 36, from the two lane/four lane divided, east to the Washington/Marshall county line (north lane and south lane), grading, surfacing, bridge and guard fence. Replace guard fence on bridge no. 012 over Little Blue River drainage. Construction cost approximately \$2,251,000.

Marshall—36-58 K-4057-01 (FY93)—U.S. 36, from the Washington/Marshall county line, east to the west junction of U.S. 77 (north lane and south lane), grading, surfacing, bridge and guard fence. Replace guard fence on bridge no. 001 over Hop Creek. Construction cost approximately \$4,716,000.

**Package No. 6A**

Meade—54-60 K-3188-01 (FY93)—U.S. 54, from the south city limits of Plains, northeast and east to the west city limits of Meade, grading, surfacing and bridges. Widen bridges no. 003 and 004 over Spring Creek and Crooked Creek drainage. Construction cost approximately \$10,362,000.

**Package No. 7A**

Logan—83-55 K-4080-01 (FY93)—U.S. 83, from the Logan/Scott county line, north to 8.0 miles north of FAS-1067, grading, surfacing and bridge. Replace bridge no. 009 over the Smoky Hill River area and widen bridge no. 010 over Smoky Hill River drainage. Construction cost approximately \$14,098,000.

**Package No. 8A**

Rush—96-83 K-4060-01 (FY93)—K-96, from the west city limits of Alexander, east to the two lane/four lane divided in Rush Center, grading, surfacing and bridge. Replace bridge no. 027, 030 and 031 over Walnut Creek drainage, Old Maids Fork drainage and Walnut Creek. Widen bridges no. 025, 029, 032, 033, 034 and 035 over Walnut Creek drainage. Install new guard fence on bridge no. 026 over Walnut Creek drainage. Construction cost approximately \$10,690,000.

**Package No. 9A**

Ford—154-29 K 3212-01 (FY94)—K-154, from the four lane/two lane divided in Dodge City, southeast to the curb and gutter in Ford, grading, bridge and surfacing. Widen bridges no. 028 through 040 over Arkansas River drainage. Install new guard fence on bridge no. 057 over Arkansas River. Construction cost approximately \$13,554,000.

**Package No. 10A**

Phillips—183-74 K-3376-01 (FY94)—U.S. 183, from the west junction of U.S. 36 in Phillipsburg, north 8.6 miles, grading, surfacing and bridge. Widen bridge no. 023 over Spring Creek. Construction cost approximately \$11,983,000.

**Package No. 11A**

Phillips—183-74 K-4062-01—U.S. 183, from 7.7 miles north of Phillipsburg, north to the Kansas/Nebraska state line, grading, surfacing and bridge. Replace bridges no. 024 and 025 over Walnut Creek drainage and Walnut Creek. Construction cost approximately \$15,461,000.

**Package No. 12A**

Rooks—183-82 K-3763-01 (FY94)—U.S. 183, from the north city limits of Plainville, north to 0.9 of a mile north of FAS 912, grading, surfacing and bridge. Widen bridge no. 021 over the South Fork of Solomon River drainage. Construction cost approximately \$9,861,000.

**Package No. 13A**

Barber—281-4 K-3377-01 (FY94)—U.S. 281, from the Oklahoma/Kansas state line, north to the south city limits of Hardtner (0.8 of a mile) and from the east city limits of Hardtner, east to K-2 (4.5 miles), grading, surfacing and bridge. Replace bridges no. 020 and 021 over Eagle Chief Creek and Eagle Chief Creek drainage. Construction cost approximately \$5,962,000.

**Package No. 14A**

Franklin—59-30 K-2103-01 (FY94)—U.S. 59, bridge (050) over the Atchison, Topeka and Santa Fe Railroad and local road, 0.02 of a mile north of the Anderson County line, bridge replacement. Construction cost

**Package No. 15A**

Nemaha—71-66 K-4068-01 (FY94)—K-71, Nemaha River bridge no. 024, 0.93 of a mile east of K-63, bridge replacements based on a 32-foot roadway including 4-foot shoulders. Construction cost approximately \$1,388,000.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by April 26.

(continued)

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

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

Horace B. Edwards  
Secretary of Transportation

Doc. No. 009068

## State of Kansas

### Attorney General

#### Opinion No. 90-38

**Consumer Credit Code—Scope and Jurisdiction—Territorial Application.** Neil H. Arasmith, Consumer Credit Commissioner, Topeka, March 29, 1990.

For purposes of the uniform consumer credit code, the residence of military personnel is the address listed as the person's residence in any signed writing in connection with the consumer transaction. If the individual's residence is called into question, it must be determined on a case-by-case basis taking many factors into consideration in an attempt to ascertain the individual's intended residence. Cited herein: K.S.A. 16a-1-201; K.S.A. 77-201. JLM

#### Opinion No. 90-39

**Minors—Kansas Juvenile Offenders Code—Commitment to State Youth Center; Discharge from Commitment; Duty of State Youth Center to Notify Court.** Gene M. Olander, District Attorney, Kansas Third Judicial District, Topeka, March 29, 1990.

The Kansas juvenile offenders code provides for two methods by which a juvenile offender may be released from a state youth center. If a juvenile offender is conditionally released pursuant to K.S.A. 38-1673, prior notice of the date and proposed conditions of release must be provided to the committing court. If a juvenile offender is discharged from commitment pursuant to K.S.A. 38-1675, prior notice to the committing court is not required. Cited herein: K.S.A. 38-806 (repealed, L. 1982, ch. 182, § 150); 38-1604; 38-1673; 38-1675; 75-3336a; 76-2109 (repealed, L. 1982, ch. 182, § 150); 76-2209 (repealed, L. 1982, ch. 182, § 150); 76-2212 (repealed, L. 1982, ch. 182, § 150); 76-2414 (repealed, L. 1974, ch. 416, § 25). CN

#### Opinion No. 90-40

**Agriculture—Weeds—Purchase and Use of Equipment and Chemicals; Sale of Chemicals, Price; Charges for Use of Machinery and Equipment; Record of Purchases, Sales and Charges; Cost-Sharing Certificates.** Steven Kraushaar, Marshall County Attorney, Marysville, April 2, 1990.

Current law dealing with the eradication of noxious weeds (K.S.A. 2-1314 *et seq.*) imposes duties regarding the sale and distribution of chemical materials. It does

not provide the authority to substitute a cost-sharing certificate program in lieu thereof. Cited herein: K.S.A. 2-1314 *et seq.*; K.S.A. 1989 Supp. 2-1322. GE

#### Opinion No. 90-41

**Public Health—Secretary of Health and Environment, Activities; Sanitation Standards, Barbers and Cosmetologists—Inspection of Dual-Licensed Beauty Shops and Barber Shops.** Henri Fournier, Executive Director, Kansas State Board of Cosmetology, Topeka, April 2, 1990.

An inspector for the board of cosmetology as well as an inspector for the board of barber examiners has the authority to inspect the premises of a dual-licensed beauty and barber shop to assure compliance with the applicable Kansas administrative regulations pertaining to that inspector's duties. Cited herein: K.S.A. 1989 Supp. 65-1,148; K.S.A. 65-1809; K.S.A. 1989 Supp. 65-1820; K.S.A. 65-1824; K.S.A. 1989 Supp. 65-1904; 65-1907; 65-1908; K.S.A. 74-1806. CN

#### Opinion No. 90-42

**Constitution of the State of Kansas—Finance and Taxation—System of Taxation; Classification; 1990 House Concurrent Resolution No. 5061.** Representative Bob Vancrum, 29th District, Overland Park, April 3, 1990.

1990 House Concurrent Resolution No. 5061, subsection (a)(4), does not violate the uniform and equal provision of the Kansas Constitution or the equal protection clause of the United States Constitution. Cited herein: Kan. Const., Art. 11, §1; 1990 H.C.R. No. 5061; U.S. Const., Amend. XIV. JLM

#### Opinion No. 90-43

**Legislature—Joint Committee on Governmental Technology—Powers and Duties; Separation of Powers Doctrine.** Senator Frank D. Gaines, 16th District, Augusta, April 3, 1990.

Section 1 (a) of Substitute for 1990 House Bill No. 2877 prescribes, in part, that no state agency shall enter into any contract or other commitment of moneys for the acquisition of any data processing equipment or programs for that state agency or any other state agency until the expiration of 30 days after such acquisition has been presented to the joint committee on governmental technology. Such requirement, if enacted, would not, in our opinion, violate the constitutional doctrine of separation of powers. It should be stressed, however, that Substitute for 1990 House Bill No. 2877 does not require prior approval of the Joint Committee on Governmental Technology before a state agency may purchase or rent data processing equipment or programs, nor does it require legislative approval of vendors with whom state agencies seek to satisfy their data processing needs. Such requirements would be constitutionally suspect. Cited herein: Sub. for 1990 House Bill No. 2877. TRH

Robert T. Stephan  
Attorney General

Doc. No. 009063

State of Kansas

**State Historical Society  
State Records Board**

**Notice of Meeting**

The Kansas State Records Board will meet at 10 a.m. Thursday, April 19, in the conference room on the fourth floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of non-current government records.

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

Eugene D. Decker  
State Archivist and  
Secretary, State Records Board

Doc. No. 009062

State of Kansas

**Department of Commerce**

**Notice of Hearing**

A public hearing on the draft qualified allocation plan for the 1990 Low-Income Housing Tax Credit Program will be conducted at 1:30 p.m. Monday, April 30, in the first floor conference room, Capitol Tower, 400 S.W. 8th, Topeka.

Copies of the draft allocation plan are available during working hours at KDOC offices, Suite 500, 400 S.W. 8th, Topeka 66603. Written comments on the draft allocation plan will be received for consideration in preparation of the final allocation plan by KDOC through April 27.

Harland Priddle  
Secretary of Commerce

Doc. No. 009077

State of Kansas

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

**Monday, April 23, 1990**

27114

University of Kansas Medical Center—Rubella EIA kit

27565

Department of Health and Environment—Papanicolaou screening

27570

Statewide—Refrigerant

27790

Statewide—Patch panels

83383

Kansas State University—Liquid scintillation center

83389

Kansas State University—Computer systems

83428

University of Kansas—Lan bridge/router and protocol analyzer

83450

Department of Administration, Division of Information Systems and Communications—Cable

**Tuesday, April 24, 1990**

A-6382

University of Kansas—Sellards Scholarship Hall reroofing—total building

A-6383

Kansas State University—Steam line distribution repairs

A-6393

University of Kansas—Building No. 3, reroof Stouffer Place apartments

27064

Statewide—Automotive supplies

27325

Department of Social and Rehabilitation Services—Influenza vaccine

27517

Statewide—Spices and miscellaneous groceries

27590

Larned State Hospital—Liquid laundry supplies

27759

Statewide—Frozen eggs

83399

Department of Transportation—Aggregate, various locations

83400

Adjutant General's Department—Furnish all labor and materials for structural repair, Iola

83401

Adjutant General's Department—Furnish all labor and materials for structural repairs, Fort Scott

83432

Osawatomie State Hospital—Pass-through warewashers

83448

Fort Hays State University—Repair chillers

**Wednesday, April 25, 1990**

27474

University of Kansas Medical Center—June (1990) meat products

27524

University of Kansas—June (1990) meat products

28231

Kansas Correctional Industries—Detergent/disinfectant (dual quaternary compound)

83414

Kansas Highway Patrol—Warning sign systems

83415

University of Kansas Medical Center—Electron microscope

(continued)



83416

Kansas Bureau of Investigation—Van conversion

83417

Kansas Bureau of Investigation—Vehicles

Thursday, April 26, 1990

A-6284

Department of Transportation—Metal prefabricated storage building, Ellsworth

A-6285

Department of Transportation—Metal prefabricated storage building, Dodge City

A-6286

Department of Transportation—Metal prefabricated storage building, Horton

A-6288

Department of Transportation—Metal prefabricated storage building, Wamego

28232

Kansas Bureau of Investigation—Air craft rental

83405

University of Kansas Medical Center—Memorex telex magnetic tape units

83406

University of Kansas Medical Center—HDS DASD

83407

University of Kansas Medical Center—Light pens

83433

University of Kansas Medical Center—Gamma counter

83434

The Wichita State University—Lab micro-reader

83435

The Wichita State University—HPLC

Friday, April 27, 1990

27515

Statewide—Frozen foods

27516

Statewide—June (1990) meat products

83449

University of Kansas Medical Center—Tape cartridges and accessories

Tuesday, May 1, 1990

A-2932(a)

Kansas State University—HVAC renovation

Friday, June 1, 1990

28032

Kansas State University—Individual professional liability insurance

Nicholas B. Roach  
Director of Purchases

Doc. No. 009069

## 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 March 29-April 4:

## House Bills

HB 3104, by Committee on Appropriations: An act concerning watershed districts; relating to the powers and duties of the governing body thereof; amending K.S.A. 24-1209 and repealing the existing section.

HB 3105, by Committee on Taxation: An act concerning appointments to certain state governmental bodies; relating to gender and race and qualifications of appointees.

HB 3106, by Committee on Appropriations: An act concerning the department of social and rehabilitation services; relating to home and community-based services and limits on certified beds in intensive care facilities for mentally retarded persons.

HB 3107, by Committee on Appropriations: An act concerning the state racing fund; relating to authorized uses of moneys credited thereto; amending K.S.A. 1989 Supp. 74-8826 and repealing the existing section.

HB 3108, by Committee on Appropriations: An act concerning social welfare; relating to adult care homes; providing for screening of admissions thereto by the secretary of social and rehabilitation services; amending K.S.A. 39-778 and repealing the existing section.

HB 3109, by Committee on Appropriations: An act concerning the city of Burns, Kansas; validating an election to issue bonds.

HB 3110, by Committee on Appropriations: An act concerning groundwater exploration and protection; relating to driven wells; amending K.S.A. 82a-1218 and repealing the existing section.

HB 3111, by Committee on Taxation: An act concerning public improvements within Sedgwick county; relating to the creation of benefit districts; assessing costs upon the property specially benefited; and providing for financing of such improvements.

## Senate Bills

SB 785, by Committee on Ways and Means: An act concerning municipal bonds or obligations; relating to interest rates; amending K.S.A. 1989 Supp. 10-1009 and repealing the existing section.

SB 786, by Committee on Federal and State Affairs: An act concerning insurance holding companies; relating to hearings and assessment of administrative costs thereof; amending section 3 of 1990 Senate Bill No. 576 and repealing the existing section.

SB 787, by Committee on Ways and Means: An act concerning corrections; relating to work by inmates outside of correctional institutions; requirements to limit effect on private sector workforce; amending K.S.A. 75-52, 116 and repealing the existing section.

SB 788, by Committee on Ways and Means: An act relating to sales and compensating taxes; increasing the rates thereof; providing for the disposition of revenue received therefrom; amending K.S.A. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections.

## House Concurrent Resolutions

HCR 5063, by Committee on Governmental Organization: A proposition to amend section 2 of article 3 of the constitution of the state of Kansas, relating to the supreme court.

HCR 5064, by Representative Brady: A concurrent resolution providing for a legislative study about the department of social and rehabilitation services by a public-private social and rehabilitation services review commission.

## House Resolutions

HR 6082, by Representative Bowden: A resolution congratulating and commending Larry Welch on his illustrious career in law enforcement.

HR 6083, by Representatives Charlton, Branson and Solbach: A resolution congratulating and commending Thomas Christie on being selected a Kansas Master Teacher for 1990.



**HR 6084**, by Representative Whiteman: A resolution congratulating and commending Jack Reeves on his lifesaving action.

**HR 6085**, by Representative Whiteman: A resolution congratulating and commending St. John C.M.E. Church, Hutchinson, on its 100th anniversary.

**HR 6086**, by Representatives Flottman and Baker: A resolution congratulating and commending the Rose Hill High School girls' basketball team and Coach Monte Stewart for winning the 1990 Class 4A State Basketball Championship in Kansas.

**HR 6087**, by Committee on Taxation: A resolution urging the Property Valuation Division to utilize a more equitable standard than replacement cost less depreciation to determine appraised valuation of commercial buildings and buildings in agricultural areas.

**HR 6088**, by Representative Shallenburger: A resolution congratulating and commending Calvin Mishler on being selected the Central States Little League Volunteer of the Year.

**HR 6089**, by Representative Lane: A resolution congratulating and commending the Shawnee Mission East High School boys' swimming team and Coach Wiley Wright for winning the 1989-90 Boys' State Swimming Championship in Kansas.

**HR 6090**, by Representative Allen: A resolution congratulating and commending the Shawnee Mission East High School girls' cross country team and Coaches John Haraugthy and Karl Englund for winning the 1989 Class 6A State Cross Country Championship in Kansas.

**HR 6091**, by Representative Hoy: A resolution congratulating and commending the Shawnee Mission East High School debate team for winning the Class 6A State Debate Championship for the 1989-1990 school year.

**HR 6092**, by Representative Amos: A resolution congratulating and commending the Shawnee Mission Northwest High School boys' cross country team and its coach, Van Rose, on winning the 1989 Class 6A State Cross Country Championship in Kansas.

**HR 6093**, by Representative Webb: A resolution congratulating and commending the Sedgwick County Senior Employment Program Job Development Committee on its selection as Kansas' Community Achievement Award entrant.

**HR 6094**, by Representative Weimer: A resolution congratulating and commending Marilyn H. Jenkins on her selection as Junior Officer of the Year of the United States Air Force Electronic Security Command.

### Senate Concurrent Resolutions

**SCR 1648**, by Committee on Assessment and Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to taxation.

### Senate Resolutions

**SR 1838**, by Senator Winter: A resolution supporting the establishment of the Sunflower State Games with the inaugural year event to be held July 27 through July 29, 1990, in Lawrence, Kansas.

**SR 1839**, by Senator D. Kerr: A resolution congratulating and commending the State Industrial Reformatory, its Director, Robert D. Hannigan, his staff and the inmates on the achievement of accreditation by the American Corrections Association.

**SR 1840**, by Senator Harder: A resolution congratulating and commending the Moundridge High School boys' basketball team and Coach Vance Unrau for winning the 1990 Class 2A State Basketball Championship in Kansas.

**SR 1841**, by Senator Karr: A resolution honoring Forrest W. Gragg on his retirement after 30 years of service as Osage City Police Chief and 34 years as a Kansas law enforcement officer.

**SR 1842**, by Senator Feleciano: A resolution congratulating and commending Marge Zakoura-Vaughan for a decade of dedicated service on behalf of senior citizens.

**SR 1843**, by Senator Frahm: A resolution supporting the efforts of the Colorado baseball commission and the Denver metropolitan major league baseball stadium district to secure a major league baseball team for this region of the country.

**SR 1844**, by Senator Frahm: A resolution congratulating and commending Leoti High School for winning the sportsmanship trophy in the 1990 boys' Class 3A State Basketball Championship.

**SR 1845**, by Senator Frahm: A resolution congratulating and commending the Leoti High School boys' basketball team and Coach Carlos Guzman for winning the 1990 Class 3A State Basketball Championship in Kansas.

**SR 1846**, by Senator McClure: A resolution congratulating and commending the nine teachers to be inducted into the Kansas Teachers' Hall of Fame in Dodge City on June 9, 1990.

**SR 1847**, by Senator Oleen: A resolution designating April 2 through April 6, 1990, the Week of the Young Child.

Doc. No. 009066

## State of Kansas

### Board of Education

#### Notice of Hearing on Proposed Administrative Regulations

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, May 8, in Room 121 of the State Education Building, 120 E. 10th, Topeka, to consider proposed changes in State Board Regulations numbered S.B.R. 91-1-32, 91-1-58, 91-1-80, 91-1-82, 91-1-128b, 91-1-132a, 91-1-152; the adoption of new S.B.R. 91-1-27c and 91-1-106a, 91-1-106b, 91-1-106c, 91-106d, 91-1-106e, 91-1-106f, 91-1-106g, 91-1-106h, 91-1-106i, 91-1-106j, 91-1-106k, 91-1-106l, 91-1-106m and 91-1-123a; the revocation of 91-1-101 and 91-1-110; and the amendment of K.A.R. 91-1-27b.

The following is a summary of the substance of each proposed regulation and a summary of its anticipated economic impact.

1. New S.B.R. 91-1-27c concerns exchange certificates. This proposed new regulation would allow implementation of a reciprocal certification agreement with Missouri, Nebraska and Iowa. There would be a reduction in staff time involved in the certification of applicants from Missouri, Nebraska and Iowa, as well as a reduction in local education agency staff time involved in the follow-up of certification of applicants from those three states.

2. S.B.R. 91-1-32 concerns school administrators and the requirements for renewal of endorsements. A portion of this regulation is being deleted to avoid duplication with S.B.R. 91-1-152. There will be no economic impact upon the State Department of Education (KSDE) or upon other governmental agencies, private business or individuals.

3. S.B.R. 91-1-58 concerns substitute teaching certificates. This regulation is being amended to allow any individual who holds or has held a valid Kansas or out-of-state teaching certificate and any individual who has completed a state-approved teacher education program to receive a substitute teaching certificate. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

4. S.B.R. 91-1-80 concerns preservice professional education. The proposed amended regulation will require the preservice professional education component of each state-approved program to allow each student the opportunity to acquire the competencies needed by an entry-level teacher. There will be no economic impact upon KSDE, but there may be an increase in expenditure requirements for some teacher education institutions.

5. S.B.R. 91-18-82 concerns endorsements in agricultural education and is being amended to assure that state-approved programs in agricultural education consist of those competencies needed by entry-level teachers of agricultural education. There will be no economic impact

(continued)

upon KSDE or upon other governmental agencies, private business or individuals.

6. S.B.R. 91-1-101 is being revoked, since the requirements of this regulation will be included in 91-1-101b. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

7. New S.B.R. 91-1-106a concerns endorsements in general industrial technology education. This proposed new regulation will require a state-approved program in industrial technology education to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of industrial technology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

8. New S.B.R. 91-1-106b concerns endorsements in middle level industrial technology education. This proposed new regulation will require a state-approved program in middle-level technology education to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of middle-level industrial technology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

9. New S.B.R. 91-1-106c concerns endorsements in auto mechanics. This proposed new regulation will require a state-approved program in auto mechanics to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of auto mechanics. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

10. New S.B.R. 91-1-106d concerns endorsements in electricity/electronics. This proposed new regulation will require a state-approved program in electricity/electronics to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of electricity/electronics. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

11. New S.B.R. 91-1-106e concerns endorsements in power and energy technology. This proposed new regulation will require a state-approved program in power and energy technology to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of power and energy technology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

12. New S.B.R. 91-1-106f concerns endorsements in plastics. This proposed new regulation will require a state-approved program in plastics to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of plastics. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

13. New S.B.R. 91-1-106g concerns endorsements in woods. This proposed new regulation will require a state approved program in woods to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of woods. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

14. New S.B.R. 91-1-106h concerns endorsements in

metals. This proposed new regulation will require a state-approved program in metals to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of metals. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

15. New S.B.R. 91-1-106i concerns endorsements in production technology. This proposed new regulation will require a state-approved program in production technology to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of production technology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

16. New S.B.R. 91-1-106j concerns endorsements in drafting. This proposed new regulation will require a state-approved program in drafting to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of drafting. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

17. New S.B.R. 91-1-106k concerns endorsements in graphic arts. This proposed new regulation will require a state-approved program in graphic arts to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of graphic arts. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

18. New S.B.R. 91-1-106l concerns endorsements in visual communications technology. This proposed new regulation will require a state-approved program in visual communications technology to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of visual communications technology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

19. New S.B.R. 91-1-106m concerns endorsements in comprehensive industrial technology education. This proposed new regulation will require a state-approved program in comprehensive industrial technology education to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of comprehensive industrial technology education. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

20. S.B.R. 91-1-110 is being revoked. The requirements of this regulation are being replaced by S.B.R. 91-1-110b. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

21. New S.B.R. 91-1-123a concerns endorsements in psychology. This proposed new regulation will require a state-approved program in psychology to allow each student the opportunity to acquire the competencies needed by an entry-level teacher of psychology. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

22. New S.B.R. 91-1-128b concerns programs for building administrators and is being amended to require each state-approved program for building administrators to allow each student the opportunity to acquire the competencies needed by an entry-level building

administrator. There will be no economic impact upon KSDE or upon other governmental agencies, private business or individuals.

23. S.B.R. 91-1-132a concerns the school psychologist endorsement and is being amended to not require those individuals who have at least one year of accredited experience as a school psychologist in another state to complete a supervised internship in school psychology when seeking a school psychologist endorsement in Kansas. There will be no economic impact upon KSDE or upon other governmental agencies or private business. Individuals coming to Kansas with accredited experience will save money by not being required to complete an internship.

24. New S.B.R. 91-1-152 concerns building administrator endorsements. This proposed new regulation will require each applicant for a building administrator endorsement to have completed a state-approved building administrator program within the five-year period immediately preceding the date of application and to have completed three years of accredited teaching experience. It also will require all building administrators to complete college semester hours or inservice education points, every five years, for renewal. There will be no economic impact upon KSDE or upon other governmental agencies or private business. Individuals will incur the costs of additional education.

25. K.A.R. 91-1-27b concerns exemptions from the precertification examination. This regulation is being amended to allow for the implementation of a reciprocal certification agreement with Missouri, Nebraska and Iowa. There would be a reduction in staff time involved in the certification of applicants from Missouri, Nebraska and Iowa. There also would be a reduction in local education agency staff time involved in the follow-up of certification of applicants from Missouri, Nebraska and Iowa.

A copy of each of the proposed regulations and complete economic impact statements may be obtained by contacting the secretary of the State Board of Education at the address above prior to the date of the hearing.

All interested persons will be given a reasonable opportunity to present their views or arguments at the hearing, either orally or in writing, in regard to the proposed regulations. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Such written comments may be submitted to the secretary of the State Board of Education. The hearing shall be conducted in compliance with the public hearing procedures of the board.

#### Article 1.—CERTIFICATE REGULATIONS

**91-1-27b. Exemptions from precertification examination.** (a) The precertification examination requirements set forth in K.A.R. 91-1-27a shall not apply if application is made for:

(1) A certificate with an endorsement or endorsements only in an area or areas that do not require the completion of a state-approved teacher education program;

(2) a certificate issued with an endorsement which does not require student teaching as a prerequisite for classroom instruction;

(3) a certificate with a substitute teaching endorsement only; and

(4) a nonrenewable certificate valid only through June 30 of the school year for which the certificate is issued. Each applicant seeking this certificate shall meet all other requirements for the issuance of an initial certificate to teach, and shall provide written verification from an administrator of an accredited or approved local education agency that the applicant will be employed if the certificate is issued.

(b) An initial certificate to teach shall be issued to each applicant for certification who has not taken and satisfactorily passed the precertification examination if:

(1) The applicant holds a certificate to teach that is valid in another state and that certificate was issued before May 1, 1986; and

(2) the certificate was issued under requirements for certification that are comparable to those required for certification in this state, other than examination.

(c) A two-year exchange certificate shall be issued to each applicant for certification who has not taken and satisfactorily passed the precertification examination if:

(1) The applicant holds a certificate to teach that is valid in a state which has been approved by the state board of education for an exchange certificate; and

(2) the certificate was issued under requirements that are comparable to those required for certification in this state, other than examination.

(d) This regulation shall be effective on July 1, 1990. (Authorized by K.S.A. 72-1388; implementing K.S.A. 72-1396; effective May 1, 1986; amended March 13, 1989; amended P-\_\_\_\_\_.)

**91-1-27c. Exchange certificate.** Notwithstanding any other requirement for initial certification, any applicant for an initial Kansas teaching certificate, who holds a valid certificate with one or more full endorsements issued by a state which has been approved by the state board of education for exchange certificates, may be issued a two-year certificate, if the applicant's endorsements are based on completion of a state-approved program in the other state. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-32. District school administrator, building administrator.**

(a) any individual who holds a valid Kansas district school administrator endorsement originally issued prior to June 1, 1986, may serve as, or continue to serve as, a district school administrator or as an elementary or secondary building administrator, or both.

(b) Each applicant for a district school administrator endorsement shall have completed a graduate degree, a state-approved district school administrator program, a state-approved building administrator program, and have two years of teaching experience and be recommended by an accredited teacher education institution.

(c) Each applicant for a building administrator endorsement shall have completed a graduate degree, a state-approved building administrator program, have two years teaching experience at the level of building administrator endorsement and be recommended by an accredited teacher education institution.

(continued)

tion. Elementary experience shall be in an accredited or approved school which includes any combination of grades kindergarten through nine and in a subject or field in which the applicant held a K-9 level endorsement. Secondary experience shall be in an accredited or approved school which includes any combination of grades seven through 12 and in a subject or field in which the applicant held a 7-12 level endorsement.

(d) (c) Renewal requirements.

(1) Renewal of administrator endorsements originally issued under requirements in effect prior to July 1, 1980 shall require:

(A) Three years of recent, accredited or approved experience during the term of the last certificate held by the applicant; or

(B) six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.

(2) Renewal of administrator endorsements originally issued on or after July 1, 1980 shall require six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d. Two renewals may be granted on verification of three years of recent, accredited or approved experience during the term of the last certificate held by the applicant.

(3) *On and after July 1, 1992, renewal of a building administrator endorsement shall require meeting the requirements specified in S.B.R. 91-1-152 (b) (2) or (3).*

(3) (4) Any one-year building or district school administrator endorsement issued under requirements in effect prior to May 1, 1984 shall be converted to full endorsement upon the applicant having met renewal requirements for the certificate held.

(4) (5) Any individual holding a district or building administrator endorsement shall not be required to complete a two semester-hour survey course in the area of exceptional children for renewal of certification.

(d) This regulation shall be effective on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1984; amended July 1, 1989; amended P-\_\_\_\_\_.)

**91-1-58. Substitute teaching certificate.** (a) A substitute teaching certificate may be issued to any applicant who:

(1) Held a current or past valid Kansas teacher's certificate;

(2) held a current or past valid teaching certificate from another state; or

(3) completed a state approved teacher education program, and eight semester hours of recent credit if holding a bachelor's degree, or six semester hours of recent credit if holding an advanced degree.

(b) A renewal of the substitute teaching certificate shall be valid for five years and may be issued to any applicant who presents evidence of having completed:

(1) Five semester hours of recent college credit earned since the issuance of the previous substitute teaching certificate. College semester hours that are

submitted as a basis for a substitute teaching certificate renewal shall meet the requirements stated in S.B.R. 91-1-30(b) or

(2) 100 recent inservice education points earned since the issuance of the previous substitute teaching certificate.

(A) None of the 100 inservice education points for renewal of a substitute teaching certificate are required to be college semester hours.

(B) A substitute teacher employed for any period of time by an education agency having a state-approved inservice education plan may participate, with the approval of the governing body, in the education agency's inservice education plan;

(c) A substitute teacher certificate shall be valid for:

(1) Five years; and

(2) for the grade level for which the applicant held a teaching certificate, or if issued based upon completion of a state approved teacher education program for the grade level recommended by the recommending teacher education institution.

(d) An applicant for a substitute teacher certificate only shall not be required to:

(1) Take and satisfactorily pass the precertification examination; or

(2) have a 2.5 cumulative grade point average on a 4.0 grade system.

(3) This regulation shall be effective on and after July 1, 1989.

*A substitute teaching certificate may be issued to any applicant:*

(1) *who previously held a teaching certificate issued by the state of Kansas or another authority having substantially the same requirements for certification;*

(2) *who previously held a substitute teaching certificate and has completed five semester hours of recent college credit or has 100 recent inservice education points; or*

(3) *who has a baccalaureate degree and has completed a state-approved teacher education program.* (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended July 1, 1989; amended P-\_\_\_\_\_.)

**91-1-80. Pre-service professional education.** (a) *Each teacher education program which requires student teaching as a part of the program shall include a professional education component.*

(b) The professional education component shall be based on those studies which include *studies in foundations of education, methods and materials of teaching, interpersonal relations, multicultural education, equal educational opportunity, human sexuality, and supervised laboratory experiences designed to provide competencies required in the education professions.*

(b) (c) Any *Each* institution which provides a teacher education program shall have written objectives for the professional education component of that program. These objectives shall be available for inspection and review.

(c) (d) The program of professional preparation for teaching education component shall provide for indi-

vidualization for each student's program to develop; require demonstration of competence in the following:

(1) Knowledge of the process of human growth and development, including all categories of exceptionalities, and the practical application of this knowledge to teaching;

(2) knowledge of major categories of exceptionality and the application of this knowledge to teaching;

(3) knowledge of evaluation techniques, research findings, teaching methods, evaluating techniques, laboratory techniques, materials, media, and technology and safety procedures appropriate to teaching with emphasis in a student's each field or fields of specialization;

(4) the ability to teach effectively and to work ethically and constructively with pupils, teachers, administrators, and parents;

(5) an understanding of the foundations underlying the development and organization of education in the United States;

(6) an understanding of the licensing of teachers, administrators and other school personnel;

(7) an understanding of related professional organizations and their impact on the educational process;

(8) an understanding of the purposes, administrative organization, and operation of the basic educational programs of the schools;

(9) the ability and willingness to analyze the student's own to use self assessment teaching skills as a means of continually improving those skills; and continuous professional development; and

(10) on and after September 1, 1985, the ability to teach basic reading skills appropriate to the level of the student and to the subject content field of endorsement.

(d) programs of professional study in education shall include studies in interpersonal relations and multicultural education.

(e) The programs of professional study in education component shall make provisions require field experiences throughout the program providing for observation and experience with school-age youth.

(f) Student teaching shall be conducted through cooperative programs in selected schools. The academic and professional education faculty shall supervise student teachers. Student teaching shall be included in the professional education component and shall require that:

(1) The responsibilities involved in supervision of student teachers shall be designated in writing and made available to cooperating schools;

(2) the observations by teacher education institutions shall be in sufficient number and of a length to provide adequate observation and evaluation of each student teacher and adequate consultation with cooperating teachers and student teachers. One of the supervisory visits shall occur prior to or at the beginning of the student teaching experience. During this visit, the institution-based supervisor, cooperating teacher and education student shall meet and confirm the responsibilities, roles and expectations of each. The teacher education institution shall maintain a record of the frequency and duration of the supervisory visits;

(3) instructional resources for supervision of student teaching experiences shall be provided by the teacher education institution and based on the traditional full-time teaching load of the institution with two student teachers equivalent to one semester hour;

(4) the student teachers in subject areas at the middle and secondary levels shall be supervised by either professional education faculty with expertise in the subject area or by a combination of professional education and subject area faculty; and period and (5) the student teaching experience shall be for the majority of each school day during at least a 10-week consist of a comprehensive experience with expanding responsibilities including the full range of activities of a certified teacher.

(g) Student teaching shall be permitted only after a comprehensive, professional review of a student's record indicates that scholarship, performance in an area or areas of specialization, and competence in the professional sequence, performance in previous professional experiences, education component personal characteristics qualify a student for the responsibilities of student teaching; and

(h) designed to provide comprehensive experience with expanding responsibilities, including the full range of activities of a teacher in a school situation.

(i) Each teacher education institution shall have written contracts with school systems local education agencies for mutually agreed upon activities, services, and compensation; roles and responsibilities; provisions for solving problems and the coordination of ongoing activities; and means for revisions to meet changing needs and conditions.

(j) Each school system local education agency and teacher education institution shall have an identifiable coordinator who channels or coordinates all contacts, operations, and activities which pertain to field experiences prior to and during the student teaching, internship, or apprenticeship program.

(k) To assure adequate supervision, each full time supervisor shall be responsible for not more than 24 student teachers. (Authorized by and implementing, Kansas Constitution, Article 6, Section 2, Article 6, Section 2(a) of the Kansas Constitution; effective July 8, 1982; amended May 1, 1984; amended P-\_\_\_\_\_.)

**91-1-82. Agriculture (vocational) Agricultural education.** A program shall provide for:

(a) Farm or other agricultural experience as a part of the requirements to be met for completion of the program;

(b) Each applicant for an agricultural education endorsement shall have completed A state-approved agricultural education program and shall be recommended by a teacher education institution.

(c) Approved programs shall consist of a course of study requiring each student to:

(1) The study demonstrate knowledge of the biological, physical, and applied sciences as they relate to practical solutions of agricultural problems. agriculture in the following areas:

- (A) Plant science and technology;
- (B) animal science and technology;

(continued)



(C) agricultural mechanics, science and technology; and

(D) microcomputer applications and other agriculture-related technologies.

(e) (2) The study of the essentials for production agriculture and breadth in technical agricultural industry; Demonstrate basic knowledge in the following areas:

(A) Agribusiness organization and management;

(B) agricultural marketing and sales;

(C) agribusiness financing; and

(D) human relations in agribusiness.

(d) A sequence of studies and experiences which provide basic knowledge in the following areas:

(1) Plant science and technology;

(2) Animal science and technology;

(3) Agricultural business management and technology; or

(4) Agricultural mechanics, science and technology;

(e) Specialization in one or more of the following occupational areas:

(1) Agricultural production;

(2) Agricultural supplies and services;

(3) Agricultural mechanics;

(4) Agricultural productions and processing (food and nonfood);

(5) Horticulture;

(6) Renewable natural resources; or

(7) Forestry.

(f) (3) Experiences in Demonstrate the abilities of leadership, including skills necessary in the development of agricultural youth organizations as a means of teaching leadership skills through the study and practice of speech, parliamentary procedure, and group cooperative efforts; and

(g) (4) The study and experience which enables a prospective teacher Demonstrate the ability to perform appropriate occupational skills while working with pupils and adults in projects and programs relative to the agricultural instructional areas.

(5) Demonstrate knowledge in one or more of the following occupational areas:

(A) Agribusiness, which shall consist of a sequence of studies and experiences which provide knowledge in agribusiness organization and management, agricultural marketing and sales, agribusiness financing, human relations in agribusiness, and technology in agribusiness;

(B) agricultural production, which shall consist of a sequence of studies and experiences which provide basic knowledge in animal science, plant science, agricultural economics and agricultural mechanics;

(C) agricultural mechanics, which shall consist of a sequence of studies and experiences which provide basic knowledge in agricultural mechanics and agricultural economics;

(D) horticulture, which shall consist of a sequence of studies and experiences which provide basic knowledge in horticulture, agricultural economics and agronomy; or

(E) natural resources, which shall consist of a sequence of studies and experiences which provide basic knowledge in agronomy, agricultural economics, forestry, and conservation.

(b) Each applicant shall have completed 2000 hours of agricultural occupational experience in one or more of the following areas: agribusiness, agricultural production, agricultural mechanics, horticulture, or natural resources. The experience shall be verified by the recommending teacher education institution.

(c) Prior to July 1, 1992, any institution may request that its agricultural education program be approved under the provisions of this regulation.

(d) On and after July 1, 1992, any institution desiring to have an approved agricultural education program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended P-\_\_\_\_\_.)

**91-1-101.** (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; revoked P-\_\_\_\_\_.)

**91-1-106a. General industrial technology education.**

(a) A state-approved general industrial technology education program shall consist of a course of study requiring each student to demonstrate knowledge of:

(1) The historical development and the philosophies of industrial technology;

(2) professional management and organizational techniques in industrial technology programs, including an understanding of:

(A) management techniques used in industrial technology;

(B) components involved in the development of an effective safety program for industry;

(C) industrial administrative procedures; and

(D) interpersonal skills.

(3) power and energy technology, production technology and visual communications technology, including knowledge of:

(A) safety procedures;

(B) career opportunities;

(C) processes and materials;

(D) the operation of tools and machines;

(E) concepts, principles, and development of industrial technology;

(F) power and energy sources;

(G) principles and proper operation of combustion engines;

(H) fluid power systems;

(I) the operation of electrical and electronic devices;

(J) the types of alternate energies;

(K) the broad categories and properties of industrial materials and their characteristics and basic nature;

(L) evaluation of the materials and processes used in the fabrication of industrial products;

(M) the integration of conceptual knowledge of materials and processes with the practical ability to process materials;

(N) the development of visual communications technology and the relationships between engineering, drawing, graphic arts and photography;

(O) the application of philosophical and ethical aspects of visual communications in the development of curriculum;

(P) the ability to safely utilize processes of image generation for visual communications products;

(Q) the production of visual communication products and processes;

(R) the utilization of visual communication processes in fabricating hard copy; and

(S) the effect of changing chemistry and exposure of filtration on various processes.

(b) Prior to July 1, 1992, any institution may request that its general industrial technology education program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved general industrial technology education program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**92-1-106b. Middle-level industrial technology education.** A state-approved middle-level industrial technology education program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a (a)(1), (2), and (3). (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106c. Auto mechanics.** (a) A state-approved auto mechanics program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate knowledge of automotive:

- (1) Engine parts theory and nomenclature;
- (2) methods and procedures for power plant service;
- (3) power train and related service procedures;
- (4) braking systems and related service procedures;
- (5) suspension systems and functions; and
- (6) malfunctions and related service procedures.

(b) Prior to July 1, 1992, any institution desiring to have an approved auto mechanics program may request that its auto mechanics program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved auto mechanics program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106d. Electricity/electronics.** (a) A state-approved electricity/electronics program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate knowledge of:

- (1) Electrical and electronic theory to sources and circuitry;
- (2) electrical and electronic symbols and standards;
- (3) electrical distribution and control systems;
- (4) the use of appropriate electrical and electronic test equipment;
- (5) the operation of electronic communication systems; and
- (6) electronic components and their function.

(b) Prior to July 1, 1992, any institution may request that its electricity/electronics program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved electricity/electronics program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106e. Power and energy technology.** A state-approved program in power and energy technology shall consist of course of study allowing each student to complete the requirements of S.B.R. 91-1-106a, 91-1-106c and 91-1-106d. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106f. Plastics.** (a) A state-approved plastics program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate:

- (1) Knowledge of the processes utilized by plastics manufacturing and construction companies;
- (2) knowledge of the common plastic materials and their processing;
- (3) knowledge of the organization and operation of plastics manufacturing and construction companies;
- (4) knowledge of the process of plastic product development;
- (5) the ability to evaluate and use the processes employed by the plastics industries in manufacturing a finished product; and
- (6) the ability to evaluate and utilize the materials common to plastics-related industries.

(b) Prior to July 1, 1992, any institution may request that its plastics program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have a state-approved plastics program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106g. Woods.** (a) A state-approved woods program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate:

- (1) Knowledge of the processes utilized by wood manufacturing and construction companies;
- (2) knowledge of common wood materials and their processing;
- (3) knowledge of the organization and operation of wood manufacturing and construction companies;
- (4) knowledge of the process of wood product development;
- (5) the ability to evaluate and use the processes employed by the woods industries in manufacturing a finished product; and
- (6) the ability to evaluate and utilize the materials common to woods-related industries.

(b) Prior to July 1, 1992, any institution may request that its woods program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have a state approved woods program shall meet the requirements of this regulation. (Authorized by and im-

(continued)

plementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106h. Metals.** (a) A state-approved metals program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate:

(1) Knowledge of the processes utilized by metals manufacturing and construction companies;

(2) knowledge of common metal materials and their processing;

(3) knowledge of the organization and operation of metals manufacturing and construction companies;

(4) knowledge of the process of metal product development;

(5) the ability to evaluate and use the processes employed by the metals industries in manufacturing a finished product; and

(6) the ability to evaluate and utilize the materials common to metals-related industries.

(b) Prior to July 1, 1992, any institution may request that its metals program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have a state-approved metals program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106i. Production technology.** A state-approved production technology program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a, 91-1-106f, 91-1-106g, and 91-1-106h. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106j. Drafting.** (a) A state-approved drafting program shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate:

(1) Knowledge of projection systems in drawing and design;

(2) knowledge of the American national standard institute;

(3) the ability to use graphic language as a tool for visual communications; and

(4) the ability to use computer systems in drafting.

(b) Prior to July 1, 1992, any institution may request that its drafting program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved drafting program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106k. Graphic arts.** (a) A state-approved program in graphic arts shall consist of a course of study requiring each student to complete the requirements of S.B.R. 91-1-106a and demonstrate:

(1) Knowledge of image transfer systems;

(2) knowledge of visual communications and the ability to select and use reproduction processes; and

(3) the ability to use computer systems in graphic arts.

(b) Prior to July 1, 1992, any institution may request that its graphic arts program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved graphic arts program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106l. Visual communications technology.** A state-approved visual communication technology program shall consist of a course of study allowing each student to complete the requirements of 91-1-106a, and 91-1-106j and 91-1-106k. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-106m. Comprehensive industrial technology education.** (a) A state-approved comprehensive industrial technology education program shall consist of a course of study requiring each student to complete an interdisciplinary program incorporating the requirements in S.B.R. 91-1-106a, 91-1-106e, 91-1-106i and 91-1-106l.

(b) Prior to July 1, 1992, any institution may request that its comprehensive industrial technology education program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have a state approved comprehensive industrial technology education program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-110.** (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; revoked P-\_\_\_\_\_.)

**91-1-123a. Psychology.** (a) A state-approved psychology program shall consist of a course of study requiring each student to demonstrate knowledge of:

(1) The history of psychology including major systems and viewpoints;

(2) the basic principles of psychology, statistics, measurement, and laboratory experiences;

(3) the physiological foundations of behavior with an emphasis on the central nervous system and of motivation, emotion, perception, learning and cognition;

(4) the affective foundations of behavior including motivation, emotion and theories of personality;

(5) the cognitive foundations of behavior including conditioning, learning, perception, memory, thinking and language;

(6) the social basis of behavior including group dynamics, leadership, conformity, attitude and opinion change, collective and institutional violence, prejudice, racism, sexism, dehumanization, interpersonal attraction, altruism, helping behaviors and the psychology of ecosystems;

(7) the development of behavior including child, adolescent and life span development;

(8) the concepts of normality and deviance including adjustment, abnormal behavior, therapeutic models and societal perceptions of normality and deviance;

(9) the appreciation of ethics in psychology including behavioral control, voluntary aspects of intervention, dis-



tress of individuals, deception in experimentation, risk/benefit decisions and social engineering;

(10) emerging areas of psychology, including altered state of consciousness, extra-sensory perception, split brain phenomena, and biofeedback; and

(11) the appreciation of psychology to contemporary life and an appreciation of the contribution of psychology to improving the quality of human life.

(b) Prior to July 1, 1992, any institution may request that its psychology program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved psychology program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-128b. Building administrator programs.** (a) A state-approved building administrator program shall include a course of study requiring each student to:

(1) Demonstrate knowledge of the historical and social foundations of education and current educational philosophies;

(2) demonstrate and understanding of personal and professional ethics and of educational equity and its role in a pluralistic and diverse population;

(3) demonstrate knowledge of effective classroom instruction strategies for improving instructional effectiveness through an understanding of:

(A) Developmental psychology sufficient to interpret human developmental patterns and their behavioral implications;

(B) various prevailing learning and instructional theories to classroom settings;

(C) pre-assessment and assessment tools to determine the adequacy of an instructional approach;

(D) alternative approaches to evaluate curriculum;

(E) the use and contribution of instructional technology in the teaching learning role;

(F) the components of alternative instructional models and the appropriateness of their applications; and

(G) the needs of all students in the planning and development of instruction;

(4) demonstrate the ability to conduct the legal and financial support services of school system operation by:

(A) Acquiring an understanding of basic constitutional issues related to students and school personnel, and the funding sources for school system operation;

(B) identifying and applying legal concepts as they relate to special education, student discipline, student rights, personnel practices, professional negotiations, and other powers, duties and liability concerns of the school system; and

(C) budgeting educational funds for program needs at the building level;

(5) demonstrate the ability to utilize effective leadership skills of selecting and supervising personnel at the building level through implementation of staff selection, staff orientation, staff evaluation and conferencing, and staff development;

(6) exhibit the ability to utilize effective leadership skills in program and curriculum development to include:

(A) Curriculum planning;

(B) implementing pupil services; and

(C) managing co-curricular programs and activities;

(7) demonstrate knowledge of current, prevailing educational research and the skills required for its application by:

(A) Evaluating educational research products and information; and

(B) applying the data to the school setting;

(8) demonstrate effective leadership skills in interactions with the school, the school system, and the community through knowledge of the decision-making process, resolution of conflict, the creation of an appropriate organizational climate, effective interpersonal skills, group facilitation, communication skills, adult learning/development, and an appropriate involvement of the schools in relationship to the publics which they serve; and

(9) demonstrate the ability to assume and perform directed administrative responsibility for general school building operations through participation in a directed field experience of not less than 150 hours.

(b) Prior to July 1, 1992, any institution may request that its building administrator program be approved under the provisions of this regulation.

(c) On and after July 1, 1992, any institution desiring to have an approved building administrator program shall meet the requirements of this regulation. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-132a. School psychologist.** (a) Each applicant for a school psychologist endorsement shall ~~(1)~~ have completed a state-approved graduate degree program ~~and a subsequent supervised internship in school psychology for one school year, and shall be recommended by a teacher education institution. (3)~~ and a supervised internship in a local education agency under the supervision of a certified school psychologist and a teacher education institution, or have at least one school year of accredited experience in school psychology or its equivalent of two years, half-time.

(b) ~~Approved programs~~ A state-approved school psychologist program shall require students to complete consist of a course of study allowing the students requiring each student to acquire demonstrate:

(1) Knowledge of basic psychological principles, including:

(A) The relationship between biological principles and psychological functioning;

(B) the manner in which concepts of cultural diversity relate to an understanding of individuality;

(C) the difference between normal and abnormal child and adolescent behavior using developmental principles;

(D) techniques for identifying and diagnosing conditions of exceptionality;

(E) concepts and processes related to human learning;

(F) basic research methodology as applicable to school-related problems;

(G) the relationship between social setting and the psychological functioning of children and adolescents; and

(H) an understanding of statistical analysis;

(continued)

- (2) An understanding of the role of a school psychologist as a part of the educational team, including:
- (A) Curriculum design and administrative organization in the education of normal and exceptional children;
  - (B) identifying and demonstrating an understanding of selected instructional and remedial techniques;
  - (C) the culture, organization, and operation of schools; and
  - (D) the influence of federal, state and local laws and regulations on education.
- (3) Knowledge of learning difficulties with and appropriate assessment strategies, including the ability to:
- (A) Conduct comprehensive psycho-educational assessments;
  - (B) write complete and comprehensive psychological reports; and
  - (C) describe and demonstrate skills in the use of observational techniques, multidisciplinary resources, and informal data collection;
- (4) The ability to develop and implement intervention strategies to deal with educational and psychological problems manifested by children in schools, including the ability to:
- (A) Design and implement programs to deal with group and individual problems which interfere with the learning process;
  - (B) participate in interpersonal communication activities to build consultative relations with children, parents, educators, and others;
  - (C) participate in interpersonal communication activities to collaborate with others in developing appropriate individualized education programs which include utilization of psychological information;
  - (D) identify and describe special schools, special services and other agencies which provide resources; and
  - (E) demonstrate skills in individual and group counseling;
- (5) The ability to use evaluation strategies to establish the effectiveness of educational programs in meeting the needs of school children;
- (6) Knowledge of professional issues, standards, and ethics in school psychology, including:
- (A) The ethical and professional standards for psychologists and school psychologists;
  - (B) the relationship between laws and court decisions and the practice of school psychology;
  - (C) different models, concepts and current issues concerning the practice of school psychology; and
  - (D) state department of education regulatory documents and guidelines pertaining to the practice of school psychology.
- (7) The skills necessary for effective functioning as a student school psychologist in a supervised practicum in a school setting, including the ability to:
- (A) Perform the various tasks of a student school psychologist utilizing the competencies above;
  - (B) demonstrate appropriate ethical and professional standards in school psychology; and
  - (C) complete an approved work experience program involving all levels of education, preschool through secondary. At least part of the approved work experience shall be obtained in a school setting;
- (8) The ability to function effectively as a professional school psychologist in a supervised, full-time internship for one academic year, including the ability to:
- (A) Demonstrate ability to assume full responsibility as a practicing school psychologist;
  - (B) demonstrate appropriate ethical and professional standards in school psychology; and
  - (C) complete an approved work experience with all levels of education, preschool through secondary, and provide a full range of services and educational experiences for exceptional and regular children. At least 50% of the approved work experience shall be in a school setting.
- (c) Provisional endorsement.
- (1) Individuals who have completed a state-approved graduate degree school psychologist program shall be eligible for a one-year provisional endorsement during the internship period upon the recommendation of the teacher education institution.
- (2) Renewal of a provisional endorsement shall be granted on a yearly basis upon submission of an application and fee. The provisional endorsement shall be converted to a full endorsement upon completion of one school year of a full-time supervised internship in school psychology or two consecutive school years of a half-time supervised internship and the recommendation of the teacher education institution.
- (3) Individuals holding the provisional endorsement shall only be authorized to serve only as a school psychologist in an internship capacity. (Authorized by and implementing Article 6, Section 2(a), of the Kansas Constitution; effective May 1, 1985; amended June 1, 1988; amended P-\_\_\_\_\_.)
- 91-1-152. Building administrator endorsement.** (a) Each applicant for an initial building administrator endorsement shall:
- (1) Have a graduate degree;
  - (2) have completed a state-approved building administrator program or have accredited or approved administrative experience within the five-year period immediately preceding the date of application; and
  - (3) have completed three years of accredited or approved teaching experience at the level of the building administrator endorsement sought.
- (b) Renewal of a building administrator endorsement.
- (1) Prior to July 1, 1992, renewal of a building administrator endorsement shall require meeting the requirements specified in S.B.R. 91-1-32(c).
- (2) On and after July 1, 1992, and prior to July 1, 1995, renewal of a building administrator endorsement shall require the completion of three semester hours of college credit or the equivalent in inservice education points completed during the five-year period immediately preceding the date of application for renewal.
- (3) On and after July 1, 1995, renewal of a building administrator endorsement shall require the completion of six semester hours of college credit or the equivalent in inservice education points completed after the effective date of the last current certificate and within the five-year period immediately preceding the date of application for renewal. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

Dr. Lee Droegemueller  
Commissioner of Education

Doc. No. 009048

## State of Kansas

## Social and Rehabilitation Services

Temporary Administrative  
RegulationsArticle 4.—PUBLIC ASSISTANCE  
PROGRAM

**30-4-63.** KanWork program requirements. Each assigned recipient, unless exempted, shall be required to participate in one or more components of the KanWork program. Any exempt recipient may volunteer for participation in the KanWork program. The geographic areas in the state and the public assistance programs in which the KanWork requirements are to be enforced shall be designated by the secretary. The administration of the KanWork program shall be within the limits of appropriations. (a) Exemptions. The persons listed below shall be exempt from the KanWork requirements:

(1) Any person who is ill, when determined on the basis of medical evidence or another sound basis that the illness or injury is serious enough to temporarily prevent entry into employment or training;

(2) any person who is incapacitated, when verified that a physical or mental impairment, determined by a physician or a licensed or certified psychologist, by itself or in conjunction with age, prevents the individual from engaging in employment or training. When an individual claims exempt status due to incapacity, but medical verification is needed to establish the incapacity, the individual shall be regarded as temporarily exempt for a period not to exceed 30 days while the individual's status is being verified. If verification is not provided because of a legitimate delay in obtaining an examination by or a consultation with a medical practitioner, the temporary exemption period shall be extended for a period not to exceed 15 days. For GA, a statement from a vocational rehabilitation counselor may be used to determine incapacity;

(3) any person who is 60 years of age or older;

(4) any person who is needed in the home because another member of the household requires the individual's presence due to illness or incapacity and no other appropriate member of the household is available to provide the needed care;

(5) any parent or other relative who is personally providing care for a child under age three, except that a custodial parent shall not be exempt from the educational component if the parent is under age 20, does not possess a high school diploma or its equivalent, and is not otherwise exempt. Only one person or other relative in a case may be exempt for providing care for a child under age three. This exemption cannot be claimed if the other parent or caretaker relative in the home or the stepparent in the plan is exempt from the work program requirements for another reason and is available and capable of providing child care;

(6) any person who is employed 30 or more hours a week and is earning at least the federal minimum wage;

(7) any child who is under age 16 or who attends full-time an elementary, secondary, vocational or technical

school. This exemption shall not apply to a child age 16 or older who:

(A) Is a custodial parent who does not possess a high school diploma or its equivalent; or

(B) attends full-time an elementary, secondary, vocational or technical school as a required KanWork activity;

(8) any woman who is three or more months pregnant;

(9) any person who resides in an area of the state where the work program is available, but in a location which is so remote that effective participation is precluded. The individual shall be considered remote if a round trip of more than two hours by reasonably available public or private transportation, exclusive of time necessary to transport children to and from a child care facility, would be required for a normal work or training day. However, if normal round trip commuting time in the area is more than two hours, then the round trip commuting time shall not exceed the generally accepted community standards;

(10) any parent or other caretaker of a child when another adult relative in the plan is participating in the KanWork program and the youngest child in the plan is under the age of three. If all children in the plan are age three or older, both parents shall be required to participate in the KanWork program; and

(11) any person who is a full-time volunteer serving under the Volunteers In Service To America (VISTA) program.

(b) Participation requirements. Each assigned recipient shall enter into a written contract with the agency for the purpose of participating in one or more components of an agency-approved, work-related program directed toward a plan of self-sufficiency. The components of the KanWork program shall be as follows:

(1) Job search. Each assigned recipient shall participate in job search activities which may include agency-approved job clubs, supervised and unsupervised job search activities, job referral and placement services, and employment counseling.

(2) Community work experience program (CWEP). Each assigned recipient shall participate in CWEP activities which may include the opportunity to regain work skills, learn new skills, test interest and skills on the job, gain a work history, and obtain a work reference.

(3) Education and training. Each assigned recipient shall participate in education and training activities which are aimed at facilitating a recipient's movement toward self-sufficiency and employment retention. Education and training activities include such elements as vocational training, adult basic education, literacy training, general educational development, and post-secondary education and training.

(4) Work supplementation. Each assigned recipient shall participate in a work supplementation program in which an employer receives a wage subsidy from money diverted from public assistance grants for employing program participants.

(c) Support services. Support services shall be provided to participants. Support services shall include, but are not limited to:

(1) CWEP expenses, as outlined in K.A.R. 30-4-120(a)(1);

(continued)

(2) job search expenses, as outlined in K.A.R. 30-4-120(a)(2);

(3) education and training expenses, as outlined in K.A.R. 30-4-120(a)(3);

(4) special employment expenses based on an agency-approved plan; and

(5) family mentor assistance.

(d) Transitional services. Transitional services shall be provided to each participant and members of the participant's assistance family group who lose eligibility for public assistance due to the participant's employment. Transitional services shall include, but are not limited to child care, transportation and special needs, as outlined in K.A.R. 30-4-120(a)(4), and medical assistance, as outlined in K.A.R. 30-6-65(j) and (p).

(e) Penalty. When a person who is required to participate in the KanWork program fails without good cause to participate in the program or refuses without good cause to accept employment, the individual shall be ineligible for assistance. In ADC-UP and GA, the spouse of the individual or the other parent in the household shall also be ineligible unless the spouse or the other parent is a KanWork participant. In GA, a potential employment penalty, as set forth in K.A.R. 30-4-58(d), shall be considered in combination with any other KanWork penalty. The period of ineligibility shall be as follows:

(1) For the first such failure or refusal, until the failure or refusal ceases;

(2) for the second such failure or refusal, until the failure or refusal ceases, or three months, whichever is longer; and

(3) for any subsequent failure or refusal, until the failure or refusal ceases, or six months, whichever is longer.

For the purpose of determining that an individual's failure to comply has ceased in the instance of a first sanction, the individual may be required to participate in the activity to which the individual was previously assigned, or another activity designed by the agency to lead to full participation, for a period of up to two weeks before terminating the sanction. If the person successfully participates in such activities, the sanction shall be considered to have terminated as of the day the person agreed to participate. If no such activity is available, the sanction shall terminate on the day the person agrees to participate.

(f) Good cause. The individual shall be determined to have good cause for refusal to accept employment or failure to participate if the individual has presented verification that one of the criteria listed below has been met:

(1) The person is exempt from participation in the program;

(2) there was no bona fide offer of employment or training;

(3) the person was incapable of performing the work or training;

(4) the work or training was so dangerous or hazardous according to OSHA standards as to make the refusal or termination a reasonable one;

(5) the payment offered was less than the applicable minimum wage;

(6) child care or day care for any incapacitated individual living in the same home is necessary for an individual to participate or continue participation in the

program or accept employment and such care is not available and the agency fails to provide such care;

(7) the employment would result in the family of the participant experiencing a net loss of cash income;

(8) the assignment for training was not within the scope of the agency-approved plan;

(9) the total daily commuting time to and from home to the work or training site to which the individual is assigned exceeds two hours, not including the transporting of a child to and from a child care facility. If a longer commuting distance is generally accepted in the community, the round trip commuting time shall not exceed the generally accepted community standards; and

(10) the person is the parent or other relative personally providing care for a child under age six and the employment requires the person to work more than 20 hours per week. The effective date of this regulation shall be April 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-7,103; effective, T-30-7-29-88, July 29, 1988; effective Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990.)

**30-4-64. Work program requirements.** Each assigned recipient, unless exempted, shall be required to participate in one or more components of the work program. Any exempt recipient may volunteer for participation in the program. The geographic areas in the state and the public assistance programs in which the work requirements are to be enforced shall be designated by the secretary. The administration of the work programs shall be within the limits of appropriations. (a) Exemptions. The persons listed below shall be exempt from the work requirements:

(1) Any person who is ill, when determined on the basis of medical evidence or another sound basis that the illness or injury is serious enough to temporarily prevent entry into employment or training;

(2) any person who is incapacitated, when verified that a physical or mental impairment, determined by a physician or a licensed or certified psychologist, by itself or in conjunction with age, prevents the individual from engaging in employment or training. When an individual claims exempt status due to incapacity, but medical verification is needed to establish the incapacity, the individual shall be regarded as temporarily exempt for a period not to exceed 30 days while the individual's status is being verified. If verification is not provided because of a legitimate delay in obtaining an examination by or a consultation with a medical practitioner, the temporary exemption period shall be extended for a period not to exceed 15 days. For GA, a statement from a vocational rehabilitation counselor may be used to determine incapacity;

(3) any person who is 60 years of age or older;

(4) any person who is needed in the home because another member of the household requires the individual's presence due to illness or incapacity and no other appropriate member of the household is available to provide the needed care;

(5) any parent or other relative who is personally providing care for a child under age three, except that a custodial parent shall not be exempt from the educational

component if the parent is under age 20, does not possess a high school diploma or its equivalent, and is not otherwise exempt. Only one person or other relative in a case may be exempt for providing care for a child under age three. This exemption cannot be claimed if the other parent or caretaker relative in the home or the stepparent in the plan is exempt from the work program requirements for another reason and is available and capable of providing child care;

(6) any person who is employed 30 or more hours a week and is earning at least the federal minimum wage;

(7) any child who is under age 16 or who attends full-time an elementary, secondary, vocational or technical school. This exemption shall not apply to a child age 16 or older who:

(A) Is a custodial parent who does not possess a high school diploma or its equivalent; or

(B) attends full-time an elementary, secondary, vocational or technical school as a required work program activity;

(8) any woman who is three or more months pregnant;

(9) any person who resides in an area of the state where the work program is available, but in a location which is so remote that effective participation is precluded. The individual shall be considered remote if a round trip of more than two hours by reasonably available public or private transportation, exclusive of time necessary to transport children to and from a child care facility, would be required for a normal work or training day. However, if normal round trip commuting time in the area is more than two hours, then the round trip commuting time shall not exceed the generally accepted community standards;

(10) any parent or other caretaker of a child when another adult relative in the plan is participating in the work program and the youngest child in the plan is under the age of three. If all children in the plan are age three or older, both parents shall be required to participate in the work program; and

(11) any person who is a full-time volunteer serving under the Volunteers In Service To America (VISTA) program.

(b) Participation requirements. Each assigned recipient shall participate in one or more components of an agency-approved, work-related program directed toward a plan of self-sufficiency. The components of the work program may include, but are not limited to, the following:

(1) Job search. Each assigned recipient shall participate in job search activities which may include agency-approved job clubs, supervised and unsupervised job search activities, job referral and placement services, and employment counseling.

(2) Community work experience program (CWEP). Each assigned recipient shall participate in CWEP activities which may include the opportunity to regain work skills, learn new skills, test interest and skills on the job, gain a work history, and obtain a work reference.

(3) Education and training. Each assigned recipient shall participate in education and training activities which are aimed at facilitating a recipient's movement toward self-sufficiency and employment retention. Education and training activities include such elements as vocational training, adult basic education, literacy training, general

educational development, and post-secondary education and training.

(c) Support services. Support services shall be provided to participants. Support services shall include, but are not limited to:

(1) CWEP expenses, as outlined in K.A.R. 30-4-120(a)(1);

(2) job search expenses, as outlined in K.A.R. 30-4-120(a)(2); and

(3) education and training expenses, as outlined in K.A.R. 30-4-120(a)(3).

(d) Transitional services. Transitional services shall be provided to each participant and to members of the participant's assistance family group who lose eligibility for ADC or APW due to the participant's employment. Transitional services shall include, but are not limited to, child care, as outlined in K.A.R. 30-4-120(a)(4), and medical assistance, as outlined in K.A.R. 30-6-65(p).

(e) Penalty. When a person who is required to participate in the work program fails without good cause to participate in the program or refuses without good cause to accept employment, the individual shall be ineligible for assistance. In ADC-UP and GA, the spouse of the individual or the other parent in the household shall also be ineligible unless the spouse or the other parent is a work program participant. In GA, a potential employment penalty, as set forth in K.A.R. 30-4-58(d), shall be considered in combination with any work program penalty. The period of ineligibility shall be as follows:

(1) For the first such failure or refusal, until the failure or refusal ceases;

(2) for the second such failure or refusal, until the failure or refusal ceases, or three months, whichever is longer; and

(3) for any subsequent failure or refusal, until the failure or refusal ceases, or six months, whichever is longer.

For the purpose of determining that an individual's failure to comply has ceased in the instance of a first sanction, the individual may be required to participate in the activity to which the individual was previously assigned, or another activity designed by the agency to lead to full participation, for a period of up to two weeks before terminating the sanction. If the person successfully participates in such activities, the sanction shall be considered to have terminated as of the day the person agreed to participate. If no such activity is available, the sanction shall terminate on the day the person agrees to participate.

(f) Good cause. The good cause criteria set forth in K.A.R. 30-4-63(f) shall be used in determining good cause for the work program requirements. The effective date of this regulation shall be April 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-7,103; effective Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990.)

**30-4-120. Special allowances and requirements for applicants and recipients of ADC, ADC-FC, APW, GAU and GA-FC.** (a) Special allowances. The following special allowances shall be issued to otherwise eligible recipients under the conditions as specified.

(1) Community work experience program. A \$30.00

(continued)



standard allowance for work-related transportation expenses shall be issued monthly for each person who is assigned to participate. Additional allowances shall be issued based on an agency-approved plan for day care and other expenses related to participation.

(2) Job search. A \$25.00 standard allowance for job-seeking transportation expenses shall be issued to each person who is assigned to, and who participates in, an agency-approved job club or related activity for each assignment of one to four weeks. An additional allowance for day care expenses shall be issued based on an agency-approved plan.

(3) Education and training. If there is an agency-approved plan, the education and training costs shall be allowed for the participant. Such costs shall include, but are not limited to, tuition, books, fees, transportation and child care.

(4) Transition services. Transitional expenses shall be allowed for any recipient who loses eligibility for public assistance due to becoming employed. Such expenses may include, but are not limited to, child care and transportation. Extended medical assistance shall be provided as outlined in K.A.R. 30-6-65(p).

(b) Special requirements. The following special requirements shall be added to the basic and shelter standards as outlined in K.A.R. 30-4-100 to compute the budgetary requirements for applicants and recipients under the conditions as specified:

(1) Moving expense. The cost of moving to a new location to take employment, in an amount not to exceed \$100.00, shall be allowed if other funds are not available to meet the costs and the recipient has employment which meets at least 75% of the family's basic and shelter standards. Moving costs shall include transportation costs of moving household goods for the individual and family to the job location.

(2) Temporary out-of-home care for children. The cost of temporary out-of-home care may be allowed if:

(A) The child is temporarily absent from the home due to the illness of another member of the household, or the incarceration of the caretaker relative;

(B) the temporary absence is only for a portion of a calendar month; and

(C) there is an approved service plan. The amount to be allowed shall be the foster care standard.

(3) Clothing for persons entering care facilities, not applicable to ADC-FC or GA-FC foster family care. The cost of an initial clothing supply, in an amount not to exceed \$150.00, shall be allowed if the applicant or recipient is being placed in a care facility on a permanent basis and the person requires an initial clothing supply.

(4) Travel and subsistence to and from child care facilities. If there is an approved service plan, the costs of travel and subsistence shall be allowed for the applicant or recipient and the person providing the transportation for a preplacement visit, admission or home visit, or for the relatives who are required to visit a child. The transportation shall not be related to discharge from a state institution.

(5) Home visits from a child care facility. The costs of a visit to a relative's home or foster family home on a planned trial basis shall be allowed based on an approved

service plan. The amount and the length of the visit allowed shall be established in the social service plan.

(6) Special requirements related to ADC-FC and GA-FC. Certain special requirements for various costs for children in ADC-FC and GA-FC shall be allowed based on an approved service plan.

(7) Conservator or personal representative expense. The fee of the legally appointed conservator for conservatorship or the personal representative fee for service shall be allowed if:

(A) The conservator or personal representative charges for those services; and

(B) the conservator or personal representative is not the spouse, parent, or child of the incapacitated person. The amount allowed by the court, or the charge made by the conservator or personal representative, to a maximum of 5% of the person's cash payment or \$8.00, whichever is greater, shall be allowed. The effective date of this regulation shall be April 1, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-33, Dec. 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Oct. 1, 1989; amended, T-30-3-29-90, April 1, 1990.)

#### Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

**30-6-65. Automatic eligibles.** To be automatically eligible for medical assistance, each person shall meet the general eligibility requirements of K.A.R. 30-6-56, 30-6-63 and 30-6-106(c)(2) and shall be: (a) Legally entitled to and receiving SSI benefits and in compliance with the general eligibility requirements of residence;

(b) legally entitled to and receiving state supplemental payments from Kansas related to SSI;

(c) determined by SSA to retain recipient status, although not currently receiving an SSI benefit;

(d) receiving public assistance, excepting emergency assistance, pursuant to article 4 of this chapter. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d);

(e) not receiving public assistance for one of the following reasons:

(1) The person is eligible for less than \$10.00 of public assistance;

(2) the amount of recovery of an overpayment is greater than the budget deficit; or

(3) the person is eligible using prospective budgeting, but ineligible due to retrospective accounting of income;

(f) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW and which became ineligible for any month prior to April, 1990 solely because of increased earned income or increased hours of employment. Such recipients shall meet

the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW as long as a family member is employed and the family and the person remains ineligible for ADC, ADC-FC, or APW solely because of increased earned income or increased hours of employment. The receipt of an extra pay check due to an additional pay period within a calendar month shall not constitute an increase in earnings;

(g) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW as a result, in whole or in part, of collection or increased collection of support. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW as long as the family remains ineligible for ADC, ADC-FC, or APW due to such collection or increased collection of support;

(h) mandated to receive inpatient treatment for tuberculosis;

(i) one who is not a public assistance recipient but is receiving maintenance payments from youth services;

(j) included in the assistance plan of a family which became ineligible for ADC, ADC-FC, or APW for any month prior to April, 1990 solely because of the termination of the earned income disregards as provided in K.A.R. 30-4-111(b)(2). Automatic eligibility for the medical assistance program shall continue for the nine months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW. This automatic eligibility period shall be extended for an additional three months for a KanWork participant and the participant's immediate family;

(k) a non-ADC eligible child who is under 18 years of age and who meets the ADC income and resource requirements pursuant to article 4 of this chapter;

(l) a child born to a mother eligible for and receiving medicaid at the time of birth for a period of up to one year. The child shall remain eligible so long as such mother remains eligible for medicaid and the child remains in the same household with the mother;

(m) a child receiving foster care payments under title IV-E, regardless of the state making payment;

(n) a child for whom an adoption assistance agreement under title IV-E is in effect, even if assistance payments are not being made or the adoption assistance agreement was entered into with another state. Automatic eligibility begins when the child is placed for adoption even if an interlocutory decree of adoption or a judicial decree of adoption has not been issued;

(o) a child for whom a non-title IV-E adoption assistance agreement is in effect between the state and the adoptive parents and who cannot be placed without medical assistance because the child has special needs for medical or rehabilitative care; or

(p) included in the assistance plan of a family who:

(1) Has received ADC or APW in three of the six months immediately preceding the first month of transitional medical services;

(2) has lost eligibility for ADC or APW beginning in or after the month of April, 1990, due solely to increased earned income or hours of employment of the caretaker relative or due solely to termination of the earned income disregards as provided in K.A.R. 30-4-111(b)(2); and

(3) has not been rendered ineligible for assistance as a result of a fraud determination at any time during the six months immediately preceding the first month of transitional medical services.

(A) Assistance under this provision shall be initially provided to persons for a period not to exceed six months provided there continues to be a child in the family and provided that the individual continues to be a resident of the state and provides ongoing status reports as may be required by the secretary.

(B) Assistance shall be provided for an additional six-month period of time provided there continues to be a child in the family and provided the individual continues to be a resident of the state, provides ongoing status reports as may be required by the secretary and continues employment. Assistance shall be terminated when the person's gross earned income, less the cost of child care, exceeds 185% of the official federal poverty income guidelines. Persons who are not otherwise eligible for medicaid without a spenddown and who have gross earned income, less the cost of child care, that exceeds 100% of the official federal poverty income guidelines shall be responsible for contributing to the payment of the cost for medical coverage. The effective date of this regulation shall be April 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, 39-7,103; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-29, Nov. 1, 1986; amended, T-87-44, Jan. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-12-28-89, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990-April 30, 1990; amended, T-30-3-29-90, April 1, 1990.)

**30-6-77. Poverty level pregnant women and young children; determined eligibles.** Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the specific eligibility requirements set forth below. (a) Pregnant women. Each eligible woman shall be medically determined to be pregnant. Assistance under this provision shall continue for two calendar months following the month in which the pregnancy terminates.

(b) Infants. Each eligible infant shall be under one year of age. Assistance under this provision shall continue through the month in which the child turns age one, or

(continued)

if receiving inpatient services in the month in which the child turns age one, eligibility shall continue through the calendar month in which that inpatient care ends provided that the care will not exceed the calendar month following the month of entrance. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age one.

(c) Other young children. Each eligible child shall be at least one year of age, but no older than six years of age. Assistance under this provision shall continue through the month in which the child turns age six, or if receiving inpatient services in the month in which the child turns age six, eligibility shall continue through the calendar month in which that inpatient care ends provided that the care will not exceed the calendar month following the month of entrance. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age six.

(d) Persons whose needs are to be considered in determining eligibility.

(1) For pregnant women, the needs of the pregnant woman, the unborn child and the father of the unborn child shall be considered if living together. If the pregnant woman is a minor, the needs of her parents shall also be included if living together with the minor.

(2) For young children, the needs of the child and the child's parents shall be considered if living together.

(3) Other pregnant women and young children in the family group for whom assistance is requested shall be included in the assistance plan if otherwise eligible.

(e) Financial eligibility. A percentage of the official federal poverty income guidelines as established in K.A.R. 30-6-103 shall be used as the protected income level for the number of persons in the plan and any other persons in the family whose income is being considered. Total applicable income to be considered in the eligibility base period shall be compared against the poverty level for the base period. To be eligible under this provision, the total applicable income shall not exceed the poverty level established for the base period. Ownership of excess non-exempt real or personal property shall not result in ineligibility. The effective date of this regulation shall be April 1, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective, T-30-7-1-88, July 1, 1988; effective Sept. 26, 1988; amended July 1, 1989; amended, T-30-29-90, April 1, 1990.)

**30-6-103. Determined eligibles; protected income levels.** (a) Independent living and home- and community-based services arrangements.

(1) The protected income level for persons in independent living arrangements and in the home- and community-based services program shall be based on the total number of persons in the assistance plan and any other persons in the family group whose income is being considered.

(2) The protected income levels for independent living may also be used when an applicant or recipient:

(A) Enters a medicaid-approved facility, except that this provision shall not apply in situations where only one

spouse of a married couple enters an institutional living arrangement; or

(B) is absent from the home for medical care for a period not to exceed two months to allow for maintaining the applicant's or recipient's independent living arrangements.

(3) Except as provided in paragraph (4), (5) and (6) below, the following table shall be used to determine the protected income level for persons in independent living.

PERSONS IN INDEPENDENT LIVING  
(Per Month)

1	2	3
\$386.00	\$460.00	\$465.00

The protected income level for additional persons shall be the sum of the basic standard for a like public assistance family plus the maximum state shelter standard.

(4) In determining eligibility for pregnant women and for infants under the provisions of K.A.R. 30-6-77(a) and (b), 150% of the official federal poverty income guidelines shall serve as the protected income level.

(5) In determining eligibility for other young children under the provisions of K.A.R. 30-6-77(c), 133% of the official federal poverty income guidelines shall serve as the protected income level.

(6) In determining eligibility for medicare beneficiaries under the provisions of K.A.R. 30-6-86, 90% of the official federal poverty income guidelines shall serve as the protected income level.

(b) Institutional living arrangements. For persons residing in institutional settings, the protected income level shall be \$30.00 except as noted in paragraph (2) of subsection (a).

(c) Specialized living arrangements. The protected income level for persons residing in approved, specialized living arrangements, including adult family homes, home- and community-based congregate care facilities, and child care facilities, shall be established by the secretary. The effective date of this regulation shall be April 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-36, Dec. 21, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended T-30-12-28-90, Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990.)

Article 10.—ADULT CARE HOME  
PROGRAM OF THE MEDICAID  
(MEDICAL ASSISTANCE) PROGRAM

**30-10-21.** Reserve days. (a) Payment shall be avail-



able for days for which it is necessary to reserve a bed in a skilled nursing facility, intermediate care facility, intermediate care facility for the mentally retarded, or intermediate care facility for mental health when the resident is absent for:

- (1) Admission to a hospital for acute conditions;
- (2) a temporary absence for therapeutically indicated home visits with relatives and friends; or
- (3) a temporary absence to participate in state-approved therapeutic or rehabilitative programs.

(b) The following conditions shall be met in any instance in which a bed is reserved during a temporary absence in a hospital for acute conditions:

(1) Payment shall be available only for the days during which there is a likelihood that the reserved bed would otherwise be required for occupancy by some other resident.

(2) The local agency office shall approve the request for hospital reserve days within five to seven working days.

(3) The periods of hospitalization for acute conditions shall not exceed 10 days per any single hospital stay, and for residents from an intermediate care facility for mental health, shall not exceed 21 days per state mental institution admission or admission to a psychiatric ward in a general hospital, private psychiatric hospital or veterans administration medical center.

(4) The recipient shall intend to return to the same facility after hospitalization.

(5) The hospital shall provide a discharge plan for the recipient.

(6) Reimbursement shall not be made to reserve a bed in a swing bed hospital when an adult care home will be reimbursed for the same day to reserve a bed for the recipient's return from the hospital except in those cases where the recipient is receiving a skilled level of care in the swing-bed hospital and the recipient would ultimately be returning to an intermediate care facility.

(c) The recipient's plan of care shall provide for the non-hospital related absence.

(1) Payment for non-hospital related reserve days for eligible recipients residing in intermediate care facilities for the mentally retarded or for mental health shall not exceed 21 days per calendar year, including travel. If additional days are required to obtain or retain employment, participate in a job readiness training program or alleviate a severe hardship, the requesting party shall send the request for additional days and supporting documentation to the fiscal agent for approval or disapproval.

(2) Payment for non-hospital related reserve days for all eligible recipients residing in intermediate care facilities or skilled nursing facilities shall not exceed 12 days per calendar year, including travel. If additional days are required to alleviate a severe hardship, the requesting party shall send a request for additional days and supporting documentation to the fiscal agent for approval or disapproval.

(d) This regulation shall not prohibit any recipient from leaving a facility if the recipient so desires.

(e) Payments made for unauthorized reserve days shall be reclaimed by the agency.

(f) Prior to any routine absence by recipients of the

medicaid/medikan program, the provider shall notify the local agency office. In case of emergency admission to a hospital, notification shall be submitted to the local agency office no later than five working days following admission.

(g) Payment for reserve days shall not be made until written authorization has been given by the local agency office to the provider. A copy of the authorization shall be attached to the turn-around document.

(h) Payment for reserve days shall be approved except when:

(1) The provider has more than five vacant beds for each level of care for adult care homes with less than 200 beds or more than 15 vacant beds for adult care homes having 200 or more beds;

(2) the request for reserve days is received by the area or local agency more than seven working days after the beginning of absence; or

(3) the request for reserve days is for an absence longer than 10 hospital days for ICF, SNF, ICF-MR or ICF-MH residents or 21 hospital days for ICF-MH clients who enter a state mental hospital, or a psychiatric ward in a general hospital, private psychiatric hospital or veterans administration medical center. The effective date of this regulation shall be April 1, 1990. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan 2, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990.)

Winston Barton  
Secretary of Social and  
Rehabilitation Services

Doc. No. 009056

## State of Kansas

### Office of Secretary of State

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

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

Bill Graves  
Secretary of State

(Published in the *Kansas Register*, April 12, 1990.)

#### SENATE BILL No. 576

AN ACT relating to insurance; concerning hearings and assessment of administrative costs thereof; eliminating certain notice requirements in merger and acquisition proceedings; amending K.S.A. 40-3301 and K.S.A. 1989 Supp. 40-3304 and repealing the existing sections.

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

Section 1. K.S.A. 40-3301 is hereby amended to read as follows: 40-3301. (a) It is hereby found and declared that it may not be inconsistent with the public interest and the interest of policyholders and shareholders to permit insurers to:

- (1) Engage in activities which would enable them to make better use of management skills and facilities;
- (2) diversify into new lines of business through acquisition or organization of subsidiaries;
- (3) have free access to capital markets which could provide funds for insurers to use in diversification programs;

(continued)

(4) implement sound tax planning conclusions; and  
 (5) serve the changing needs of the public and adapt to changing conditions of the social, economic and political environment, so that insurers are able to compete effectively and to meet the growing public demand for institutions capable of providing a comprehensive range of financial services.

(b) It is further found and declared that the public interest and the interests of policyholders and shareholders are or may be adversely affected when:

(1) Control of an insurer is sought by persons who would utilize such control adversely to the interests of policyholders or shareholders;

(2) acquisition of control of an insurer would substantially lessen competition or create a monopoly in the insurance business in this state;

(3) an insurer which is part of a holding company system is caused to enter into transactions or relationships with affiliated companies on terms which are not fair and reasonable; or

(4) an insurer pays dividends to shareholders which jeopardize the financial condition of such insurer.

(c) It is hereby declared that the policies and purposes of this act are to promote the public interest by:

(1) Facilitating the achievement of the objectives enumerated in subsection (a) of this section;

(2) requiring disclosure of pertinent information relating to changes in control of an insurer;

(3) requiring disclosure by an insurer of material transactions and relationships between the insurer and its affiliates, including certain dividends to shareholders paid by the insurer; and

(4) providing standards governing material transactions between the insurer and its affiliates.

(d) It is further declared that it is desirable to prevent unnecessary multiple and conflicting regulation of insurers. Therefore, this state shall exercise regulatory authority over domestic insurers and, unless otherwise provided in this act, not over nondomestic insurers, with respect to the matters contained herein.

Sec. 2. K.S.A. 1989 Supp. 40-3304 is hereby amended to read as follows: 40-3304. (a) No person other than the issuer shall make a tender offer for or a request or invitation for tenders of, or enter into any agreement to exchange securities for, seek to acquire, or acquire, in the open market or otherwise, any voting security of a domestic insurer if, after the consummation thereof, such person would, directly or indirectly (or by conversion or by exercise of any right to acquire) be in control of such insurer, and no person shall enter into an agreement to merge with or otherwise to acquire control of a domestic insurer unless, at the time any such offer, request, or invitation is made or any such agreement is entered into, or prior to the acquisition of such securities if no offer or agreement is involved, such person has filed with the commissioner of insurance and has sent to such insurer, and such insurer has sent to its shareholders, a statement containing the information required by this section and such offer, request, invitation, agreement or acquisition has been approved by the commissioner of insurance in the manner hereinafter prescribed. The requirements of this section shall not apply to the merger or consolidation of those companies subject to the requirements of K.S.A. 40-507 and 40-1216 to 40-1225, inclusive, and amendments thereto.

For the purposes of this section a domestic insurer shall include any other person controlling a domestic insurer unless such other person is either directly or through its affiliates primarily engaged in business other than the business of insurance.

(b) The statement to be filed with the commissioner of insurance hereunder shall be made under oath or affirmation and shall contain the following information:

(1) The name and address of each person by whom or on whose behalf the merger or other acquisition of control referred to in subsection (a) of this section is to be affected, hereinafter called "acquiring party"; and: (A) If such person is an individual, such individual's principal occupation and all offices and positions held during the past five years and any conviction of crimes other than minor traffic violations during the past 10 years; (B) if such person is not an individual, a report of the nature of its business operations during the past five years or for such lesser period as such person and any predecessors thereof shall have been in existence; an in-

formative description of the business intended to be done by such person and such person's subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of such person, or who perform or will perform functions appropriate to such positions. Such list shall include for each such individual the information required by subparagraph (A) of this subsection;

(2) the source, nature and amount of the consideration used or to be used in effecting the merger or other acquisition of control, a description of any transaction wherein funds were or are to be obtained for any such purpose and the identity of persons furnishing such consideration, except that where a source of such consideration is a loan made in the lender's ordinary course of business, the identity of the lender shall remain confidential, if the person filing such statement so requests;

(3) fully audited financial information as to the earnings and financial condition of each acquiring party for the preceding five fiscal years of each such acquiring party or for such lesser period as such acquiring party and any predecessors thereof shall have been in existence, and similar unaudited information as of a date not earlier than 90 days prior to the filing of the statement;

(4) any plans or proposals which each acquiring party may have to liquidate such insurer, to sell its assets or merge or consolidate it with any person or to make any other material change in its business or corporate structure or management;

(5) the number of shares of any security referred to in subsection (a) of this section which each acquiring party proposes to acquire and the terms of the offer, request, invitation, agreement or acquisition referred to in subsection (a) of this section, and a statement as to the method by which the fairness of the proposal was arrived at;

(6) the amount of each class of any security referred to in subsection (a) of this section which is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring party;

(7) a full description of any contracts, arrangements or understandings with respect to any security referred to in subsection (a) of this section in which any acquiring party is involved, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. Such description shall identify the persons with whom such contracts, arrangements or understandings have been entered into;

(8) a description of the purchase of any security referred to in subsection (a) of this section during the 12 calendar months preceding the filing of the statement, by any acquiring party, including the dates of purchase, names of the purchasers, and consideration paid or agreed to be paid therefor;

(9) a description of any recommendations to purchase any security referred to in subsection (a) of this section made during the 12 calendar months preceding the filing of the statement, by any acquiring party, or by anyone based upon interviews or at the suggestion of such acquiring party;

(10) copies of all tender offers for, requests or invitations for tenders of, exchange offers for and agreements to acquire or exchange any securities referred to in subsection (a) of this section, and, if distributed, of additional soliciting material relating thereto;

(11) the terms of any agreement, contract or understanding made with any broker-dealer as to solicitation of securities referred to in subsection (a) of this section for tender, and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard thereto;

(12) such additional information as the commissioner of insurance may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders and securityholders of the insurer or in the public interest.

If the person required to file the statement referred to in subsection (a) of this section is a partnership, limited partnership, syndicate or other group, the commissioner of insurance may require that the information called for by paragraphs (1) through (12) of subsection (b) of this section shall be given with respect to each partner of such partnership or limited partnership, each member of such syndicate or group, and each person who controls such partner

or member. If any such partner, member or person is a corporation or the person required to file the statement referred to in subsection (a) of this section is a corporation, the commissioner of insurance may require that the information called for by paragraphs (1) through (12) of subsection (b) of this section shall be given with respect to such corporation, each officer and director of such corporation and each person who is directly or indirectly the beneficial owner of more than 10% of the outstanding voting securities of such corporation.

If any material change occurs in the facts set forth in the statement filed with the commissioner of insurance and sent to such insurer pursuant to this section, and amendment setting forth such change, together with copies of all documents and other material relevant to such change, shall be filed with the commissioner of insurance and sent to such insurer within two business days after the person learns of such change. ~~Such insurer shall send such amendment to its shareholders.~~

(c) If any offer, request, invitation, agreement or acquisition referred to in subsection (a) of this section is proposed to be made by means of a registration statement under the securities act of 1933 or in circumstances requiring the disclosure of similar information under the securities exchange act of 1934, or under a state law requiring similar registration or disclosure, the person required to file the statement referred to in subsection (a) of this section may utilize such documents in furnishing the information called for by that statement.

(d) (1) The commissioner of insurance shall approve any merger or other acquisition of control referred to in subsection (a) of this section unless, after a public hearing thereon conducted in accordance with the provisions of the Kansas administrative procedure act, the commissioner finds that:

(A) After the change of control the domestic insurer referred to in subsection (a) of this section would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed;

(B) the effect of the merger or other acquisition of control would be substantially to lessen competition in insurance in this state or tend to create a monopoly therein;

(C) the financial condition of any acquiring party is such as might jeopardize the financial stability of the insurer or prejudice the interest of its policyholders;

(D) the plans or proposals which the acquiring party has to liquidate the insurer, sell its assets or consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to policyholders of the insurer and not in the public interest; or

(E) the competence, experience and integrity of those persons who would control the operation of the insurer are such that it would not be in the interest of policyholders of the insurer and of the public to permit the merger or other acquisition of control.

(2) The public hearing referred to in paragraph (1) of subsection (d) of this section shall be held as soon as practical after the statement required by this subsection (a) of this section is filed, and at least 20 days' notice thereof shall be given by the commissioner of insurance to the person filing the statement. Not less than seven days' notice of such public hearing shall be given by the person filing the statement to the insurer and to such other persons as may be designated by the commissioner of insurance. ~~The insurer shall give such notice to its securityholders.~~ At such hearing, the person filing the statement shall be a party. Notwithstanding the provisions of K.S.A. 77-521 and amendments thereto, the insurer, any person to whom notice of hearing was sent, and any other person whose interests may be affected thereby shall have the right to intervene in the hearing and to present evidence, examine and cross-examine witnesses, and offer oral and written arguments. In the absence of intervention, such insurer or person shall have the right to present oral or written statements in accordance with subsection (c) of K.S.A. 77-523 and amendments thereto.

(e) ~~All statements, amendments or other material filed pursuant to subsection (a) or (b) of this section, and all notices of public hearings held pursuant to subsection (d) of this section, shall be mailed by the insurer to its shareholders within five business days after the insurer has received such statements, amendments, other material or notices. The expenses of mailing~~

~~shall be borne by the person making the filing. As security for the payment of such expenses, such person shall file with the commissioner of insurance an acceptable bond or other deposit in an amount to be determined by the commissioner of insurance. No statement, information, notice or other material filed with the commissioner pursuant to this section shall be required to be provided to any securityholder by mail or otherwise from and after the effective date of this act.~~

(f) The provisions of this section shall not apply to:

(1) Any offers, requests, invitations, agreements or acquisitions by the person referred to in subsection (a) of this section of any voting security referred to in subsection (a) of this section which, immediately prior to the consummation of such offer, request, invitation, agreement or acquisition, was not issued and outstanding;

(2) any offer, request, invitation, agreement or acquisition which the commissioner of insurance by order shall exempt therefrom as: (A) Not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic insurer; or (B) as otherwise not comprehended within the purposes of this section.

(g) The following shall be violations of this section:

(1) The failure to file any statement, amendment or other material required to be filed pursuant to subsection (a) or (b) of this section; or

(2) the effectuation or any attempt to effectuate an acquisition of control of, or merger with, a domestic insurer unless the commissioner of insurance has given the commissioner's approval thereto.

(h) The courts of this state are hereby vested with jurisdiction over every securityholder of a domestic insurer and every person not resident, domiciled or authorized to do business in this state who files a statement with the commissioner of insurance under this section and over all actions involving such person arising out of violations of this section. Each such person shall be deemed to have performed acts equivalent to and constituting an appointment by such a person of the commissioner of insurance to be such person's true and lawful attorney upon whom may be served all lawful process in any action, suit or proceeding arising out of violations of this section. Copies of all such lawful process shall be served on the commissioner of insurance and transmitted by registered or certified mail by the commissioner of insurance to such person at such person's last known address.

New Sec. 3. (a) The costs incurred by the department of insurance in conducting any hearing authorized by law shall be assessed against the parties to the hearing in such proportion as the commissioner of insurance may determine upon consideration of all relevant circumstances including: (1) The nature of the hearing; (2) whether the hearing was instigated by, or for the benefit of a particular party or parties; (3) whether there is a successful party on the merits of the proceeding; and (4) the relative levels of participation by the parties.

(b) For purposes of this section costs incurred shall mean the hearing officer fees, cost of making a record and publishing notices, and travel expenses of department of insurance officers and employees, but costs incurred shall not include hearing officer fees or cost of making a record unless the department has retained the services of independent contractors or outside experts to perform such functions.

(c) The commissioner shall make the assessment of costs incurred as part of the final order or decision arising out of the proceeding. Such order or decision shall include findings and conclusions in support of the assessment of costs. This section shall not be construed as permitting the payment of travel expenses unless calculated in accordance with the applicable laws and rules and regulations of the state of Kansas. The commissioner as part of such order or decision shall require all assessments for hearing officer fees and cost of making a record, if any, to be paid directly to the hearing officer or court reporter by the party or parties assessed for such costs.

Sec. 4. K.S.A. 40-3301 and K.S.A. 1989 Supp. 40-3304 are hereby repealed.

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

(Published in the *Kansas Register*, April 12, 1990.)

HOUSE BILL No. 2873

AN ACT concerning the state fair board; authorizing certain change funds and prescribing limitations and procedures therefor; amending K.S.A. 1989 Supp. 2-205 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 2-205 is hereby amended to read as follows: 2-205. (a) (1) All moneys received by the state fair board through the operation of the state fair and from any and all other sources directly related to the operation of the state fair shall be remitted to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited by the state treasurer to the state fair fee fund, which is hereby created. ~~As soon after the effective date of this act as possible, the director of accounts and reports shall transfer all moneys in the state fair revolving fee fund to the state fair fee fund created under this section. On the effective date of such transfer, all liabilities of the state fair revolving fee fund are hereby transferred to and imposed upon the state fair fee fund. On the effective date of such transfer, the state fair revolving fee fund is hereby abolished.~~

(2) During the period beginning July 1 and extending to December 31 of each year, moneys in the state fair fee fund, and appropriations for the operation of the state fair from the state general fund made for the state fair, or the state fair board, may be transferred from the state treasury to a bank in Reno county, Kansas, to the account of the state fair board, upon vouchers of the state fair board, for its use in operating and conducting a state fair, including but not by way of limitation, the payment of labor, salaries of part-time employees, prizes and awards *and as provided by this section.* The state treasurer and the director of accounts and reports are authorized and directed to honor all such vouchers and orders of the state fair board, and to make such transfers as directed. During the period beginning July 1 and extending to December 31 of each year, the state fair board, is authorized to expend moneys on deposit to its credit in any Reno county, Kansas, bank, by approved vouchers directed to the treasurer of the state fair board, and by the issuance of checks by the treasurer of the board to the persons entitled thereto as shown upon such vouchers, and all such expenditures may be made without compliance with any of the provisions of any act contained in article 37 of chapter 75 of the Kansas Statutes Annotated, or acts amendatory of the provisions thereof or supplemental thereto.

(3) During the period beginning July 1 and extending to December 31 of each year, the state fair board may employ labor and personnel in conjunction with the current operation of the state fair, without compliance with the provisions of any act contained in article 29 of chapter 75 of the Kansas Statutes Annotated, or acts amendatory of the provisions thereof or supplemental thereto. This authority to employ shall not be construed as authorizing the board to employ its normal classified service employees on a different basis for all or any part of that six-month period.

(4) All unencumbered moneys on deposit to the credit of the state fair board in a Reno county, Kansas, bank on December 31 of each year, shall be transferred back to the state treasury to the credit of the state fair fee fund or appropriation from the state general fund according as each may be entitled. All moneys in the state fair fee fund may be used for the payment of checks drawn against the same upon vouchers drawn by the state fair board. It shall be the duty of the state fair board to submit on or before December 31 of each year a full and complete object classification report on all moneys collected by and expended by the state fair board to the director of accounts and reports.

(b) (1) All moneys received by the state fair board through the operation and promotion of events held on the state fairgrounds on those days which have not been designated as official state fair days, herein referred to as non-fair days events, shall be deposited in a separate account established in a bank in Reno county, Kansas, for ~~each use for non-fair days event events~~ by the state fair board *and as provided by this section.* All expenses incurred in the operation and promotion of ~~each non-fair days event events~~ shall be paid from the separate bank account established for ~~such non-fair days event events~~ by issuance of checks by the treasurer of the state fair board

or a person designated by such treasurer and the balance of the money in such account after payment of all such expenses shall be remitted to the state treasurer by the state fair board. Upon receipt of ~~each~~ such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited by the state treasurer to the non-fair days activities fee fund. Moneys in the non-fair days activities fee fund may be transferred from the state treasury to a bank in Reno county, Kansas, to a separate account established for ~~each non-fair days event events~~, by the state fair board, upon vouchers of the state fair board, for its use in the operation and promotion of events held on the state fairgrounds on those days which have not been designated as official state fair days. The state treasurer and the director of accounts and reports are authorized and directed to honor all such vouchers and orders of the state fair board, and to make such transfers as directed. The state fair board is authorized to expend moneys on deposit to its credit in ~~any of the non-fair days event accounts events account~~ in any Reno county, Kansas, bank, by approved vouchers directed to the treasurer of the state fair board, and by the issuance of checks by the treasurer of the board to the persons entitled thereto as shown upon such vouchers, and all such expenditures may be made without compliance with any of the provisions of any act contained in article 37 of chapter 75 of the Kansas Statutes Annotated, or acts amendatory of the provisions thereof or supplemental thereto.

(2) On or before April 1 of each year, the state fair board shall make a full and complete report of all moneys expended from ~~all such the non-fair days event accounts events account~~ in the previous year to the director of accounts and reports.

(c) Each bank account required for use in operating and conducting a state fair under subsection (a) or a non-fair days ~~event events~~ under subsection (b) shall be awarded to a bank in Reno county, Kansas, by the pooled money investment board under a written agreement in accordance with procedures for state bank accounts under K.S.A. 75-4217 and amendments thereto and shall be secured by pledge of securities in the manner prescribed for state bank accounts under K.S.A. 75-4218 and amendments thereto and in the amount prescribed for fee agency accounts under that statute.

(d) (1) *Upon request of the state fair board, the director of accounts and reports shall authorize the state fair board to establish a change fund for the purposes of the state fair for use on those days not designated as official state fair days in an amount of not to exceed \$15,000 to be maintained in the form of cash. For the purposes of establishing such change fund, moneys may be withdrawn from moneys available therefor in a bank account established under subsection (a) for use in operating and conducting a state fair or from moneys available therefor in a bank account established under subsection (b) for use in operating and conducting non-fair days events, or from both such accounts in accordance with the need therefor.*

(2) *The moneys in a change fund established under this subsection (d) shall be used exclusively for the making of change in receiving amounts for the purposes of the state fair on those days not designated as official state fair days. No advance or expenditure shall be made from such change fund.*

(e) (1) *Upon request of the state fair board, the director of accounts and reports shall authorize the state fair board to establish a change fund for non-fair days events in an amount of not to exceed \$15,000 to be maintained in the form of cash. For the purposes of establishing a non-fair days events change fund, moneys may be withdrawn from moneys available therefor in a bank account established under subsection (a) for use in operating and conducting a state fair or from moneys available therefor in a bank account established under subsection (b) for use in operating and conducting non-fair days events, or from both such accounts in accordance with the need therefor.*

(2) *The moneys in the non-fair days events change fund shall be used exclusively for the making of change in receiving amounts in operating and conducting the non-fair days events during the non-fair days period. No advance or expenditure shall be made from such change fund.*

(f) (1) *Except as otherwise provided in this section, each change fund established under subsection (d) or (e) shall be administered in the same manner as change funds authorized in accordance with K.S.A. 75-3078 and amendments thereto and shall be subject to the*

procedures and reimbursement and reporting provisions of that statute or such procedures and reporting requirements as may be prescribed by the director of accounts and reports under that statute. The director of accounts and reports may authorize a reconciling entry in any reconciliation statement for any such change fund in an amount of not to exceed the maximum authorized by K.S.A. 75-3078 and amendments thereto for change funds authorized in accordance with that statute.

(2) All officers and employees of the state fair board having custody of moneys of a change fund established under subsection (d) or (e) shall be covered by a blanket surety contract purchased by the committee on surety bonds and insurance in such amount or amounts and upon such terms and conditions as the committee on surety bonds and insurance deems necessary and proper in accordance with the provisions of K.S.A. 75-4103, 75-4104 and 75-4105, and amendments thereto.

Sec. 2. K.S.A. 1989 Supp. 2-205 is hereby repealed.

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

(Published in the Kansas Register, April 12, 1990.)

### HOUSE BILL No. 2633

AN ACT concerning savings and loan associations; relating to accounts thereof; amending K.S.A. 17-5401 and repealing the existing section.

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

Section 1. K.S.A. 17-5401 is hereby amended to read as follows: 17-5401. (a) Except as otherwise provided in K.S.A. 17-5413 and 17-5501, and amendments thereto, the capital accumulated may be divided into units of equal value which shall be called shares. Shares may be issued in installments, full paid, prepaid, optional, reserve stock shares or other plans as may be prescribed in the bylaws.

(b) (1) An association may raise capital in the form of such savings deposits, shares or other accounts, for fixed, minimum or indefinite periods of time, all of which are referred to in this section as savings accounts; or in the form of such demand accounts of those persons or organizations that have a business, corporate, commercial or agricultural loan relationship with the association and which are authorized by its bylaws or by regulations of the commissioner. An association may issue such passbooks, time certificates of deposit or other evidence of savings accounts as are so authorized.

(2) An association may also accept demand accounts from a commercial, corporate, business or agricultural entity for the sole purpose of effectuating payments thereto by a nonbusiness customer. An association may not pay interest on a demand account. All savings accounts and demand accounts shall have the same priority on liquidation. Holders of savings and demand accounts and obligors of an association shall, to such extent as may be provided by its bylaws or by rules and regulations of the commissioner, be members of the association, and shall have voting rights and such other rights as are provided.

(3) Except as authorized by the association's bylaws or regulation of the commissioner in the case of savings accounts for fixed or minimum terms of not less than 14 days, the payment of any savings account shall be subject to the right of the association to require such advance notice, not less than 14 days, as shall be provided for by the bylaws of the association or the regulations of the commissioner. The payment of withdrawals from savings accounts in the event an association does not pay all withdrawals in full, subject to the right of the association to require notice, shall be subject to such rules and procedures as may be prescribed by the association's bylaws or by regulation of the commissioner.

(4) (3) Accounts may be subject to check or to withdrawal or transfer on negotiable or transferable or other order or authorization to the association, as the commissioner may provide by regulation rules and regulations.

(5) (4) To such extent as the commissioner may authorize by regulation rules and regulations or advice in writing, an association may borrow, may give security, may be surety as defined by the commissioner and may issue such notes, bonds, debentures or other

obligations, or other securities, including capital stock, as the commissioner may so authorize.

(6) (5) (A) An association whose accounts are insured in accordance with the provisions of K.S.A. 17-5824, and amendments thereto, may permit the owner of a deposit or account on which interest or dividends are paid to make withdrawals by negotiable or transferable instruments for the purpose of making transfers to third parties.

(B) Subparagraph (A) of paragraph (6) shall apply only with respect to deposits or accounts which consist solely of funds in which the entire beneficial interest is held by one or more individuals, by an organization which is operated primarily for religious, philanthropic, charitable, educational or other similar purposes and which is not operated for profit and with respect to deposits of public funds by an officer, employee or agent of the United States, any state, county, municipality or political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, any territory or possession of the United States or any political subdivision thereof, subject to such rules and procedures as may be prescribed by the association's bylaws or by regulation of the commissioner.

(C) (B) Such accounts shall be called negotiable order of withdrawal accounts.

(D) (C) Such accounts shall be subject to such prohibitions, limitations and conditions as the commissioner may by regulation prescribe by rules and regulations.

(6) (A) Subject to the terms of its certificate of incorporation, bylaws and rules and regulations of the commissioner, an association may:

(i) Raise funds through such deposit, share, or other accounts, including demand deposit accounts referred to in this paragraph as accounts; and

(ii) issue passbooks, certificates, or other evidence of accounts.

(B) An association may not:

(i) Pay interest on a demand account; or

(ii) permit any overdraft, including an intraday overdraft, on behalf of an affiliate, or incur any such overdraft in such association's account at a federal reserve bank or federal home loan bank on behalf of an affiliate.

All savings accounts and demand accounts shall have the same priority upon liquidation. Holders of accounts and obligors of an association, to such extent as may be provided by its certificate of incorporation, bylaws or by rules and regulations of the commissioner, shall be members of the association and shall have such voting rights and such other rights as are provided.

(C) An association may require not less than 14 days' notice prior to payment of savings accounts if the certificate of incorporation or bylaws of the association or the rules and regulations of the commissioner so provide.

(D) If an association does not pay all withdrawals in full, subject to the right of the association, where applicable, to require notice, the payment of withdrawals from accounts shall be subject to such rules and procedures as may be prescribed by the association's certificate of incorporation or bylaws or by rules and regulations of the commissioner. Except as authorized in writing by the commissioner, any association that fails to make full payment of any withdrawal when due shall be deemed to be in an unsafe or unsound condition.

(E) Accounts may be subject to check or to withdrawal or transfer on negotiable, transferable or other order or authorization to the association, as the commissioner may by rules and regulations provide.

Sec. 2. K.S.A. 17-5401 is hereby repealed.

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



(Published in the *Kansas Register*, April 12, 1990.)

SENATE BILL No. 623

AN ACT establishing the Kansas film services commission and providing for the appointment and authority thereof; subjecting the commission to the provisions of the Kansas sunset law.

WHEREAS, Kansas has a four-season climate with prevailing continental wind patterns which maintain fresh, clean air with as many as 300 clear or partly cloudy days during each year; and

WHEREAS, Kansas is known as "Midwaterway USA" with its 21 federal reservoirs, 340,000 hectares of surface waters and 12,000 miles of shoreline; and

WHEREAS, Many small towns appear the same as they did a century ago, with well-preserved, century-old buildings and restored older homes in the residential areas; and

WHEREAS, Kansas has many well-preserved and restored samples of the past; including historic Dodge City, Old Abilene Town, Fort Larned, Fort Scott, Old Fort Hays, Wichita Cowtown and many others; and

WHEREAS, This combination of climate, natural resources, historic buildings and sites and geographic location constitutes an ideal environment for the making of motion pictures; and

WHEREAS, Local chambers of commerce and city governments have indicated interest in and pledged support for film making in local communities; and

WHEREAS, Film production revenues in Kansas have totaled more than \$21 million in the past three years; and

WHEREAS, Positive national publicity about Kansas is generated with each film production: Now, therefore,

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

Section 1. (a) There is hereby established the Kansas film services commission. The commission shall consist of 19 voting members as follows: (1) One member of the senate appointed by the president of the senate; (2) one member of the senate appointed by the minority leader of the senate; (3) one member of the house of representatives appointed by the speaker of the house of representatives; (4) one member of the house of representatives appointed by the minority leader of the house of representatives; and (5) fifteen members appointed by the governor. Of the members appointed by the governor, one shall be representative of the northeast Kansas tourism region and shall be appointed after consideration of a list of three names submitted by the northeast Kansas tourism council, one shall be representative of the northwest Kansas tourism region and shall be appointed after consideration of a list of three names submitted by the northwest Kansas tourism council, one shall be representative of the southeast Kansas tourism region and shall be appointed after consideration of a list of three names submitted by the southeast Kansas tourism council, one shall be representative of the southwest Kansas tourism region and shall be appointed after consideration of a list of three names submitted by the southwest Kansas tourism council, and one shall be representative of the south central Kansas tourism region and shall be appointed after consideration of a list of three names submitted by the south central Kansas tourism council. All members appointed by the governor shall be appointed for terms of three years, except that of the members first appointed, five shall be appointed for one-year terms, five shall be appointed for two-year terms and five shall be appointed for three-year terms. The governor shall designate the term for which each of the members first appointed shall serve. In addition to the voting members of the commission, six members of the commission shall serve *ex officio*: The secretary of commerce, the secretary of transportation, the secretary of wildlife and parks, the secretary of health and environment, the executive director of the Kansas arts commission and the secretary of the state historical society. Each *ex officio* member of the commission may designate an officer or employee of the state agency of the *ex officio* member to serve on the commission in place of the *ex officio* member. The *ex officio* members of the commission, or their designees, shall be nonvoting members of the commission and shall provide information and advice to the commission. In addition to the voting and *ex officio* members of the commission, the governor may appoint such number of representatives of the film industry to nonvoting membership on the commission as may be recommended by the secretary of commerce.

(b) Legislative members shall be appointed for terms coinciding with the terms for which such members are elected. All legislative members and members appointed by the governor shall serve without compensation. All members appointed to fill vacancies in the membership of the commission and all members appointed to succeed members appointed to membership on the commission shall be appointed in like manner as that provided for the original appointment of the member succeeded. All members appointed to fill vacancies of a member of the commission appointed by the governor shall be appointed to fill the unexpired term of such member.

(c) The members of the commission shall elect annually a chairperson and vice-chairperson for the commission from among its members. The commission shall meet at least four times each year at the call of the chairperson of the commission. Ten voting members of the commission shall constitute a quorum.

(d) The provisions of the Kansas sunset law apply to the Kansas film services commission established by this section, and the commission is subject to abolition under that law.

Sec. 2. The Kansas film services commission shall: Advise the department of commerce and develop strategies on methods to attract film-making enterprises to the state of Kansas; assist the film services section of the division of travel and tourism development in the locating and researching of locations for possible use by the movie industry; assist students in Kansas in developing film-making skills; provide assistance to movie personnel who utilize Kansas as a location for filming as may be directed by the division; provide support at official hospitality functions for the film industry; participate in trade show and official functions pertaining to the film industry; and assist in the establishment of motion picture ventures and such related matters as the commission deems appropriate. The department of commerce shall provide staff and other assistance as may be required by the commission in the performance of its duties.

Sec. 3. Except as provided in K.S.A. 74-7246, and amendments thereto, the Kansas film services commission, established by section 1, and amendments thereto, shall be and hereby is abolished on July 1, 1994.

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

(Published in the *Kansas Register*, April 12, 1990.)

SENATE BILL No. 678

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 thereof.

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

Section 1. As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) The acronym "INK" shall mean the information network of Kansas, Inc., created by section 3, or, if INK shall be abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to INK shall be given by law.

(b) The word "gateway" shall mean any centralized electronic information system by which public information shall be provided via dial-in modem or continuous link to the public through subscription or through public libraries.

(c) The term "public information" shall mean any information stored, gathered or generated in electronic or magnetic form by the state of Kansas, its agencies or instrumentalities, which is included within the information deemed to be public pursuant to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto.

(d) The word "agency" shall mean any agency or instrumentality of the state of Kansas which stores, gathers or generates public information.

(e) The term "network manager" shall mean the entity or person engaged to manage and run the gateway or network on behalf of INK.

(f) The term "user association" shall mean an association:

(1) Whose membership is identifiable by regular payment of association dues and regularly maintained membership lists;

- (2) which is registered with the state or is a Kansas corporation;
- (3) which exists for the purpose of advancing the common occupation or profession of its membership; and
- (4) which regularly promotes and encourages the subscription of its members to the gateway service provided by INK.

Sec. 2. It shall be the purpose of INK to perform the following duties:

- (a) Provide electronic access for members of the public to public information of agencies via a gateway service;
- (b) develop a dial-in gateway or electronic network for access to public information;
- (c) provide appropriate oversight of any network manager;
- (d) explore ways and means of expanding the amount and kind of public information provided, increasing the utility of the public information provided and the form in which provided, expanding the base of users who access such public information and, where appropriate, implementing such changes;
- (e) cooperate with the division of information systems and communications in seeking to achieve the purposes of INK;
- (f) explore technological ways and means of improving citizen and business access to public information and, where appropriate, implement such technological improvements; and
- (g) explore options of expanding such network and its services to citizens and businesses by providing add-on services such as access to other for-profit information and databases and by providing electronic mail and calendaring to subscribers.

Sec. 3. (a) There is hereby created a body politic and corporate to be known as the information network of Kansas, Inc. INK is hereby constituted as a public instrumentality and the exercise by INK of the authority and powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) INK shall be governed by a board consisting of 10 members as follows:

- (1) The president of Kansas, Inc.;
  - (2) the secretary of state;
  - (3) two members who are chief executive officers of agencies of the executive branch, appointed by the governor who shall serve at the pleasure of the governor;
  - (4) one member appointed by the Kansas bar association from among its membership who shall serve a three-year term;
  - (5) three members from other user associations of a statewide character appointed by the governor from a list of individuals and their respective user associations compiled by the board of INK and submitted to the governor. The terms for such members shall be for a period of three years, except initially, when the terms shall be for one, two and three years, respectively;
  - (6) one member from the Kansas public libraries association, whose president shall appoint such member to the board from a public library which subscribes to INK. Such member shall serve a three-year term; and
  - (7) the director of information systems and communications who shall serve as a nonvoting member.
- (c) The board shall annually elect one member from the board as chairperson of INK, another as vice-chairperson and another as secretary.
- (d) Five members of the board shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

Sec. 4. (a) In order to achieve its purpose as provided in this act, INK shall:

- (1) Serve in an advisory capacity to the secretary of administration, division of information services and communications and other state agencies regarding the provision of state data to the citizens and businesses of Kansas;
- (2) seek advice from the general public, its subscribers, professional associations, academic groups and institutions and individuals with knowledge of and interest in areas of networking, electronic mail, public information access, gateway services, add-on services and electronic filing of information; and
- (3) develop charges for the services provided to subscribers, which include the actual costs of providing such services.

(b) All state agencies shall cooperate with INK in providing such assistance as may be requested for the achievement of its purpose. Agencies may recover actual costs incurred by providing such assistance.

Sec. 5. (a) INK shall hire a network manager, which may be either a person or a company or corporation. INK shall draw criteria and specifications in consultation with the division of information services and communications for such a network manager and its duties. INK may negotiate and enter into an employment agreement with the network manager selected which may provide for such duties, responsibilities and compensation as may be provided for in such agreement.

(b) The network manager shall direct and supervise the day-to-day operations and expansion of such gateway and network, including the initial phase of operations necessary to make such gateway operational, and:

- (1) May employ, supervise and terminate such other employees of INK as designated by INK;
  - (2) shall attend meetings of INK;
  - (3) shall keep a record of all gateway, network and related operations of INK, which records shall be the property of INK, and shall maintain and be a custodian of all financial and operational records, documents and papers filed with INK; and
  - (4) shall yearly update and revise the business plan of INK, in consultation with and under the direction of INK.
- (c) INK is hereby authorized to negotiate and enter into contracts for professional consulting, research and other services.
- (d) INK may accept gifts, donations and grants.
- (e) INK shall not be subject to state purchasing laws.

Sec. 6. Kansas, Inc. and the division of information services and communications shall provide to INK such staff and other assistance as may be requested thereby, and the actual costs of such assistance shall be paid for by INK.

Sec. 7. INK shall fund its operations from revenues generated from subscribers, and from money, goods or in-kind services donated from private sources. Initial funding for start-up costs shall be obtained from private donations.

(a) The employees of INK shall be considered to be state employees, and INK shall be considered to be a state agency for purposes of the laws and procedures governing the payroll accounting system for state agencies under K.S.A. 75-5501 *et seq.*, and amendments thereto, the deferred compensation plan developed and approved for state employees under K.S.A. 75-5521 through 75-5529, and amendments thereto, the Kansas public employees retirement system, the employment security law, the workers compensation act, including the state workers' compensation self-insurance fund as provided in K.S.A. 44-575 through 44-580, and amendments thereto, the state health care benefits program and remittances pursuant to the federal social security act, federal insurance compensation act and the federal internal revenue code. All employees of INK shall be considered to be state employees and INK shall be considered to be a state agency only for the purposes specified in this subsection.

(b) The provisions of article 32 of chapter 75 of the Kansas Statutes Annotated, any acts amendatory thereof or supplemental thereto, and any rules and regulations adopted thereunder, shall not apply to officers or employees of INK. Subject to policies established by the board of INK, the chairperson of INK or the chairperson's designee shall be authorized to approve all travel and travel expenses of such officers and employees.

(c) Nothing in this act shall be construed as placing any officer or employee of INK in the classified service or unclassified service under the Kansas civil service act.

Sec. 8. All moneys received by INK from gifts, donations, grants or any other source outside the state treasury may be deposited in the state treasury and credited to the information network of Kansas fund or may be maintained in interest-bearing accounts in Kansas banks or Kansas savings and loan associations until expended or otherwise disposed of pursuant to this act.

Sec. 9. This act may be cited as and shall be known as the information network of Kansas act.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 12, 1990.)

HOUSE BILL No. 3077

AN ACT concerning counties; relating to planning and zoning; amending K.S.A. 19-101a, 19-2915 and 19-2920 and repealing the existing sections.

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

Section 1. K.S.A. 19-2915 is hereby amended to read as follows: 19-2915. The board of county commissioners ~~may~~ by resolution ~~may~~ establish a planning board for the county. The board shall consist of not less than five nor more than ~~11~~ 20 members who shall be residents of the county, a majority of whom live outside the corporate limits of any incorporated city in the county. The board of county commissioners shall appoint all members of the planning board. The board of county commissioners shall appoint to the planning board one member of the board of supervisors of a conservation district located within the county who shall be a voting member. The members first appointed shall be appointed for terms of one, two and three years. The terms shall be divided equally or as nearly equally as possible between the members. Thereafter members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term. Members of the board shall serve without compensation for their services.

Sec. 2. K.S.A. 19-2920 is hereby amended to read as follows: 19-2920. (a) Before any county creates any zoning district or regulates or restricts the use of buildings or land in the county, the board of county commissioners shall require the planning board to recommend to the board of county commissioners the boundaries of districts and appropriate regulations to be enforced in the districts. All regulations shall be uniform for each class or kind of buildings or land uses throughout each district, but the regulations in one district may differ from those in other districts. The regulations shall be made in accordance with a land use study and shall give reasonable consideration to the existing character of the district, its suitability for particular uses, conserving the value of buildings, existing development and encouraging the most appropriate use of land throughout the county. The planning board shall make and develop tentative recommendations and shall hold one or more public hearings on the recommendations as determined by the board of county commissioners. The secretary of the planning board shall publish a notice of each public hearing in the official county newspaper. At least 20 days shall elapse between the date of the publication and the date set for the hearing. The notice shall fix the time and place for the hearing and shall describe in general terms the regulations and zoning districts proposed, together with a brief statement regarding the purpose of the zoning districts. The hearings may be adjourned from time to time and upon the conclusion of the same, the planning board shall prepare and adopt its recommendations in the form of a proposed zoning resolution and shall submit the same, together with a record of the hearings on the recommendations to the board of county commissioners. If a written protest against the proposed zoning or rezoning of any land lying within three miles of the city limits of any municipality having a zoning ordinance is received from the governing body of the city, the county commissioners shall not adopt the proposed zoning of the land except by a vote of all members which shall be recorded in the minutes of the meeting along with a statement of the reasons for the action.

Upon the receipt of the recommendations of the planning board, the board of county commissioners may adopt the same with or without change or refer it back to the planning board for further consideration. After adoption of regulations by the board of county commissioners, it may from time to time thereafter amend, supplement or change the boundaries or regulations contained in the zoning resolution.

The procedure for the extension of the application of any zoning regulations to any additional township, or the area lying adjacent to any city or impoundment of water shall be the same as that for the adoption of the original zoning resolution. A proposal for an amendment or change in zoning may be initiated by the board of the county commissioners, the planning board or upon application of the owner of property affected. The board of county commissioners may establish a scale of reasonable fees to be paid in advance to the secretary of the planning board by the owner of any property at the time of making application for a change in zoning of the same. All proposed changes shall first be submitted to the planning board for

recommendation and report, and no amendment or change shall be made without a hearing before the planning board. Public notice of the hearing shall be given and the procedure for the consideration and adoption of the amendment or change shall be in the same manner required for the consideration and adoption of the original zoning resolution. In addition to the publication notice, if the proposed amendment is not a general revision of an existing zoning resolution and will affect specific property, such property shall be designated by legal description and written notice shall be mailed to all owners of property, whether within or without the county, which is located within 1,000 feet of the area affected. Failure to receive the notice shall not invalidate any subsequent action taken. If the amendment affects the boundaries of any zoning district and the county has made provision for the fixing of the same upon an official map which has been incorporated by reference, the amending resolution shall define the change or boundary as amended, shall order the official map to be changed to reflect the amendment and shall amend the section of the resolution incorporating the same and shall reincorporate the map as amended. If within 14 days after the date of the conclusion of the hearing, a petition signed by the owners of 20% or more of any property proposed to be rezoned, or by the owners of 20% of the total area, except public streets and ways, located within 1,000 feet of the boundaries of the property proposed to be rezoned is filed in the office of the county clerk, the amendment shall not be passed except by unanimous vote of the board of county commissioners.

(b) If the board of county commissioners of Franklin county determines it is necessary to zone within the unincorporated areas of the county, the board of county commissioners shall submit the question of the initial zoning for approval by a majority of the qualified electors of the unincorporated areas of the county voting at an election called and held on the question. The election shall be called and held in the manner prescribed by the general bond law. If the question of initial zoning is approved as provided in this subsection, any amendment or change in zoning shall be made as otherwise provided by law without requiring an election on the amendment or change.

(c) *If the board of county commissioners of Montgomery county determines it is advisable to zone within the unincorporated areas of the county, the board of county commissioners of such county shall first submit the proposition to create zoning districts and regulate and restrict the use of property within such unincorporated area to the qualified electors of the unincorporated areas of the county at an election called and held on the question and no such regulations shall be applied or enforced within such unincorporated area without first having been approved by a majority of the electors voting at such election. The election shall be called and held in the manner prescribed by the general bond law. Any zoning districts or regulations or restrictions on the use of buildings or land within the unincorporated area of Montgomery county adopted by the board of county commissioners of such county prior to the effective date of this act shall be null and void and shall have no force and effect without first having been approved by a majority of the qualified electors of the unincorporated areas of the county voting at an election called and held in accordance with this subsection. If the question of initial zoning is approved as provided in this subsection, any amendment or change in zoning shall be made as otherwise provided by law without requiring an election on the amendment or change.*

Sec. 3. K.S.A. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions: (1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not consolidate or alter county boundaries.  
 (3) Counties may not affect the courts located therein.  
 (4) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(5) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.



(6) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271—74th congress, or amendments thereof.

(7) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(8) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(9) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(10) No county may levy ad valorem taxes under the authority of this section upon real property located within any redevelopment area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(12) Counties may not exempt from or effect changes in the provisions of K.S.A. 1985 Supp. 19-4601 to 19-4625, inclusive, and amendments thereto.

(13) Except as otherwise specifically authorized by K.S.A. 12-1,101 to 12-1,109, inclusive, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(14) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto. Any charter resolution adopted by a county prior to July 1, 1983, exempting from or effecting changes in K.S.A. 19-430, and amendments thereto, is null and void.

(15) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(16) Counties may not exempt from or effect changes in K.S.A. 13-13a26, and amendments thereto. Any charter resolution adopted by a county, prior to the effective date of this act, exempting from or effecting changes in K.S.A. 13-13a26, and amendments thereto, is null and void.

(17) Counties may not exempt from or effect changes in K.S.A. 71-301, and amendments thereto. Any charter resolution adopted by a county, prior to the effective date of this act, exempting from or effecting changes in K.S.A. 71-301, and amendments thereto, is null and void.

(18) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto. Any charter resolution adopted by a county prior to the effective date of this act, exempting from or effecting changes in such sections is null and void.

(19) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225 and 12-1226 and K.S.A. 1985 1989 Supp. 12-1225a, 12-1225b and 12-1225c, and amendments thereto.

(20) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(21) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 to 19-4015, inclusive, and amendments thereto, ~~K.S.A. 1986 Supp. 19-4002a or 19-4002b.~~

(22) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(23) Counties may not exempt from or effect changes in K.S.A. 19-2920, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

Sec. 4. K.S.A. 19-101a, 19-2915 and 19-2920 are hereby repealed.

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

(Published in the Kansas Register, April 12, 1990.)

#### HOUSE BILL No. 3071

AN ACT concerning public warehouses; relating to the penalty fee for late licenses; amending K.S.A. 1989 Supp. 34-230 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 34-230 is hereby amended to read as follows: 34-230. (a) Upon receiving the application and financial statement required by this act, the director of the state grain inspection department shall make an investigation and inspection of the warehouse or warehouses covered by the application. The director may issue a license to the applicant if:

- (1) The applicant furnishes the bond required by this act;
- (2) the warehouse or warehouses are found suitable for the proper storage of grain for which a license is applied for; and
- (3) the applicant complies with all requirements for licensure prescribed by this act and rules and regulations adopted under this act.

(b) Every license shall be dated and shall designate the name of the licensee and the location of the licensed warehouse or warehouses.

(c) Each license shall expire one year from the date of its issuance except that, for the purpose of equitably distributing application dates of warehouse licenses throughout each calendar year, the director may issue licenses for periods longer than one year but not longer than two years. Licenses for periods longer than one year shall be charged the annual license fee, plus a monthly fee in proportion to the annual license fee for the number of months the license is issued beyond one year.

(d) Any licensee making application for renewal of a license shall submit the application, together with the licensee's financial statement and any additional information required, at least 30 days prior to the date of expiration of the licensee's current license. For each day that the licensee is late in submitting the application and required information, the licensee shall be penalized an additional fee of \$3 \$5.

(e) The license shall be posted in a conspicuous place in the office room of the licensed warehouse at all times during the operation of the warehouse.

(f) If a licensee is convicted of any violation of the provisions of this act or if the director determines that a licensee does not comply with any requirement for licensure or has violated any provision of this act or of the rules and regulations adopted under this act, the director may at the director's discretion suspend or revoke the license of the licensee. All proceedings for the suspension or revocation of licenses shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(g) The licensee, if dissatisfied with the order of the director, may appeal in the manner provided by law.

Sec. 2. K.S.A. 1989 Supp. 34-230 is hereby repealed.

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

(Published in the Kansas Register, April 12, 1990.)

HOUSE BILL No. 2994

AN ACT relating to the transmission of money; concerning telegraph companies; amending K.S.A. 1989 Supp. 9-511 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 9-511 is hereby amended to read as follows: 9-511. This act shall not apply to banks, building and loan associations, savings and loan associations or credit unions organized under the laws of and subject to the supervision of this state or the United States, to the government of the United States and its agencies; or to the receipt of money by an incorporated telegraph company at any office or agency thereof for immediate transmission by telegraph; also. This act also shall not apply to the distribution, transmission or payment of money as a part of the lawful practice of law, bookkeeping, accounting or real estate sales or brokerage or as an incidental and necessary part of any lawful business activity.

Sec. 2. K.S.A. 1989 Supp. 9-511 is hereby repealed.

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

(Published in the Kansas Register, April 12, 1990.)

SENATE BILL No. 573

AN ACT relating to motor vehicles; providing for a harvest permit; amending K.S.A. 1989 Supp. 8-143b, 8-143h and section 1 of this act, and repealing the existing sections.

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

New Section 1. (a) The owner of any truck or truck tractor which is duly registered and licensed in some other state, or any duly registered and licensed farm truck in this state, engaged in farm custom harvesting operations and desiring to operate in intrastate commerce in this state for a temporary period only, may obtain a harvest permit, in lieu of the thirty-day license in K.S.A. 8-143b or 8-143h, and amendments thereto, authorizing the operation of such truck, truck tractor or farm truck on the highways of this state for a period of not to exceed 60 days from the date of issuance of such permit. A separate harvest permit shall be required for each time period. For a foreign-based truck or truck tractor, the fee for each permit shall be \$26 or 1/6 of the annual license fee for such vehicle, whichever sum is the larger. For a registered and licensed farm truck in this state, the fee for each permit shall be \$52. Where such fee is paid on a truck or truck tractor, no registration or fee shall be required for a trailer or semitrailer duly registered in this or another state and propelled by such truck or truck tractor. Application for such harvest permit shall be made to the division of vehicles of the department of revenue. The secretary of revenue may adopt rules and regulations to implement the provisions of this section.

(b) For the purpose of this section, "farm custom harvesting operations" means a person, firm, partnership, association or corporation engaged in farm custom harvesting operations if the truck or truck tractor is used to:

- (1) Transport farm machinery, supplies, or both, to or from a farm, for custom harvesting operations on a farm;
(2) transport custom harvested crops only from a harvested field to initial storage or to initial market locations; or
(3) transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such vehicle.

New Sec. 2. (a) On and after January 1, 1991, any truck or truck tractor registered for a gross weight of more than 12,000 pounds which is engaged in farm custom harvesting operations may be registered in accordance with the schedule for such farm custom harvesting vehicles, but shall not be registered as a farm truck or farm truck tractor. The annual license fee for a farm custom harvesting truck or truck tractor shall be as follows:

Table with 2 columns: Gross weight range and License fee. Row 1: For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. Fee: \$60. Row 2: For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. Fee: 100.

Table with 2 columns: Gross weight range and License fee. Row 1: For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. Fee: 130. Row 2: For a gross weight of more than 24,000 lbs. and not more than 30,000 lbs. Fee: 175. Row 3: For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs. Fee: 210. Row 4: For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs. Fee: 240. Row 5: For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs. Fee: 310. Row 6: For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs. Fee: 410. Row 7: For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. Fee: 470. Row 8: For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. Fee: 570. Row 9: For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs. Fee: 750. Row 10: For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs. Fee: 880. Row 11: For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs. Fee: 1,000.

(b) A tab or marker shall be issued and displayed in connection with the regular license plate for a truck or truck tractor registered as a farm custom harvesting truck or truck tractor.

(c) Trucks or truck tractors registered under this section shall be eligible for proportional registration under the provisions of K.S.A. 8-1,100 et seq., and amendments thereto.

(d) As used in this section, "farm custom harvesting operations" means a person, firm, partnership, association or corporation engaged in farm custom harvesting operations if a truck or truck tractor is used to:

- (1) Transport farm machinery, supplies, or both, to or from a farm, for custom harvesting operations on a farm;
(2) transport custom harvested crops only from a harvested field to initial storage or to initial market locations; or
(3) transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such vehicle.

Sec. 3. On and after January 1, 1991, section 1 of this act is hereby amended to read as follows: Sec. 1. (a) The owner of any truck or truck tractor which is duly registered and licensed in some other state; or any duly registered and licensed farm truck in this state; engaged in farm custom harvesting operations and desiring to operate in intrastate commerce in this state for a temporary period only, may obtain a harvest permit, in lieu of the thirty-day license in K.S.A. 8-143b or 8-143h, and amendments thereto, authorizing the operation of such truck, or truck tractor or farm truck on the highways of this state for a period of not to exceed 60 days from the date of issuance of such permit. For a foreign-based truck or truck tractor, the fee for each permit shall be \$26 or 1/6 of the annual license fee for such vehicle, whichever sum is the larger. For a registered and licensed farm truck in this state, the fee for each permit shall be \$52. Where such fee is paid on a truck or truck tractor, no registration or fee shall be required for a trailer or semitrailer duly registered in this or another state and propelled by such truck or truck tractor. Application for such harvest permit shall be made to the division of vehicles of the department of revenue. The secretary of revenue may adopt rules and regulations to implement the provisions of this section.

(b) For the purpose of this section, "farm custom harvesting operations" means a person, firm, partnership, association or corporation engaged in farm custom harvesting operations if the truck or truck tractor is used to:

- (1) Transport farm machinery, supplies, or both, to or from a farm, for custom harvesting operations on a farm;
(2) transport custom harvested crops only from a harvested field to initial storage or to initial market locations; or
(3) transport agricultural products produced by such owner or

commodities purchased by such owner for use on the farm owned or rented by the owner of such vehicle.

Sec. 4. K.S.A. 1989 Supp. 8-143b is hereby amended to read as follows: 8-143b. (a) *Except as provided in section 1 and subsection (b),* the owner of any truck or truck tractor which is duly registered and licensed in some other state, desiring to operate in intrastate commerce in this state for a temporary period only, in lieu of payment of the annual license fee, may register such truck or truck tractor and obtain a thirty-day license authorizing operation on the highways of this state for a period, of not to exceed 30 days from the date of issuance of such license. The fee for such license shall be \$26 or  $\frac{1}{8}$  of the annual license fee for such vehicle, whichever sum is the larger. Where such fee is paid on a truck or truck tractor no registration or fee shall be required for a trailer or semitrailer duly registered in this or another state and propelled by such truck or truck tractor. Application for such license shall be made to the division in the manner and form prescribed by the director and shall be accompanied by the required fee, which shall be deposited by the director as provided by K.S.A. 8-146, and amendments thereto. ~~The license plates furnished for such vehicle shall be such as to identify the same as a thirty-day license.~~

(b) Whenever any natural catastrophe or disaster, civil riot or disorder or any other condition exists in this state that requires or necessitates emergency assistance or aid from persons owning ambulances, rescue vehicles or utility vehicles which are subject to the provisions of this section, such persons shall be exempt from the payment of the fee required herein in subsection (a) for any such ambulance, rescue vehicle or utility vehicle that is operated in this state for the purpose of or in connection with rendering such emergency assistance or aid.

Sec. 5. K.S.A. 1989 Supp. 8-143h is hereby amended to read as follows: 8-143h. *Except as provided in section 1,* the owner of any duly registered and licensed farm truck in this state, engaged in the hauling of grain as provided by subsection (h) of K.S.A. 66-1,109, and amendments thereto, or chopped forage, and desiring to operate in intrastate commerce in this state for a temporary period only, in lieu of payment of the annual license fee, may register such farm truck and obtain a thirty-day license authorizing operation on the highways of this state for a period of only 30 days from the date of issuance of such license. The fee for such license shall be \$26. Where such fee is paid on a farm truck no registration or fee shall be required for a trailer duly registered in this or another state and propelled by such farm truck. Application for such license shall be made to the division of vehicles on such form as the director of vehicles shall prescribe and shall be accompanied by the required fee, which shall be deposited by the division as provided by K.S.A. 8-146, and amendments thereto. ~~The license plates furnished for such vehicle shall be such as to identify the same as a thirty-day license.~~ The director of vehicles may designate agents to issue the licenses authorized by this act so that such licenses will be obtainable at convenient locations. This section shall be construed as supplemental to and a part of the motor vehicle registration laws of this state.

Sec. 6. K.S.A. 1989 Supp. 8-143b and 8-143h are hereby repealed.

Sec. 7. On and after January 1, 1991, section 1 of this act, is hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 12, 1990.)

SENATE BILL No. 612

AN ACT concerning the employment security law; relating to shared work compensation program; effective date of program; amending K.S.A. 1989 Supp. 44-757 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 44-757 is hereby amended to read as follows: 44-757. *Shared work unemployment compensation program.* (a) As used in this section:

(1) "Affected unit" means a specified department, shift or other unit of four or more employees that is designated by an employer to participate in a shared work plan.

(2) "Fringe benefit" means health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave, and any other analogous employee benefit that is provided by an employer.

(3) "Fund" has the meaning ascribed thereto by subsection (k) of K.S.A. 44-703 and amendments thereto.

(4) "Normal weekly hours of work" means the lesser of 40 hours or the average obtained by dividing the total number of hours worked per week during the preceding twelve-week period by the number 12.

(5) "Participating employee" means an employee who works a reduced number of hours under a shared work plan.

(6) "Participating employer" means an employer who has a shared work plan in effect.

(7) "Secretary" means the secretary of human resources.

(8) "Shared work benefit" means an unemployment compensation benefit that is payable to an individual in an affected unit because the individual works reduced hours under an approved shared work plan.

(9) "Shared work plan" means a program for reducing unemployment under which employees who are members of an affected unit share the work remaining after a reduction in their normal weekly hours of work.

(10) "Shared work unemployment compensation program" means a program designed to reduce unemployment and stabilize the work force by allowing certain employees to collect unemployment compensation benefits if the employees share the work remaining after a reduction in the total number of hours of work and a corresponding reduction in wages.

(b) The secretary shall establish a voluntary shared work unemployment compensation program as provided by this section. The secretary may adopt rules and regulations and establish procedures necessary to administer the shared work unemployment compensation program.

(c) An employer who wishes to participate in the shared work unemployment compensation program must submit a written shared work plan to the secretary for the secretary's approval. As a condition for approval, a participating employer must agree to furnish the secretary with reports relating to the operation of the shared work plan as requested by the secretary. The employer shall monitor and evaluate the operation of the established shared work plan as requested by the secretary and shall report the findings to the secretary.

(d) The secretary may approve a shared work plan if:

(1) the shared work plan applies to and identifies a specific affected unit;

(2) the employees in the affected unit are identified by name and social security number;

(3) the shared work plan reduces the normal weekly hours of work for an employee in the affected unit by not less than 20% and not more than 40%;

(4) the shared work plan applies to at least 10% of the employees in the affected unit;

(5) the shared work plan describes the manner in which the participating employer treats the fringe benefits of each employee in the affected unit;

(6) the employer certifies that the implementation of a shared work plan and the resulting reduction in work hours is in lieu of temporary layoffs that would affect at least 10% of the employees in the affected unit and that would result in an equivalent reduction in work hours;

(continued)

(7) the employer has filed all reports required to be filed under this section for all past and current periods and has paid all contributions due for all past and current periods; and

(8) the employer must be a private for profit contributing employer eligible for a rate computation under subsection (a)(2) of K.S.A. 44-710a and amendments thereto and is not a negative account employer as defined by subsection (d) of K.S.A. 44-710a and amendments thereto.

(e) If any of the employees who participate in a shared work plan under this section are covered by a collective bargaining agreement, the shared work plan must be approved in writing by the collective bargaining agent.

(f) A shared work plan may not be implemented to subsidize seasonal employers during the off-season or to subsidize employers who have traditionally used part-time employees.

(g) The secretary shall approve or deny a shared work plan no later than the 30th day after the day the shared work plan is received by the secretary. The secretary shall approve or deny a shared work plan in writing. If the secretary denies a shared work plan, the secretary shall notify the employer of the reasons for the denial.

(h) A shared work plan is effective on the date it is approved by the secretary, *except for good cause a shared work plan may be effective at any time within a period of 14 days prior to the date such plan is approved by the secretary.* The shared work plan expires on the last day of the 12th full calendar month after the effective date of the shared work plan.

(i) An employer may modify a shared work plan created under this section to meet changed conditions if the modification conforms to the basic provisions of the shared work plan as approved by the secretary. The employer must report the changes made to the shared work plan in writing to the secretary before implementing the changes. If the original shared work plan is substantially modified, the secretary shall reevaluate the shared work plan and may approve the modified shared work plan if it meets the requirements for approval under subsection (d). The approval of a modified shared work plan does not affect the expiration date originally set for that shared work plan. If substantial modifications cause the shared work plan to fail to meet the requirements for approval, the secretary shall deny approval to the modifications as provided by subsection (g).

(j) Notwithstanding any other provisions of the employment security law, an individual is unemployed and is eligible for shared work benefits in any week in which the individual, as an employee in an affected unit, works for less than the individual's normal weekly hours of work in accordance with an approved shared work plan in effect for that week. The secretary may not deny shared work benefits for any week to an otherwise eligible individual by reason of the application of any provision of the employment security law that relates to availability for work, active search for work or refusal to apply for or accept work with an employer other than the participating employer.

(k) An individual is eligible to receive shared work benefits with respect to any week in which the secretary finds that:

(1) The individual is employed as a member of an affected unit subject to a shared work plan that was approved before the week in question and is in effect for that week;

(2) the individual is able to work and is available for additional hours of work or full-time work with the participating employer;

(3) the individual's normal weekly hours of work have been reduced by at least 20% but not more than 40%, with a corresponding reduction in wages; and

(4) the individual's normal weekly hours of work and wages have been reduced as described in paragraph (3) of this subsection (k) for a waiting period of one week which occurs within the period the shared work plan is in effect, which period includes the week for which the individual is claiming shared work benefits.

(l) The secretary shall pay an individual who is eligible for shared work benefits under this section a weekly shared work benefit amount equal to the individual's regular weekly benefit amount for a period of total unemployment multiplied by the nearest full percentage of reduction of the individual's hours as set forth in the employer's shared work plan. If the shared benefit amount is not a multiple of \$1, the secretary shall reduce the amount to the next lowest multiple

of \$1. All shared work benefits under this section shall be payable from the fund.

(m) The secretary may not pay an individual shared work benefits for any week in which the individual performs paid work for the participating employer in excess of the reduced hours established under the shared work plan.

(n) An individual may not receive shared work benefits and regular unemployment compensation benefits in an amount that exceeds the maximum total amount of benefits payable to that individual in a benefit year as provided by subsection (f) of K.S.A. 44-704 and amendments thereto.

(o) An individual who has received all of the shared work benefits and regular unemployment compensation benefits available in a benefit year is an exhaustee under K.S.A. 44-704a and 44-704b and amendments thereto and is entitled to receive extended benefits under such statutes if the individual is otherwise eligible under such statutes.

(p) The secretary may terminate a shared work plan for good cause if the secretary determines that the shared work plan is not being executed according to the terms and intent of the shared work unemployment compensation program.

(q) Notwithstanding any other provisions of this section, an individual shall not be eligible to receive shared work benefits for more than 26 calendar weeks during the twelve-month period of the shared work plan. No week shall be counted as a week for which an individual is eligible for shared work benefits for the purposes of this section unless the week occurs within the twelve-month period of the shared work plan.

(r) No shared work benefit payment shall be made under any shared work plan or this section for any week which commences before April 1, 1989, or for any week which commences after April 1, 1992.

(s) This section shall be construed as part of the employment security law.

Sec. 2. K.S.A. 1989 Supp. 44-757 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**

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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
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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
1-16-8	Amended	V. 9, p. 379
1-16-18	Amended	V. 9, p. 379
1-18-1a	Amended	V. 9, p. 329
1-18-1a	Amended	V. 9, p. 380
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		
through		
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**

Reg. No.	Action	Register
9-2-1	Amended	V. 9, p. 328
9-7-7	Amended	V. 8, p. 1804
9-17-1		
through		
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 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-7-1		
through		
11-7-10	New	V. 9, p. 506, 507

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

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

**AGENCY 16: ATTORNEY GENERAL**

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

**AGENCY 17: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
17-19-1		
through		
17-19-4	New	V. 8, p. 1476

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-1-1	Amended	V. 8, p. 1090
22-1-2	Amended	V. 8, p. 1090
22-3-1	Amended	V. 8, p. 1090
22-3-2	New	V. 8, p. 1090
22-4-2	New	V. 8, p. 1495
22-4-3	New	V. 8, p. 1495
22-5-6	New	V. 8, p. 1090
22-6-17	New	V. 8, p. 1090
22-8-1	Amended	V. 8, p. 1091
22-10-3	Amended	V. 8, p. 1091
22-10-12	Amended	V. 8, p. 1092
22-10-17	New	V. 8, p. 1092
22-13-35	Amended	V. 8, p. 1092

**AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
23-1-10	Revoked	V. 8, p. 1733
23-1-12	Revoked	V. 9, p. 386
23-2-3	Revoked	V. 8, p. 1525
23-2-7	Revoked	V. 9, p. 386
23-2-14	Revoked	V. 9, p. 386
23-2-15	Revoked	V. 9, p. 386
23-2-16	Revoked	V. 9, p. 386
23-3-2	Revoked	V. 8, p. 1733
23-3-8	Revoked	V. 8, p. 1629
23-3-10	Revoked	V. 8, p. 1629
23-3-11	Revoked	V. 8, p. 1629
23-3-12	Revoked	V. 8, p. 1629

23-3-14	Revoked	V. 8, p. 1629
23-3-15	Revoked	V. 8, p. 1629
23-5-1		
through		
23-5-8	Revoked	V. 9, p. 386
23-6-6	Revoked	V. 9, p. 167
23-7-5	Revoked	V. 9, p. 167
23-7-7	Revoked	V. 9, p. 167
23-8-1	Revoked	V. 8, p. 1525
23-8-2	Revoked	V. 8, p. 1525
23-8-18	Revoked	V. 8, p. 1525
23-8-19	Revoked	V. 8, p. 1525
23-8-21	Revoked	V. 8, p. 1525
23-8-25	Revoked	V. 8, p. 1525
23-8-33	Revoked	V. 8, p. 1525
23-8-34	Revoked	V. 8, p. 1356
23-8-36	Revoked	V. 8, p. 1525
23-9-2	Revoked	V. 8, p. 1525
23-9-10	Revoked	V. 8, p. 1525
23-9-11	Revoked	V. 8, p. 1525
23-11-1	Revoked	V. 8, p. 1356
23-14-1	Revoked	V. 8, p. 1356
23-17-1	Revoked	V. 8, p. 1356
23-17-2	Revoked	V. 8, p. 1356
23-17-3	Revoked	V. 8, p. 1356
23-18-1	Revoked	V. 8, p. 1525
23-18-3	Revoked	V. 8, p. 1629
23-18-4	Revoked	V. 8, p. 1629

**AGENCY 25: GRAIN INSPECTION DEPARTMENT**

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

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-8-1		
through		
26-8-10	New	V. 8, p. 1557
26-9-1		
through		
26-9-4	New	V. 8, p. 1557, 1558

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-4-113		
through		
28-4-118	Amended	V. 9, p. 36-40
28-4-119b	Amended	V. 9, p. 40
28-4-120	Amended	V. 9, p. 40
28-4-124		
through		
28-4-132	Amended	V. 9, p. 40-43
28-4-350	Amended	V. 9, p. 44
28-4-400	Amended	V. 8, p. 1632
28-4-401	Amended	V. 8, p. 1632
28-4-403	Amended	V. 8, p. 1632
28-4-405	Amended	V. 8, p. 1633
28-4-405a	Amended	V. 8, p. 1634
28-4-405b	Amended	V. 8, p. 1635
28-4-406	Amended	V. 8, p. 1635
28-4-407	Amended	V. 8, p. 1636
28-4-408	Amended	V. 8, p. 1636
28-4-410	Amended	V. 8, p. 1636
28-4-411	Amended	V. 8, p. 1637
28-4-412	Revoked	V. 8, p. 1637
28-4-413	Amended	V. 8, p. 1637
28-4-442	Amended	V. 9, p. 44
28-16-110		
through		
28-16-138	New	V. 8, p. 517-520
28-16-137	Amended	V. 8, p. 1559
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291
28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	Amended	V. 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296
28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298

(continued)

28-19-56	Amended	V. 8, p. 1298
28-31-1		
through		
28-31-6	Amended	V. 8, p. 1806-1812
28-31-8	Amended	V. 8, p. 1813
28-31-8a	Amended	V. 8, p. 1814
28-31-8b	New	V. 8, p. 1814
28-31-9	Amended	V. 8, p. 1814
28-31-14	Amended	V. 8, p. 1814
28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, p. 200
28-39-87	Amended	V. 8, p. 871
28-39-200	Revoked	V. 8, p. 201
28-39-202		
through		
28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201
28-39-226	Amended	V. 8, p. 203
28-51-108	Amended	V. 9, p. 123

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-35	Amended	V. 8, p. 714
30-4-41	Amended	V. 8, p. 714
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1661
30-4-64	Amended	V. 8, p. 1661
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 9, p. 193
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 9, p. 194
30-4-90	Amended	V. 8, p. 1182
30-4-96	Amended	V. 9, p. 194
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 9, p. 450
30-4-102	Amended	V. 9, p. 450
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1662
30-4-112	Amended	V. 8, p. 1662
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-130	Amended	V. 8, p. 1662
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 8, p. 1662
30-5-58	Amended	V. 9, p. 451
30-5-59	Amended	V. 8, p. 1662
30-5-59	Amended	V. 9, p. 455
30-5-60	Amended	V. 9, p. 456
30-5-62	Amended	V. 9, p. 457
30-5-65	Amended	V. 9, p. 457
30-5-67	Amended	V. 9, p. 457
30-5-68	Amended	V. 9, p. 457
30-5-70	Amended	V. 9, p. 457
30-5-71	Amended	V. 9, p. 458
30-5-73	Amended	V. 9, p. 459
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 8, p. 1205
30-5-81	Amended	V. 8, p. 1470
30-5-81a	Amended	V. 9, p. 459
30-5-81b	Amended	V. 8, p. 718
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 9, p. 459
30-5-84	Revoked	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-88	Amended	V. 8, p. 1206
30-5-88	Amended	V. 8, p. 1471
30-5-89	Amended	V. 9, p. 118
30-5-94	Amended	V. 9, p. 460
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 8, p. 1182
30-5-101	Amended	V. 9, p. 119
30-5-103	Amended	V. 9, p. 119

30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 8, p. 719
30-5-111	Amended	V. 9, p. 460
30-5-112	Amended	V. 9, p. 461
30-5-113	Amended	V. 9, p. 461
30-5-114	Amended	V. 9, p. 461
30-5-115	Amended	V. 9, p. 461
30-5-115a	New	V. 8, p. 719
30-5-116	Amended	V. 9, p. 461
30-5-116a	New	V. 8, p. 720
30-5-150	New	V. 9, p. 461
30-5-151	New	V. 9, p. 462
30-5-152	New	V. 9, p. 462
30-5-154		
through		
30-5-172	New	V. 9, p. 462-464
30-6-35	Amended	V. 8, p. 720
30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 9, p. 464
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 8, p. 721
30-6-79	Amended	V. 9, p. 195
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 9, p. 122
30-6-106	Amended	V. 9, p. 195
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26		
through		
30-7-63	Revoked	V. 8, p. 721
30-7-64		
through		
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-9-13	New	V. 8, p. 1663
30-9-18		
through		
30-9-22	New	V. 8, p. 1663, 1664
30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-46-10	Amended	V. 8, p. 1666
30-46-17	Amended	V. 8, p. 1666
30-51-1		
through		
30-51-5	Revoked	V. 9, p. 198

**AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
33-1-4		
through		
33-1-17	Revoked	V. 8, p. 1525
33-1-19	Revoked	V. 8, p. 1525
33-1-21	Revoked	V. 9, p. 167
33-2-4	Revoked	V. 8, p. 1733
33-3-2	Revoked	V. 9, p. 386
33-3-3	Revoked	V. 8, p. 1733
33-3-4	Revoked	V. 9, p. 386
33-4-5	Revoked	V. 8, p. 1525

33-4-7		
through		
33-4-10	Revoked	V. 8, p. 1525

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

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

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-35	Amended	V. 9, p. 303
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-38	New	V. 8, p. 455
40-4-39	New	V. 9, p. 303
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-11	Amended	V. 9, p. 304
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516
40-7-22		
through		
40-7-25	New	V. 9, p. 304
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 80
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 81
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129		
through		
44-11-135	New	V. 9, p. 81, 82

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

Reg. No.	Action	Register
51-24-4	Amended	V. 8, p. 1493
51-24-5	Amended	V. 8, p. 1493

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-11-104a	Amended	V. 9, p. 406

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170
63-1-6	Amended	V. 8, p. 712
63-1-12	Amended	V. 8, p. 713
63-2-14	Amended	V. 8, p. 713
63-6-3	Amended	V. 8, p. 713
63-6-6	Amended	V. 8, p. 714
63-6-7	Revoked	V. 8, p. 714
63-6-8	Revoked	V. 8, p. 714



AGENCY 66: BOARD OF TECHNICAL PROFESSIONS		
Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

AGENCY 68: BOARD OF PHARMACY		
Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-1-2	Amended	V. 8, p. 252
68-2-12a	Amended	V. 9, p. 383
68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-9-1	Amended	V. 9, p. 384
68-20-1	Amended	V. 8, p. 254
68-20-16	Amended	V. 8, p. 255
68-20-20	Amended	V. 9, p. 384

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS		
Reg. No.	Action	Register
70-5-1	Amended	V. 8, p. 750

AGENCY 71: KANSAS DENTAL BOARD		
Reg. No.	Action	Register
71-2-1	through	
71-2-7	Amended	V. 8, p. 161, 162
71-2-9	Amended	V. 8, p. 162
71-2-11	Amended	V. 8, p. 163
71-2-12	Amended	V. 8, p. 163
71-2-13	Revoked	V. 8, p. 163
71-4-1	Amended	V. 8, p. 163

AGENCY 74: BOARD OF ACCOUNTANCY		
Reg. No.	Action	Register
74-5-202	Amended	V. 8, p. 493
74-5-203	Amended	V. 8, p. 493
74-6-2	Amended	V. 8, p. 1069
74-12-1	Amended	V. 8, p. 1590
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER		
Reg. No.	Action	Register
81-3-2	Amended	V. 8, p. 1704
81-3-2	Amended	V. 9, p. 83
81-5-6	Amended	V. 8, p. 1704
81-5-6	Amended	V. 9, p. 83

AGENCY 82: STATE CORPORATION COMMISSION		
Reg. No.	Action	Register
82-3-100	Amended	V. 9, p. 329
82-3-101	Amended	V. 9, p. 329
82-3-103	Amended	V. 9, p. 332
82-3-103a	Amended	V. 9, p. 332
82-3-105	Amended	V. 8, p. 425
82-3-106	Amended	V. 9, p. 333
82-3-107	Amended	V. 9, p. 334
82-3-108	Amended	V. 9, p. 334
81-3-109	Amended	V. 9, p. 335
82-3-110	Amended	V. 9, p. 336
82-3-111	Amended	V. 9, p. 336
82-3-113	Amended	V. 9, p. 336
82-3-114	Amended	V. 8, p. 427
82-3-117	Amended	V. 9, p. 336
82-3-120	Amended	V. 9, p. 337
82-3-122	Amended	V. 9, p. 337
82-3-123	Amended	V. 9, p. 337
82-3-123a	Amended	V. 9, p. 337
82-3-124	Amended	V. 9, p. 338
82-3-126	Amended	V. 9, p. 338
82-3-128	Amended	V. 9, p. 339
82-3-129	Amended	V. 9, p. 339
82-3-130	Amended	V. 9, p. 339
82-3-131	Amended	V. 9, p. 339
82-3-133	Amended	V. 9, p. 339
82-3-134	Revoked	V. 9, p. 339
82-3-135	Amended	V. 9, p. 339
82-3-135a	New	V. 9, p. 340
82-3-135b	New	V. 9, p. 340
82-3-138	Amended	V. 9, p. 341
82-3-139	Revoked	V. 9, p. 340
82-3-140	Amended	V. 9, p. 341
82-3-141	Amended	V. 9, p. 341

82-3-142	Revoked	V. 9, p. 342
82-3-143	Revoked	V. 9, p. 342
82-3-201	Amended	V. 9, p. 342
82-3-203	Amended	V. 9, p. 342
82-3-205	Revoked	V. 9, p. 342
82-3-206	Amended	V. 9, p. 342
82-3-208	Amended	V. 9, p. 342
82-3-209	Amended	V. 9, p. 343
82-3-300	Amended	V. 9, p. 343
82-3-300a	New	V. 9, p. 344
82-3-303	Amended	V. 9, p. 344
82-3-304	Amended	V. 9, p. 346
82-3-305	Amended	V. 8, p. 431
82-3-306	Amended	V. 9, p. 346
82-3-307	Amended	V. 9, p. 346
82-3-311	Amended	V. 9, p. 346
82-3-312	Amended	V. 9, p. 347
82-3-400	Amended	V. 9, p. 347
82-3-401	Amended	V. 9, p. 348
82-3-402	Amended	V. 8, p. 434
82-3-403	Amended	V. 9, p. 349
82-3-404	Amended	V. 9, p. 349
82-3-405	Amended	V. 9, p. 350
82-3-406	Amended	V. 9, p. 351
82-3-407	Amended	V. 9, p. 351
82-3-408	Amended	V. 9, p. 351
82-3-409	Amended	V. 8, p. 435
82-3-410	Amended	V. 9, p. 352
82-3-600a	New	V. 9, p. 352
82-3-603	Amended	V. 9, p. 352
82-3-604	New	V. 9, p. 352
82-3-606	New	V. 9, p. 352
82-4-1	Amended	V. 9, p. 381
82-4-3	Amended	V. 9, p. 381
82-4-8a	Amended	V. 9, p. 382
82-4-20	Amended	V. 9, p. 382
82-4-38	Amended	V. 9, p. 383
82-11-1	through	
82-11-9	New	V. 8, p. 377-383
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS		
Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

AGENCY 86: REAL ESTATE COMMISSION		
Reg. No.	Action	Register
86-1-10	Amended	V. 8, p. 1752
86-1-13	Amended	V. 8, p. 1753

AGENCY 88: BOARD OF REGENTS		
Reg. No.	Action	Register
88-20-1	through	
88-20-11	New	V. 9, p. 165-167
88-21-1	through	
88-21-10	New	V. 8, p. 1834, 1835

AGENCY 91: DEPARTMENT OF EDUCATION		
Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22	Amended	V. 8, p. 1755
91-12-23	Amended	V. 8, p. 1758

91-12-25	Amended	V. 8, p. 1759
91-12-32	Amended	V. 8, p. 1760
91-12-34	Amended	V. 8, p. 1760
91-12-38	Amended	V. 8, p. 1760
91-12-40	Amended	V. 8, p. 1761
91-12-41	Amended	V. 8, p. 1762
91-12-42	Amended	V. 8, p. 1763
91-12-44	Amended	V. 8, p. 1763
91-12-51	through	
91-12-63	Amended	V. 8, p. 1764-1770
91-12-65	Amended	V. 8, p. 1771
91-12-70	Amended	V. 8, p. 1771
91-12-73	New	V. 8, p. 1771
91-16-30	New	V. 8, p. 423
91-19-1	Amended	V. 8, p. 101
91-19-2	Amended	V. 8, p. 101
91-19-6	Amended	V. 8, p. 102
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-3	Amended	V. 8, p. 1361
91-31-4a	New	V. 8, p. 1362
91-31-7	Amended	V. 8, p. 103
91-31-11	Revoked	V. 8, p. 1362
91-31-12a	Amended	V. 8, p. 104
91-31-12h	Amended	V. 8, p. 1362
91-31-13	Amended	V. 8, p. 104
91-31-14	New	V. 8, p. 105
91-31-14a	Amended	V. 8, p. 105
91-33-1	Amended	V. 8, p. 105
91-33-3	Amended	V. 8, p. 1363
91-33-5	Amended	V. 8, p. 106
91-33-8	Amended	V. 8, p. 1364
91-33-9	Revoked	V. 8, p. 1364
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107
91-34-6	Revoked	V. 8, p. 1364
91-34-7	Amended	V. 8, p. 1364
91-34-13	Amended	V. 8, p. 1365

AGENCY 92: DEPARTMENT OF REVENUE		
Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-51-42	New	V. 9, p. 35
92-52-10	Revoked	V. 9, p. 35
92-52-12	New	V. 9, p. 35
92-56-1	through	
92-56-5	New	V. 8, p. 1324, 1325

AGENCY 98: KANSAS WATER OFFICE		
Reg. No.	Action	Register
98-6-1	through	
98-6-4	New	V. 8, p. 1121, 1122

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES		
Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

AGENCY 100: BOARD OF HEALING ARTS		
Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-38-1	Amended	V. 8, p. 1558
100-38-1	Amended	V. 8, p. 1806
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257
100-54-4	Amended	V. 8, p. 1558
100-54-4	Amended	V. 8, p. 1806
100-55-4	Amended	V. 8, p. 1558
100-55-4	Amended	V. 8, p. 1806
100-60-1	Amended	V. 8, p. 1558
100-60-1	Amended	V. 8, p. 1806
100-60-15	New	V. 8, p. 1558
100-60-15	Amended	V. 8, p. 1806

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD		
Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906

(continued)

102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-2-3	Amended	V. 8, p. 1470
102-2-3	Amended	V. 8, p. 1591
102-3-1	New	V. 8, p. 1526
102-3-1	New	V. 8, p. 1591
102-3-3		
through		
102-3-13	New	V. 8, p. 1526-1531
102-3-3		
through		
102-3-13	New	V. 8, p. 1591-1596
102-4-1	New	V. 8, p. 204
102-4-1	New	V. 8, p. 335
102-4-3		
through		
102-4-11	New	V. 8, p. 205-209
102-4-3		
through		
102-4-11	New	V. 8, p. 335-339

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended	V. 8, p. 1366
105-5-6	Amended	V. 8, p. 1366
105-5-7	Amended	V. 8, p. 1367
105-5-8	Amended	V. 8, p. 1367
105-7-5	Amended	V. 8, p. 1367
105-8-4	Amended	V. 8, p. 1367
105-10-1	Amended	V. 8, p. 1070
105-10-1	Amended	V. 8, p. 1367

**AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD**

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874
109-2-5		
through		
109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877
109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-6-1	Amended	V. 8, p. 1731
109-7-1	New	V. 8, p. 1731
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1		
through		
109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-3-1		
through		
110-3-11	New	V. 8, p. 28-30

**AGENCY 111: THE KANSAS LOTTERY**

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-2-2a	New	V. 9, p. 199
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8		
through		
111-2-12	Revoked	V. 8, p. 1666
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30

111-3-1	Amended	V. 9, p. 199
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 8, p. 1085
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 9, p. 503
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 9, p. 199
111-3-14a	Revoked	V. 9, p. 30
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19		
through		
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-22a	Revoked	V. 9, p. 31
111-3-24	Revoked	V. 9, p. 31
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206
111-4-22		
through		
111-4-40	Revoked	V. 7, p. 206, 207
111-4-41	Revoked	V. 7, p. 1435
111-4-42	Revoked	V. 7, p. 1435
111-4-43	Revoked	V. 7, p. 207
111-4-44	Revoked	V. 7, P. 1435
111-4-46		
through		
111-4-64	Revoked	V. 7, p. 207
111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-66		
through		
111-4-71	Revoked	V. 9, p. 31
111-4-71a	Revoked	V. 9, p. 31
111-4-71b	Revoked	V. 9, p. 31
111-4-72	Revoked	V. 9, p. 31
111-4-73	Revoked	V. 9, p. 31
111-4-73a	Revoked	V. 8, p. 134
111-4-74	Revoked	V. 9, p. 31
111-4-75	Revoked	V. 9, p. 31
111-4-76	Revoked	V. 9, p. 31
111-4-77	Revoked	V. 9, p. 31
111-4-77a	Revoked	V. 9, p. 32
111-4-77b	Revoked	V. 9, p. 32
111-4-78		
through		
111-4-82	Revoked	V. 8, p. 13
111-4-82a	Revoked	V. 8, p. 13
111-4-83		
through		
111-4-87	Revoked	V. 8, p. 13
111-4-88		
through		
111-4-91	Revoked	V. 8, p. 210
111-4-92		
through		
111-4-95	Revoked	V. 8, p. 299
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-96		
through		
111-4-99	Revoked	V. 8, p. 1667
111-4-99a	Revoked	V. 8, p. 1667

111-4-99b	Revoked	V. 8, p. 1667
111-4-100	Amended	V. 8, p. 1396
111-4-101	Amended	V. 8, p. 1328
111-4-102	Amended	V. 8, p. 1396
111-4-104	Amended	V. 8, p. 1396
111-4-105	Amended	V. 8, p. 1396
111-4-107	Amended	V. 8, p. 1397
111-4-115		
through		
111-4-118	Revoked	V. 8, p. 1667
111-4-118a	Revoked	V. 8, p. 1667
111-4-119		
through		
111-4-125	Revoked	V. 8, p. 1667
111-4-126		
through		
111-4-129	Revoked	V. 8, p. 1667, 1668
111-4-130		
through		
111-4-137	Revoked	V. 9, p. 32
111-4-138		
through		
111-4-152	Revoked	V. 8, p. 1668
111-4-153		
through		
111-4-160	New	V. 8, p. 970, 971
111-4-160	Amended	V. 8, p. 1329
111-4-161		
through		
111-4-176	Revoked	V. 8, p. 1668, 1669
111-4-177		
through		
111-4-180	New	V. 8, p. 1086, 1087
111-4-181		
through		
111-4-184	New	V. 8, p. 1329
111-4-185		
through		
111-4-196	New	V. 8, p. 1518-1520
111-4-196		
through		
111-4-203	New	V. 9, p. 32-34
111-4-201	Amended	V. 9, p. 232
111-4-205	New	V. 9, p. 504
111-4-206	New	V. 9, p. 504
111-4-207	New	V. 9, p. 504
111-4-208	New	V. 9, p. 504
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-1		
through		
111-5-8	Revoked	V. 9, p. 34
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-11	Amended	V. 9, p. 505
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
111-5-20	Revoked	V. 8, p. 212
111-5-21	Revoked	V. 9, p. 34
111-5-22	Revoked	V. 9, p. 34
111-5-23	Revoked	V. 9, p. 34
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 8, p. 212
111-6-3	Amended	V. 9, p. 200
111-6-6	Amended	V. 9, p. 200
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-16	Revoked	V. 8, p. 212
111-6-17	New	V. 7, p. 1191
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 9, p. 505
111-7-4	Amended	V. 7, p. 1610
111-7-5	Amended	V. 7, p. 1610
111-7-11	New	V. 7, p. 1224
111-7-12		
through		
111-7-32	New	V. 7, p. 1194-1196

111-7-12		
through		
111-7-27	Revoked	V. 7, p. 1436, 1437
111-7-28		
through		
111-7-32	Revoked	V. 9, p. 34
111-7-32a	Revoked	V. 8, p. 1330
111-7-32b	Revoked	V. 8, p. 1330
111-7-33		
through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33	Revoked	V. 7, p. 1437
111-7-33a	New	V. 8, p. 300
111-7-34a	Revoked	V. 8, p. 1330
111-7-37a	Revoked	V. 8, p. 1330
111-7-34		
through		
111-7-42	Revoked	V. 9, p. 34, 35
111-7-43	Revoked	V. 8, p. 212
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 9, p. 505
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5		
through		
111-8-13	New	V. 7, p. 1634
111-9-1		
through		
111-9-12	New	V. 7, p. 1714-1716
111-9-13		
through		
111-9-18	New	V. 8, p. 300, 301
111-10-1		
through		
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

**AGENCY 112: KANSAS RACING COMMISSION**

Reg. No.	Action	Register
112-3-16	Amended	V. 9, p. 153
112-3-19	Amended	V. 9, p. 153
112-4-1		
through		
112-4-14	New	V. 8, p. 255-257
112-4-1	Amended	V. 8, p. 1244
112-4-1	Amended	V. 8, p. 1288
112-4-3	Amended	V. 8, p. 1245
112-4-3	Amended	V. 8, p. 1288
112-4-4	Amended	V. 8, p. 1245
112-4-4	Amended	V. 8, p. 1288
112-4-5	Amended	V. 8, p. 1246
112-4-5	Amended	V. 8, p. 1288
112-4-8	Amended	V. 8, p. 1246
112-4-8	Amended	V. 8, p. 1288
112-4-10	Amended	V. 8, p. 1246
112-4-10	Amended	V. 8, p. 1288
112-4-11	Amended	V. 8, p. 1246
112-4-11	Amended	V. 8, p. 1289
112-4-14a	New	V. 8, p. 1214
112-4-14a	New	V. 8, p. 1289
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	Amended	V. 8, p. 1214
112-4-19	Amended	V. 8, p. 1289
112-4-20	Amended	V. 8, p. 1246
112-4-20	Amended	V. 8, p. 1289
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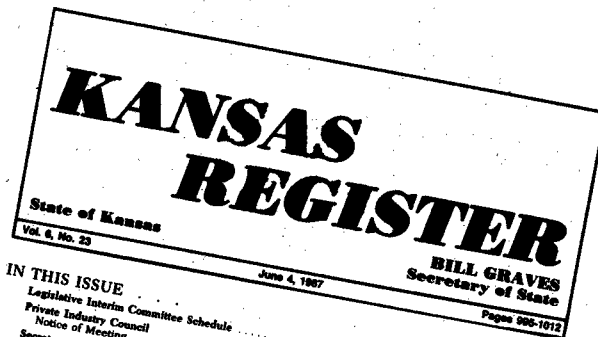
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