

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 9, No. 16

April 19, 1990

Pages 565-608

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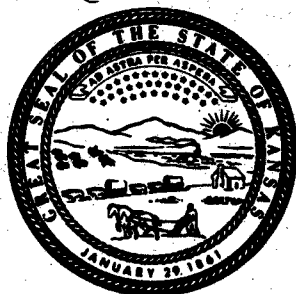
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**Secretary of State**  
**2nd Floor, State Capitol**  
**Topeka, KS 66612-1594**  
**(913) 296-2236**



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

## State of Kansas

## Kansas Judicial Council

## Notice of Meetings

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

| Date     | Committee        | Time      | Location |
|----------|------------------|-----------|----------|
| April 20 | Criminal Law     | 9:30 a.m. | Room 259 |
| April 20 | Probate Law      | 9:30 a.m. | Room 275 |
| April 27 | PIK              | 9:30 a.m. | Room 259 |
| April 27 | Civil Code       | 9:30 a.m. | Room 275 |
| May 17   | Care & Treatment | 9:30 a.m. | Room 259 |
| May 18   | Criminal Law     | 9:30 a.m. | Room 259 |
| May 25   | Civil Code       | 9:30 a.m. | Room 259 |

Justice Richard W. Holmes  
Chairman

Doc. No. 009086

## State of Kansas

## Kansas Arts Commission

## Request for Applications for PEAKE Grant Program

The Kansas Arts Commission is accepting applications for grants from the Planning Education in the Arts in Kansas (PEAK) program for fiscal year 1991. PEAKE is an initiative for Kansas school districts, including reservation schools, interested in developing three- to five-year plans for the implementation of comprehensive arts curricula.

School districts have until July 15 to assemble planning teams and submit applications for PEAKE funding. Up to 15 grants of \$2,000 each will be awarded by the Kansas Arts Commission in September. Each grant requires a match from the district of at least \$1,000 in cash and no more than \$1,000 worth of in-kind services.

After receiving a grant, each planning team will continue to meet during a two-year period to develop an arts plan based upon local resources and needs. Technical assistance, but not funding, is available from the KAC for the second year of the program.

In October, leaders from the teams will attend a state training workshop to participate in sessions on leadership development and planning and to review the PEAKE Program Planning Handbook.

Funding for PEAKE is provided by the Kansas Legislature and through the Arts in Schools Basic Education Grant program of the National Endowment for the Arts, a federal agency.

Requests for guidelines and application forms should be directed to the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen  
Executive Director

Doc. No. 009103

## State of Kansas

## Kansas Arts Commission

## Notice of Meeting

The Kansas Arts Commission will conduct a public meeting for the purpose of reviewing the proposed guidelines for grant applications to the Design Arts/Capital Aid Program during fiscal year 1991 (July 1, 1990, to June 30, 1991).

The meeting is scheduled from 1:30 to 3:30 p.m. Wednesday, May 2, in the Jackson Room on the first floor of the Jayhawk Tower, 7th and Jackson, Topeka. Persons unable to attend may submit written comments and suggestions to the commission before the meeting.

A questionnaire also has been distributed to past grant recipients and advisory panelists for their evaluation of the program. The guidelines will be on the agenda for formal adoption by the commission during its quarterly meeting May 11 in Wichita.

Address comments and inquiries to the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603.

Dorothy L. Ilgen  
Executive Director

Doc. No. 009104

## State of Kansas

## Secretary of State

## Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the *Kansas Directory*. County officials are listed in the *Directory of County Officers*. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed April 1-13:

## Haskell County Attorney

Denise Grimes-Pease, Box 1426, Liberal 67905. Term expires when a successor is elected and qualifies according to law. Succeeds Steven Stapleton, resigned.

## Board of Examiners for Hearing Aids

Richard D. Hilderman, 3218 Keystone, Topeka 66605. Term expires June 30, 1991. Succeeds Woodrow Rice, resigned.

Law Enforcement Officers Memorial  
Advisory Committee

Kenneth Gorman, 5425 S.W. 14th, Topeka 66603. Serves at the pleasure of the Governor. Succeeds Nathan Gray, resigned.

Bill Graves  
Secretary of State

**State of Kansas**  
**Department of Administration**  
**Employee Award Board**

**Notice of Meeting**

The Employee Award Board will meet at 1 p.m. Friday, April 20, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett  
 Chairperson

Doc. No. 009096

**State of Kansas**  
**Department of Administration**  
**State Employees Health Care Commission**

**Notice of Meeting**

The Kansas State Employees Health Care Commission will meet at 9 a.m. Monday, April 30, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Shelby Smith  
 Chairman

Doc. No. 009109

**State of Kansas**  
**Department of Revenue**  
**Division of Alcoholic Beverage Control**

**Notice of Hearing**  
**on Proposed**  
**Administrative Regulations**

A public hearing will be conducted at 9 a.m. Monday, May 21, at the office of the Division of Alcoholic Beverage Control, 512 W. 6th, Topeka, to consider proposed administrative regulations of the division.

This 30-day notice of the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Comments should be sent to Tom Hanna, Director, Division of Alcoholic Beverage Control, 512 W. 6th, Topeka 66603.

Complete copies of the regulations may be obtained at the address above between 8 a.m. and 5 p.m. Monday through Friday. A summary of the regulations and the economic impact follows.

None of the affected regulations are mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. The amended regulations will have no significant economic impact on the Alcoholic Beverage Control Division, any other state agency, the alcoholic beverage industry or the consuming public.

**Article 5 - Transportation; Carrier; Storage**

Article 5, in general, provides procedures for issuing permits to transport and store alcoholic liquor into and within the state of Kansas.

The proposed amendment is being made to improve its efficiency and effectiveness by including beer and cereal malt beverage (14-5-4).

**Article 6 - Container; Labels**

Article 6 provides procedures for the approval of labels and containers of alcoholic liquor and cereal malt beverage to be offered for sale in Kansas.

The proposed amendments are being made to eliminate certain outdated and unused procedures (14-6-1); reflect statement required for cereal malt beverage label approval (14-6-4).

**Article 7 - Tax; Tax Stamps**

The proposed amendment is being made to correspond with the statutory change in bond requirement for licensee (14-7-4).

**Article 10 - Trade Practices**

The proposed amendment is being made to correct an error in citing authority (14-10-5).

**Article 13 - Retail Liquor Dealer**

The proposed amendments are being made to correct an error in citing authority (14-13-1), improve efficiency, effectiveness and ease of enforcement (14-13-2), and clarify intent and eliminate confusion (14-13-4), (14-13-9), (14-13-11).

**Article 14 - Manufacturers; Distributors; Nonbeverage Users; Farm Wineries; Microbreweries**

The proposed amendment is being made to clarify intent of the regulation (14-14-7); the new regulation (14-14-14) is intended to clarify delivery requirements placed on distributors.

**Article 19 - Class A Clubs**

The proposed amendments are being made to correct an error in citing authority (14-19-14), and to improve efficiency and effectiveness in licensing and enforcement (14-19-17).

**Article 20 - Class B Clubs**

The proposed amendments are being made to correct an error in citing authority and to correspond with statutory changes (14-20-14) and to improve efficiency and effectiveness in licensing and enforcement (14-20-17).

**Article 21 - Drinking Establishments**

The proposed amendments are being made to correct an error in citing authority and to correspond with statutory changes (14-21-1 and 14-21-6) and to improve efficiency and effectiveness in licensing and enforcement (14-21-4).

**Article 22 - Caterer**

The proposed amendments are being made to correct an error in citing authority (14-22-1), improve efficiency and effectiveness in licensing and enforcement (14-22-4), and remove unnecessary and confusing language (14-22-12).

**Article 23 - Temporary Permits**

The proposed revocation is being made to remove an unenforceable regulation (14-23-14).

Tom Hanna  
 Director, Division of  
 Alcoholic Beverage Control

Doc. No. 009097

## State of Kansas

## Wildlife and Parks Commission

Notice of Meeting and  
Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 7 p.m. Thursday, May 24, at the Holiday Park Inn, Derrick Room, 3030 S. Santa Fe, Chanute, to consider the adoption of five department regulations. If necessary, the public hearing will continue at 9 a.m. Friday, May 25, at the same location. A workshop meeting on upcoming business and regulations will begin at 1:30 p.m. Thursday, May 24, at the same location. If necessary, the workshop will continue following the conclusion of the public hearing. The public is also invited to attend the workshop.

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

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending or rejecting the proposed regulations.

The following is a brief summary of the exempt and permanent regulations proposed for adoption:

**K.A.R. 115-2-4. Boat fees.** This permanent regulation establishes boating related fees for registrations, water events, duplicates and special service charges. Fees previously established by statute are included and a water event permit of \$25 is re-established.

**Economic Impact Summary:** Reinstatement of the water event or regatta fee would result in an estimated income to the department of \$7,500 based on issuance of 300 permits at \$25 per permit. Other fees provide for a continuance of current charges.

**K.A.R. 115-7-5. Bullfrogs and turtles; legal equipment, methods of take and license requirement.** The current regulation would be amended to establish legal equipment and methods of take for common snapping turtles and soft shelled turtles. It establishes a fishing license requirement for the taking of turtles.

**Economic Impact Summary:** This regulation allows for continued sport harvest of turtles using traditional equipment and methods, thus is not anticipated to have an economic impact. The requirement of a fishing license for turtles should have little impact, as most people taking turtles do so in conjunction with fishing activities and already possess a fishing license.

**K.A.R. 115-20-1. Crows; legal equipment, taking methods and possession.** This permanent regulation establishes legal equipment and methods of take for crow hunting and for legal possession of crows. Traditional means and methods of take are continued.

**Economic Impact Summary:** No economic impact is anticipated.

**K.A.R. 115-25-15. Bullfrogs and turtles; open season, daily limits and possession.** This exempt regulation establishes the open seasons, daily limits and possession limits for bullfrogs, common snapping turtles, and soft shelled turtles. The placement of limits on turtles represents the only change from prior years.

**Economic Impact Summary:** No economic impact is anticipated.

**K.A.R. 115-25-16. Crows; open season, bag limit and possession limit.** This exempt regulation establishes the open season, bag limit and possession limit for crows. Establishment of a hunting framework is new. Previously, crows were taken under a federal depredation order. With the establishment of a season, hunting can occur during the season and may also be taken at other times under authority of the federal depredation order.

**Economic Impact Summary:** Establishment of a season may stimulate some additional hunting activity; however, insignificant impact is anticipated.

Copies of the full text of the proposed regulations and the economic impact statements may be obtained by writing to the Secretary of Wildlife and Parks at the address above.

Ronald Hopkins  
Chairman

Doc. No. 009094

## State of Kansas

## Department of Revenue

Notice of Hearing  
on Proposed  
Administrative Regulations

A public hearing will be conducted at 2 p.m. Monday, May 21, in the office of the Kansas Department of Revenue, secretary's conference room, second floor, Robert B. Docking State Office Building, Topeka, to consider the adoption of a proposed temporary regulation of the Department of Revenue.

A copy of the full text of the proposed regulation and fiscal impact statement may be obtained by contacting Melanie Caro, Legal Services Bureau, Kansas Department of Revenue, Robert B. Docking State Office Building, Topeka 66612-1588, (913) 296-2381.

All interested parties may submit written comments prior to or at the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed temporary regulation.

Department of Revenue proposed regulation 92-23-40 is amended to comply with 18 USC 1307, the "Charity Games Advertising Clarification Act of 1988." The regulation relaxes the restrictions on mail and electronic advertising of bingo games and requires that each advertisement disclose the full name of the organization licensed to conduct the games.

Edward C. Rolfs  
Secretary of Revenue

Doc. No. 009087

State of Kansas  
**State Bank Commissioner**  
**State Banking Board**

**Notice of Meeting**

The State Banking Board will meet at 9:30 a.m. Monday, May 21, in the conference room of the State Banking Department, Suite 300, 700 Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

W. Newton Male  
 State Bank Commissioner

Doc. No. 009100

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 April 5-7:**

**House Bills**

3112, An act concerning collection services for state educational institutions under the control and supervision of the state board of regents; amending K.S.A. 76-713 and 76-745 and repealing the existing sections.

3113, An act making it unlawful to release, organize the release, or cause to be released into the atmosphere a specified number of balloons within a specified period of time; providing exceptions; prescribing penalties for violations.

**Senate Bills**

SB 789, by Committee on Ways and Means: An act concerning abortion; requiring notification of certain persons under certain circumstances before performance of abortions on minors; amending K.S.A. 1989 Supp. 65-2837 and repealing the existing section.

**House Concurrent Resolutions**

HCR 5065, by Representatives Braden and Barkis: A concurrent resolution relating to the 1990 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

**House Resolutions**

HR 6095, by Representative Shumway: A resolution congratulating and commending Lori Davis on winning top speaker honors at the Las Vegas Debates.

HR 6096, by Representatives Samuelson and Walker: A resolution congratulating and commending the Mennonite Disaster Service for their voluntary assistance to disaster-stricken communities.

HR 6097, by Representative Everhart: A resolution congratulating and commending Roger Toelkes for being named Kansas High School Athletic Director of the Year.

HR 6098, by Representative Webb: A resolution congratulating and commending Melvin A. Kahn on being selected the 1989 Kansas Professor of the Year.

HR 6099, by Representatives Turnbaugh and Wisdom: A resolution congratulating and commending the Turner Special Olympics Junior Division basketball team for winning first place.

HR 6100, by Representatives Turnbaugh and Wisdom: A resolution congratulating and commending the Turner Special Olympics Senior Division basketball team for winning second place.

HR 6101, by Representative Shore: A resolution congratulating and

commending Selola Lewis upon her retirement after thirty-seven years as a one-room school teacher.

HR 6102, by Representative Eckert: A resolution congratulating and commending Andy Montgomery for winning the USA Kansas State Wrestling Championship in the 10 year old and younger class.

HR 6103, by Representative Reinhardt: A resolution congratulating and commending the Tom Reeves for winning the State Geography Bee.

HR 6104, by Representative Reardon: A resolution honoring Mary Ann Lucas on her retirement from Bishop Miege High School.

HR 6105, by Representative Gjerstad: A resolution congratulating and commending Marge Zakoura-Vaughan for a decade of dedicated service on behalf of senior citizens.

HR 6106, by Representative Scott: A resolution congratulating and commending Sister Viatora Solbach for her fifty years of service to humankind.

HR 6107, by Representative Heinemann: A resolution making specific exceptions to the limitations prescribed by subsection (k) of Joint Rule 4 of the house of representatives and senate.

HR 6108, by Representative Mead: A resolution in memory of William P. Hanzlick.

HR 6109, by Representative Wisdom: A resolution congratulating the five new inductees into the Kansas Sports Hall of Fame.

**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 1848, by Senator Daniels: A resolution congratulating and commending Melvin A. Kahn on being selected the 1989 Kansas Professor of the Year.

SR 1849, by Senator Burke: 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.

SR 1850, by Senator Burke: A resolution congratulating and commending the Shawnee Mission West High School girls' basketball team and Coach Larry Shepherd for winning the 1990 Class 6A State Basketball Championship in Kansas.

SR 1851, by Senator Burke: A resolution congratulating and commending the Shawnee Mission South High School boys' basketball team and Coach Paul Sexton for winning the 1990 Class 6A State Basketball Championship in Kansas.

SR 1852, by Senator Burke: A resolution congratulating and commending the Shawnee Mission East High School girls' cross country team and Coaches John Haraughty and Karl Englund for winning the 1989 Class 6A State Cross Country Championship in Kansas.

SR 1853, by Senator Burke: 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.

SR 1854, by Senator Frahm: 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.

SR 1855, by Senator Sallee: A resolution requesting sufficient appropriation of funds annually to start and maintain one new Resource Conservation and Development area in Kansas.

SR 1856, by Senator Hayden: A resolution congratulating and commending Donna Rae Kennedy upon her retirement from the Department of Nursing of Garden City Community College.

SR 1857, by Senator Oleen: A resolution congratulating and commending Selola Lewis upon her retirement after thirty-seven years as a one-room school teacher.

SR 1858, by Senator Montgomery: A resolution congratulating and commending Andy Montgomery for winning the USA Kansas State Wrestling Championship in the 10 year old and younger class.

SR 1859, by Senators Oleen and Montgomery: A resolution designating April 22 through April 28, 1990, as Victim Rights Week.

SR 1860, by Senator Johnston: A resolution proclaiming April 28, 1990, as Workers' Memorial Day in Kansas.

SR 1861, by Senator F. Kerr: A resolution making specific exceptions to the limitations prescribed by subsection (k) of Joint Rule 4 of the house of representatives and senate.

Doc. No. 009113

## State of Kansas

## Kansas Water Authority

## Notice of Meeting

The Kansas Water Authority will conduct a conference call meeting at noon Monday, April 30, to discuss and take action on the contract with the U.S. Corps of Engineers for the purchase of water supply storage from Tuttle Creek Reservoir to implement the Kansas River Water Assurance District Program.

Interested persons may attend the meeting by being present in the Kansas Water Office, 109 S.W. 9th, Topeka.

John L. Baldwin  
Chairman

Doc. No. 009110

## State of Kansas

## Department of Corrections

Notice of Hearing  
on Proposed  
Administrative Regulations

A public hearing will be conducted from 10 to 10:30 a.m. Friday, May 25, in the conference room of the Department of Corrections, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations 44-11-111 and 44-11-123 of the Kansas Department of Corrections. These regulations will become effective 45 days after their publication in the *Kansas Register* unless a specific date is contained in the regulation.

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

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

A summary of K.A.R. 44-11-111 and 44-11-123 follows:

44-11-111. Defines terms used in regulations relating to the community corrections act.

44-11-123. This regulation specifies the procedure and requirements for a community corrections program when reallocating funds within the total program budget.

The regulations are procedural in nature. Grants to counties will be determined as provided by K.S.A. 75-5290 *et seq.* and will be within appropriations made for the community corrections program. The regulations are not estimated to have any economic impact on governmental units, persons subject to proposed rules and regulations or the general public, other than requiring community corrections programs, in some instances, to restructure their budgets to comply with the regulations.

Copies of the proposed regulations and economic impact statement may be obtained by contacting Charles E. Simmons, Chief Legal Counsel, Kansas Department of Corrections.

Steven J. Davies  
Secretary of Corrections

Doc. No. 009084

## State of Kansas

## Attorney General

## Opinion No. 90-44

**Constitution of the State of Kansas—Constitutional Amendment and Revision—Proposals by Legislature; Approval by Electors; Submitting More Than One Amendment at the Same Election. Senator Fred Kerr, 33rd District, Senate Majority Leader, Pratt, April 4, 1990.**

A proposition for amendment of the Kansas Constitution that modifies the classification categories and rates prescribed by article 11, section 1 of the Kansas Constitution, and that also increases the state sales and compensating taxes by 1 percent in order to fund a "property tax roll-back," constitutes two constitutional amendments. Accordingly, under article 14, section 1 of the Kansas Constitution, if such amendments are submitted at the same election, they must be submitted so as to enable electors to vote on each amendment separately. Cited herein: Kan. Const., Art. 11, § 1; Art. 14, § 1. TRH

## Opinion No. 90-45

**Public Health—Emergency Medical Services—Powers and Duties of Emergency Medical Services Board. Bob Orth, Chairman, Board of Emergency Medical Services, Topeka, April 6, 1990.**

The Emergency Medical Services (EMS) Board has statutory authority to endorse the Kansas Model EMS Protocols and the EMT Basic Life Support Skills Task Analyses as teaching aids by the adoption of a regulation to that effect. The adoption or endorsement of these documents does not affect a municipality's statutory authority to impose additional licensing requirements on ambulance services within the municipality's jurisdiction. Cited herein: K.S.A. 1989 Supp. 65-6105; 65-6110; 65-6117; 65-6131. GE

Robert T. Stephan  
Attorney General

Doc. No. 009095

## State of Kansas

## Wichita State University

## Notice to Bidders

The Wichita State University is accepting sealed bids until 2 p.m. April 27 for the following:

#010411

Removal of bleacher seats in Cessna Stadium  
at The Wichita State University

For additional information, contact Gary Link at (316)  
689-3080.

Gary D. Link  
Director of Purchasing

Doc. No. 009112

## 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 30, 1990

A-6370

Emporia State University—Butcher Children's School  
air handling modifications

26544

Department of Social and Rehabilitation Services—  
Janitorial services—Winfield

83520

Kansas State University—Lighting control system

Tuesday, May 1, 1990

27092

Various state agencies—Blood bank and related  
products

27776

Kansas State University—Natural gas

28233

Winfield State Hospital—Laboratory services

83196A

Department of Health and Environment—Tag, seals,  
and press

83465

Department of Health and Environment—Cargo van

83469

Department of Transportation, District 4—Bituminous  
mixture, various locations

83473

University of Kansas—Plain paper copiers

Wednesday, May 2, 1990

A-6396

Wichita State University—Campus Activities Center  
restroom remodeling

27291

Statewide—Recreation equipment and supplies  
28222

Winfield State Hospital and Training Center—  
Fasteners and hardware

83482

University of Kansas—Furnish all labor and materials  
to install turf and playground equipment

83492

Kansas State University—Paper cutter

83493

Department of Social and Rehabilitation Services—  
Television monitors, video cassette recorder, various  
locations

83500

University of Kansas Medical Center—Aircraft repair

83501

Department of Transportation—Aggregate, Kingman  
County

83502

Department of Administration, DFM/Buildings and  
Grounds Services—Asbestos removal services

83503

University of Kansas—Truck mounted drill

Thursday, May 3, 1990

83514

Department of Transportation—Steel posts, Salina

83519

University of Kansas—Laboratory equipment

Friday, May 4, 1990

83529

Department of Social and Rehabilitation Services—  
Truck/tractor/trailer leasing

Wednesday, May 9, 1990

27334

Statewide—Plastic and rubber goods (Class 10)

Wednesday, May 16, 1990

83525

Kansas State University—Semi-boneless rounds

Friday, June 1, 1990

25997

Adjutant General's Department—Property  
insurance—National Guard Armories

28018

Department of Social and Rehabilitation Services—  
Workers' compensation insurance

Nicholas B. Roach  
Director of Purchases

Doc. No. 009101



## State of Kansas

## Department of Transportation

## Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. May 17, 1990, and then publicly opened:

## District One—Northeast

Jefferson—24-44 K-3816-01—U.S. 24, Kansas River drainage culvert 523, 1.0 mile east of the junction of U.S. 59, culvert. (State Funds)

Johnson—35-46 K-4023-01—I-35, nine light tower replacements in Johnson and Wyandotte counties. (State Funds)

Leavenworth—73-52 K-1875-03—U.S. 73, from the northwest edge of Leavenworth northwest to Lowemont, 8.6 miles, surfacing. (Federal Funds)

Nemaha—66 C-2733-01—County road, K-71 intersection at Bern, east, south and east to Sabetha, 12.8 miles, grading and surfacing. (Federal Funds)

Pottawatomie—75 C-2641-01—County road, 10.8 miles south and 4.0 miles west of Onaga, then south, 0.2 mile, grading and bridge. (Federal Funds)

Wyandotte—69-105 K-2862-01—U.S. 69, Jersey Creek bridge 65, 0.5 mile north of U.S. 24, bridge replacement. (Federal Funds)

## District Two—Northcentral

Chase—9 C-2722-01—County road, 6.8 miles south and 3.3 miles east of Cedar Point, then east, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

McPherson—59 C-2639-01—County road, 4.4 miles south and 1.0 mile east of Canton, then south, 0.3 mile, grading and bridge. (Federal Funds)

Republic—79 C-2627-01—County road, 1.8 miles south of Belleville, then south, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

Washington—9-101 K-1789-01—K-9, Scribner Creek bridge 14, 2.0 miles east of the Cloud-Washington county line, bridge replacement. (Federal Funds)

## District Three—Northwest

Gove—70-32 K-4244-01—I-70, from the Logan-Gove county line, southeast and east to 0.3 mile west of K-23, 18.0 miles, slurry seal. (State Funds)

Logan—70-55 K-4243-01—I-70, from the Thomas-Logan county line, southeast to the Logan-Gove county line, 0.8 mile, slurry seal. (State Funds)

Russell—281-84 K-3626-01—U.S. 281, from 0.3 mile north of I-70 north 2000 feet in Russell, 0.4 mile, grading and surfacing. (State Funds)

Thomas—70-97 K-2348-01—I-70, from the west junction of U.S. 24 east to the east junction of K-25 (4 lanes), 8.6 miles, pavement reconstruction. (Federal Funds)

## District Four—Southeast

Coffey/Osage/Franklin/Miami—35-106 K-3993-01—I-35, from the Lyon-Coffey county line northeast to the

Miami-Johnson county line, 47.3 miles, signing. (State Funds)

Cherokee—69-11 K-0172-01—U.S. 69, Brush Creek bridge 13, 9.0 miles north of the east junction of K-96, bridge replacement. (Federal Funds)

Cherokee—69-11 K-0173-04—U.S. 69, Shawnee Creek bridge 10, 0.3 mile north of the east junction of K-96, bridge replacement. (Federal Funds)

Cherokee—69-11 K-0175-01—U.S. 69, Long Branch bridge 12, 5.3 miles north of the east junction of K-96 bridge replacement. (Federal Funds)

Cherokee—69-11 K-3272-01—U.S. 69, from the junction of K-96 north to the junction of U.S. 160 (Cherokee-Crawford county line), 11.1 miles, overlay and widen. (State Funds)

Cherokee—103-11 K-0174-01—K-103, Brush Creek bridge 65, 0.4 mile west of U.S. 69, 0.1 mile, bridge replacement. (Federal Funds)

## District Five—Southcentral

Reno—78 U-0982-01—First Avenue over Harsha Canal in Hutchinson, 0.1 mile, bridge. (Federal Funds)

Reno—78 U-1291-01—Various intersections in Hutchinson, traffic signals. (Federal Funds)

## District Six—Southwest

Haskell—83-41 K-3334-01—U.S. 83, from the junction of U.S. 56 north to the junction of U.S. 160 and K-144, 6.0 miles, recycling. (State Funds)

Haskell—83-41 K-3893-01—U.S. 83, from the Seward-Haskell county line north to U.S. 56, 6.0 miles, recycling. (State Funds)

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

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

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

Horace B. Edwards  
Secretary of Transportation

Doc. No. 009111

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, Ninescah 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 \$1,587,000.

**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.

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**

**Department of Health  
and Environment**

**Notice 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 Meiers Ready Mix, Inc., Topeka, to install and operate a ready-mix concrete plant at 201 Railroad Ave., Council Grove.

Meiers Ready Mix has reported a plant, Ross-100, having a capacity of 60-ton per hour.

The pollutant of concern is particulate matter in the form of dust. A fabric filter is located on the plant's cement silo for dust control. Concrete roadways are provided within the plant.

Written materials, including the application and information relating to the application submitted by Meiers Ready Mix, the 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 21 by contacting Pat Simpson, KDHE district office, 808 W. 24th, Lawrence 66046. The materials also can be reviewed at the KDHE office, Building 740, Forbes Field, Topeka 66620. Questions concerning this proposed permit should be directed to Gene Sallee, 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 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 21.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009089

**State of Kansas**

**Department of Health  
and Environment**

**Notice Concerning Kansas  
Water Pollution Control Permits**

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

| Name and Address of Applicant   | Legal Description   | Receiving Water           |
|---|---|---------------------------|
| C.Y. Cattle Co. Inc.<br>c/o R.S. Coberly<br>Route 1<br>Gove, KS 67736 | NE 1/4 Section 4,<br>Township 15S,<br>Range 28W, Gove<br>County, Kansas | Smoky Hill River<br>Basin |

Federal Permit No. KS-0039489      Kansas Permit No. A-SHGO-C002  
The feedlot has capacity for approximately 10,000 cattle and a contributing drainage area of approximately 60 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 19.5 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant   | Legal Description  | Receiving Water               |
|---|--|-------------------------------|
| Cottonwood Corral<br>c/o Jack MacNair<br>Route 2<br>Jetmore, KS 67854 | NW 1/4 Section 9,<br>Township 21S,<br>Range 24W,<br>Hodgeman County,<br>Kansas | Upper Arkansas<br>River Basin |

Federal Permit No. KS-0086819      Kansas Permit No. A-UAHG-C005  
The feedlot has capacity for approximately 2,000 cattle and a contributing drainage area of approximately 18 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 6.8 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant  | Legal Description   | Receiving Water           |
|--|---|---------------------------|
| Evans Cattle, Inc.<br>c/o Larry J. Evans<br>Route 1, Box 18A<br>Gove, KS 67736 | Section 34, Town-<br>ship 14S, Range<br>28W, Gove County,<br>Kansas | Smoky Hill River<br>Basin |

Federal Permit No. KS-0039501      Kansas Permit No. A-SHGO-C001  
The feedlot has capacity for approximately 998 cattle with expansion planned for an additional 502 cattle and a contributing drainage area of approximately 9 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 3.0 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                            | Legal Description   | Receiving Water               |
|--|---|-------------------------------|
| Gigot Feeders, Inc.<br>Box 1722<br>Garden City, KS 67846 | S 1/2 Section 24,<br>Township 25S,<br>Range 33W, Finney<br>County, Kansas | Upper Arkansas<br>River Basin |

(continued)

Federal Permit No. KS-0115703 Kansas Permit No. A-UAFI-C008

The feedlot has capacity for approximately 28,000 cattle and a contributing drainage area of approximately 230 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 78.6 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant  | Legal Description  | Receiving Water            |
|--|--|----------------------------|
| Great Bend Feeding, Inc.<br>Route 5, Box 150<br>Great Bend, KS 67530 | Section 11, Township 19S, Range 14W, Barton County, Kansas | Upper Arkansas River Basin |

Federal Permit No. KS-0040576 Kansas Permit No. A-UABT-C002

The feedlot has capacity for approximately 35,000 cattle and a contributing drainage area of approximately 383 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 146 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                     | Legal Description  | Receiving Water            |
|---|--|----------------------------|
| Kinsley Feed Yard<br>Box 156<br>Kinsley, KS 67547 | SE 1/4 Section 13, Township 25S, Range 19W, Edwards County, Kansas | Upper Arkansas River Basin |

Federal Permit No. KS-0023562 Kansas Permit No. A-UAED-C001

The feedlot has capacity for approximately 17,000 cattle and a contributing drainage area of approximately 110 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 41.25 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                                  | Legal Description  | Receiving Water            |
|--|--|----------------------------|
| Lane County Feeders, Inc.<br>P.O. Box 607<br>Dighton, KS 67839 | NE 1/4 Section 11, NW 1/4 Section 12, SW 1/4 Section 1, Township 17S, Range 29W, Lane County, Kansas | Upper Arkansas River Basin |

Federal Permit No. KS-0115177 Kansas Permit No. A-UALE-C004

The feedlot has capacity for approximately 45,000 cattle and a contributing drainage area of approximately 450 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 146 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                             | Legal Description  | Receiving Water      |
|---|--|----------------------|
| Montezuma Feeders, Inc.<br>Box 436<br>Montezuma, KS 67867 | N 1/4 Section 31, Township 28S, Range 29W, Gray County, Kansas | Cimarron River Basin |

Federal Permit No. KS-0115738 Kansas Permit No. A-CIGY-C001

The feedlot has capacity for approximately 12,000 cattle and a contributing drainage area of approximately 90 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 32.3 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                              | Legal Description   | Receiving Water      |
|--|---|----------------------|
| River Bend Feed Yard, Inc.<br>Box 448<br>Ulysses, KS 67880 | W 1/4 Section 16, Township 31S, Range 38W, Stevens County, Kansas | Cimarron River Basin |

Federal Permit No. KS-0037648 Kansas Permit No. A-CISV-C001

The feedlot has capacity for approximately 15,500 cattle and a contributing drainage area of approximately 99 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 33.5 acre-feet.

Compliance Schedule: None, existing controls adequate.

| Name and Address of Applicant                    | Legal Description   | Receiving Water      |
|--|---|----------------------|
| "Smith Brothers"<br>Box 429<br>Elkhart, KS 67950 | NW 1/4 Section 36, Township 32S, Range 43W, Morton County, Kansas | Cimarron River Basin |

Federal Permit No. KS-0055077 Kansas Permit No. A-CIMT-C001

The feedlot has capacity for approximately 3,000 cattle and a contributing drainage area of approximately 9 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 3 acre-feet.

Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permits may be submitted to Angela Buie, Kansas Department of Health and Environment, Bureau of Environmental Quality, Forbes Field, Building 740, Topeka 66620.

All comments received prior to May 18 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-23/32) and name of applicant as listed when preparing comments.

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

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the address above.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009098

## State of Kansas

**Department of Health  
and Environment  
Board of Adult Care Home  
Administrators**

**Notice of Hearing  
on Proposed  
Administrative Regulations**

The Board of Adult Care Home Administrators will conduct a public hearing at 10 a.m. Monday, May 21, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes to existing rules and regulations proposed for adoption on a permanent basis. Amendments are being requested by the board to K.A.R. 28-38-17 through 28-38-26 and K.A.R. 28-38-28, which pertain to the licensing of adult care home administrators.

The amendments include: (1) raising the two licensure examination passing scores from 70 to 75 percent; (2) defining long-term care administration practicum and preceptors; (3) requiring that practicum curriculum and preceptor qualifications be approved by the board; (4) requiring licensure candidate to have academic transcripts sent directly to the board by the educational facility; (5) requiring foreign transcripts to be translated into English; (6) redefining qualifications of temporary licensee applicants; (7) removing the 20 clock hour elective component of the continuing education requirement; (8) increasing the administration and the resident care components of the continuing education requirement by 10 clock hours each; and (9) revoking K.A.R. 28-38-17, 28-38-24, and 28-38-25.

The economic impact of these amendments appears to be minimal and includes any cost associated with a candidate having a transcript sent directly from an educational institution, a candidate having foreign transcripts translated, and mailing by the department and educational facilities approval forms for curriculum and preceptor.

A complete copy of the proposed rules and regulations and a complete economic impact statement may be obtained by contacting Cathy Rooney, Health Occupations Credentialing, Bureau of Adult and Child Care, Kansas Department of Health and Environment, Suite 901, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1290, (913) 296-1281.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations.

All interested parties may submit comments prior to the hearing to the address above. All interested parties also will be given a reasonable opportunity at the hearing to present their views orally or in writing concerning the adoption of the proposed rules and regulations.

Following the hearing, all written and oral comments submitted will be considered by the Board of Adult Care Home Administrators prior to adoption.

Nadine Burch, Chair  
Board of Adult Care Home Administrators

Doc. No. 009105

## State of Kansas

## State Conservation Commission

## Notice to Contractors

Sealed bids for the construction of a 37,500 cubic yard detention dam, Site SP#3 in Butler County, will be received by the Upper Walnut Joint District No. 33 at the Butler County SCS office, 2435 W. Central, El Dorado 67042, until 2 p.m. on May 4 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the Butler County SCS office, (316) 321-5814.

Kenneth F. Kern  
Executive Director

Doc. No. 009108

## State of Kansas

## Department of Corrections

## Permanent Administrative Regulations

## Article 7.—PROGRAMS AND ACTIVITIES

**44-7-114. Inmate health care.** All inmates shall receive humane and necessary care and treatment for serious medical needs as required by the United States constitution. Staff shall not be deliberately indifferent to the serious medical needs of an inmate. (Authorized by and implementing K.S.A. 75-5210(c); effective June 4, 1990.)

## Article 8.—WORK RELEASE

**44-8-115. Private non-prison based employment as work release.** Private non-prison based employment programs which operate within a community setting utilizing inmates with not more than a minimum security classification shall be work release programs. Criteria for eligibility set forth in K.A.R. 44-8-114 shall be applicable except that inmates meeting all other criteria for selection may be eligible for participation up to 36 months prior to their parole eligibility date. (Authorized by and implementing K.S.A. 75-5210, 75-5251, 75-5267; effective June 4, 1990.)

**44-8-116. Private prison based employment as work release.** Private enterprises which operate on the grounds of a correctional institution and employ inmates shall be work release programs. Criteria for eligibility set forth in K.A.R. 44-8-114 shall be applicable except that inmates with a custody level higher than minimum and meeting all other criteria may be eligible for participation without regard to their parole eligibility date. (Authorized by and implementing K.S.A. 75-5210, 75-5251, 75-5267, 75-5288; effective June 4, 1990.)

Steven J. Davies  
Secretary of Corrections

Doc. No. 009088

State of Kansas  
**Board of Agriculture**  
**Permanent Administrative Regulations**

**Article 13.—PESTICIDES**

**4-13-15.** Certificates and pocket cards. A certificate and pocket card shall be issued to each certified person upon satisfactory completion of the requirements for certification. Such certificate and pocket card shall show the applicator's name, type of certificate issued, the category of issuance including subcategory, if any, the expiration date of the certification and other pertinent information. The certified applicator shall produce such certificate or pocket card when requested to do so by any customer, law enforcement official, the secretary or any authorized representative of the secretary. (Authorized by K.S.A. 1989 Supp. 2-2467a; implementing K.S.A. 2-2441a; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended June 4, 1990.)

Sam Brownback  
 Secretary of Agriculture

Doc. No. 009093

*Grain, seed, livestock, dry feed, dry feed ingredients, dry fertilizer (except ammonium nitrate), dry fertilizer ingredients, salt and farm machinery,*

Between points in Phillips, Smith, Jewell, Republic, Washington, Rooks, Osborne, Mitchell, Cloud, Clay, Ellis, Russell, Lincoln, Ottawa, Ellsworth, Saline and Dickinson counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

\*\*\*\*\*

**Application for Contract Carrier Permit:**

Highplains Trucking of ) Docket No. 170,574 M  
 Kansas, Inc. )  
 619 S. 151st St. West ) MC ID No. 137426  
 Goddard, KS 67052

Applicant's Attorney: Rodney Busey, 812 Century Plaza Bldg., Wichita, KS 67202-3208

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

Between points and places in the state of Kansas. Under contract with Mid America Redi Mix, Inc., of South Hutchinson, Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Missouri Expressways, Inc. ) Docket No. 171,068 M  
 Old Highway 63 North )  
 Cedar City, MO 65022 ) MC ID No. 137508

Applicant's Attorney: Alex Lewandowski, 4420 Madison Ave., Kansas City, MO 64111

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

Between all points and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Gary and Beverly Page, dba ) Docket No. 171,070 M  
 Gary Page Trucking )  
 411 N. Poplar )  
 Solomon, KS 67480 ) MC ID No. 137183

Applicant's Attorney: None

*Cement, grain,*

Between points and places in Neosho, Pottawatomie, Dickinson, Ottawa, Saline, Clay, Marion and Ellsworth counties, Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

Bob Wollenman, Inc. ) Docket No. 171,069 M  
 1002 N. 4th )  
 St. Joseph, MO 64502 ) MC ID No. 108605

Applicant's Attorney: Tom Kretsinger, 20 E. Franklin, Liberty, MO 64068

State of Kansas  
**State Corporation Commission**

**Notice of Motor Carrier Hearings**

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

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

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

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

**Applications set for May 8, 1990**

**Application for Extension of Certificate of Convenience and Necessity:**

Ronald D. Hewitt ) Docket No. 165,925 M  
 519 N. Hersey )  
 Beloit, KS 67420 ) MC ID No. 133543

To:  
 Dale Schwermann, dba  
 Schwermann Farm  
 Route 1, Box 22  
 Beloit, KS 67420

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

*Petroleum and petroleum products,  
Between points and places in the state of Kansas.*

\*\*\*\*\*

**Application for Extension of Certificate of Convenience and Necessity:**

Bowhay Truck Line, Inc. ) Docket No. 22,773 M  
P.O. Box 150 )  
Summerfield, KS 66541 ) MC ID No. 124075  
Applicant's Attorney: Clyde Christey, Southwest Plaza  
Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

*General commodities (except household goods, classes A and B explosives, commodities requiring temperature control, gasoline and diesel fuel.*

Between points and places in Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Wyandotte, Douglas, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee counties, Kansas.

Also,

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

*Livestock, anhydrous ammonia and propane,*

Between points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience and Necessity:**

John R. Hansford, dba ) Docket No. 171,071 M  
The Village Amoco )  
3515 W. 75th )  
Prairie Village, KS 66208 ) MC ID No. 137184

Applicant's Attorney: None

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

Between all points and places in Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Franklin and Miami counties, Kansas.

\*\*\*\*\*

Alfonzo A. Maxwell  
Administrator  
Transportation Division

Doc. No. 009107

**State of Kansas  
Commission on Veterans' Affairs  
Request for Proposals for  
Office Facility Space**

The Kansas Commission on Veterans' Affairs is accepting proposals for a three-year lease for 400 square feet of office space in Independence, with accessibility for the disabled. Proposals will be accepted until 4 p.m. Thursday, April 26, by the Kansas Commission on Veterans' Affairs, Jayhawk Tower, 700 Jackson, Suite 701, Topeka 66603. Direct questions to Stan Teasley, executive director, (913) 296-3976.

Stan Teasley  
Executive Director

Doc. No. 009102

(Published in the Kansas Register, April 19, 1990.)

**Notice of Bond Sale  
Jefferson County, Kansas  
\$1,000,000  
General Obligation Bridge Bonds  
Series 1990**

Jefferson County, Kansas, will receive sealed bids at the office of the County Clerk, Jefferson County Courthouse, Oskaloosa, KS 66066, until 11:30 a.m. local time on May 2, 1990, for \$1,000,000 principal amount General Obligation Bridge Bonds, Series 1990, of the county, at which time and place such bids shall be publicly opened.

The bonds will be dated May 1, 1990, and will mature on May 1 in each of the years and in the amounts set forth below. The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing in any year. Interest will be payable semiannually on May 1 and November 1 of each year, commencing May 1, 1991. The principal of the bonds will be payable in lawful money of the United States of America at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable in lawful money of the United States of America by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the calendar month next preceding the interest payment dates (the record dates). The fees of the bond registrar for the registration and transfer of the bonds will be paid by the county.

The bonds will mature serially in accordance with the following schedule:

| Maturity Date (May 1) | Principal Amount |
|-----------------------|------------------|
| 1991                  | \$50,000         |
| 1992                  | 80,000           |
| 1993                  | 85,000           |
| 1994                  | 90,000           |
| 1995                  | 95,000           |
| 1996                  | 105,000          |
| 1997                  | 115,000          |

(continued)

|      |         |
|------|---------|
| 1998 | 120,000 |
| 1999 | 125,000 |
| 2000 | 135,000 |

At the option of the county, bonds maturing on May 1, 1998, and thereafter will be subject to redemption and payment prior to maturity, on May 1, 1997, and on any interest payment date thereafter, in whole or in part (in integral multiples of \$5,000) in inverse order of maturity (and by lot within a single maturity) at the redemption price of 100 percent of the principal amount thereof so redeemed, plus accrued interest thereon to the date fixed for redemption.

Proposals will be received on the bonds bearing such rate or rates of interest, not exceeding five different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute a different rate. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of  $\frac{1}{8}$  or  $\frac{1}{20}$  of 1 percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2 percent above the 20 bond index of tax exempt municipal bonds published by *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold, and no bid of less than par plus accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bids shall be submitted on the official bid form furnished by the county, shall be addressed to the county clerk at the above address, and shall be marked "Bond Bid." All bids must state the total interest cost of the bid and the average annual interest rate—certified by the bidder to be correct—and the county will be entitled to rely on the certificate of correctness. Bids must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, payable to Jefferson County, Kansas. In the event a bidder whose bid is accepted shall fail to carry out the contract of purchase, said deposit shall be retained by the county as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The bonds, duly printed, executed and registered, will be furnished and paid for by the county, and the bonds will be sold subject to the approving opinion of Linde Thomson Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri; and Sloan, Listrom, Eisenbarth, Sloan & Glassman, bond counsel of Topeka, Kansas, as to the validity of the bonds, whose opinion will be paid for by the county. The opinion will state that it is counsel's opinion that, under existing law and assuming compliance by the county with the terms of the bond resolution, the interest on said bonds is exempt from present federal income taxation except as such interest may be included in the measure of income for computing alternative minimum taxes imposed on corporations, and that the bonds are exempt from Kansas income and intangible personal property taxes, which opinion is subject, however, to the following information.

The Internal Revenue Code of 1986 imposes requirements and restrictions that must be satisfied in order for interest on obligations issued on behalf of local govern-

ments to be exempt from federal income taxation. The county, acting through the Board of County Commissioners, will covenant in the bond resolution to take all action (within its ability to do so) necessary to comply with the 1986 code in order to preserve the tax-exempt status of the bonds.

The bonds will be designated "qualified tax exempt obligations" by the county for purposes of Section 265(b)(3)(B) of the 1986 code.

The number, denomination of bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the bond registrar not later than May 15, 1990. In addition, the initial offering price to the public shall be furnished to the county by the successful bidder at least one week prior to the closing date, and a certificate setting forth such initial reoffering price to the public shall be furnished by the successful bidder at closing.

The purchaser will be furnished with a complete transcript of proceedings evidencing authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in funds that are immediately available for use by the county. Delivery of the bonds will be made to the successful bidder on or about May 31, 1990, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the county; delivery elsewhere will be made at the expense of the purchaser.

The bonds will constitute general obligations of the county payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the county. The bonds are being issued for the purpose of paying the costs of reconstructing and rebuilding certain bridges in the county pursuant to K.S.A. 68-1103 *et seq.* and 10-101 *et seq.*, as amended and supplemented.

Sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice. The county reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the county, and the net interest cost will be determined by deducting any amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

The equalized assessed valuation of taxable tangible property within the county for 1989 is \$59,682,314. The total general obligation bonded indebtedness of the county, including the bonds, will be \$1,090,000.

Additional copies of this notice of bond sale and further information may be received from John C. McArthur, Beecroft, Cole & Company, One Townsite Plaza, Topeka, KS 66603, (913) 234-5671.

Shirley Walbridge  
Jefferson County Clerk

Doc. No. 009099



(Published in the Kansas Register, April 19, 1990.)

**Summary Notice of Bond Sale  
City of Manhattan, Kansas  
\$1,365,000**

**General Obligation Bonds, Series 184  
(general obligation bonds payable from  
unlimited ad valorem taxes)**

**Sealed Bids**

Subject to the official notice of bond sale and preliminary official statement dated April 19, 1990; sealed bids will be received by the city clerk of the city of Manhattan, Kansas, on behalf of the governing body at the City Hall, 11th and Poyntz, P.O. Box 748, Manhattan, until 4 p.m. C.D.T. on May 1, 1990, for the purchase of \$1,365,000 principal amount of General Obligation Bonds, Series 184. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1990, and will become due serially on November 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1991 | \$ 35,000        |
| 1992 | 40,000           |
| 1993 | 40,000           |
| 1994 | 45,000           |
| 1995 | 45,000           |
| 1996 | 55,000           |
| 1997 | 60,000           |
| 1998 | 60,000           |
| 1999 | 65,000           |
| 2000 | 70,000           |
| 2001 | 60,000           |
| 2002 | 65,000           |
| 2003 | 70,000           |
| 2004 | 75,000           |
| 2005 | 80,000           |
| 2006 | 85,000           |
| 2007 | 95,000           |
| 2008 | 100,000          |
| 2009 | 105,000          |
| 2010 | 115,000          |

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$27,300 (2 percent of the principal amount of the bonds).

**Delivery**

The city will pay for printing the bonds and will deliver

the same properly prepared, executed and registered without cost to the successful bidder on or before June 14, 1990, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$152,509,133. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$32,459,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the City Clerk, City Hall, 11th and Poyntz, P.O. Box 748, Manhattan, KS 66502, (913) 537-0056; or from the financial advisor, Kirchner Group, a division of George K. Baum & Company, One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouly, (316) 264-9351.

Dated April 19, 1990.

City of Manhattan, Kansas

Doc. No. 009085

(Published in the Kansas Register, April 19, 1990.)

**Summary Notice of Bond Sale  
\$1,100,000**

**Oaklawn Improvement District  
Sedgwick County, Kansas  
General Obligation Sewer 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 4, 1990, prepared by Oaklawn Improvement District, Sedgwick County, Kansas; in connection with the bonds hereinafter described, sealed, written bids shall be received at the district's offices at 4426 Hemlock Court, Wichita, until 6 p.m. C.D.T. on Wednesday, April 25, 1990, for the purchase of the General Obligation Sewer Bonds, Series B, 1990, of the district, 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 Board of Directors of the district.

The bonds to be sold are in the aggregate principal amount of \$1,100,000. 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 these bonds, which may be obtained from the secretary of the district or from the dis-

(continued)

trict's financial advisor. 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 and made payable to the order of the district, 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. The bonds are not subject to redemption prior to their stated maturities.

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

| Principal Amount | Maturity Date |
|------------------|---------------|
| \$ 25,000        | 1991          |
| 30,000           | 1992          |
| 30,000           | 1993          |
| 30,000           | 1994          |
| 35,000           | 1995          |
| 35,000           | 1996          |
| 40,000           | 1997          |
| 40,000           | 1998          |
| 45,000           | 1999          |
| 50,000           | 2000          |
| 55,000           | 2001          |
| 55,000           | 2002          |
| 60,000           | 2003          |
| 65,000           | 2004          |
| 70,000           | 2005          |
| 75,000           | 2006          |
| 80,000           | 2007          |
| 85,000           | 2008          |
| 95,000           | 2009          |
| 100,000          | 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 the surrender thereof at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be payable 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 district, and the full faith, credit and resources of the district will be pledged to the payment thereof. The district will 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 district 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 district to the successful bidder, or at its direction, on or about Wednesday, May 16, 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 successful 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 district. 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 1989 assessed valuation of taxable tangible property in the district is \$11,947,648. Exclusive of the bonds described herein, the district has outstanding general obligation indebtedness at the date hereof in the amount of \$1,235,703.

#### Official Statement

The district has prepared a preliminary official statement, dated as of April 4, 1990, relating to the bonds, copies of which may be obtained from the district or the district's financial advisor. The preliminary official statement is in a form "deemed final" by the district 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 district 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 district, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the district's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the district's financial advisor, Brian E. Corrigan, The Columbian Securities Corporation, 550 N. 159th St. East, Wichita, KS 67230, (316) 733-0014.

Tina L. Mason, Secretary  
Oaklawn Improvement District  
4426 Hemlock Court  
Wichita, KS

Doc. No. 009106

(Published in the Kansas Register, April 19, 1990.)

**Notice of Redemption  
to the holders of  
Seward County, Kansas  
Single Family Mortgage  
Revenue Bonds  
1979 Series A**

**December 1, 1990/1999**

**December 1, 2009 and December 1, 2010**

Notice is hereby given that, pursuant to Section 3.01 of the Indenture dated as of September 1, 1979, \$240,000 principal amount of bonds are called for redemption at par on June 1, 1990.

Coupon bonds of \$5,000 denominations, called in full bearing CUSIP No. 818452 and suffix:

|     |     |      |      |      |
|-----|-----|------|------|------|
| AL8 | AQ7 | AU8  | 1449 | 1998 |
| 306 | 481 | 724  | 1710 | 2019 |
| 308 | 494 | 769  | 1731 | 2038 |
| AM6 | 501 | AV6  | 1737 |      |
| 335 | AR5 | 803  | 1827 |      |
| 349 | 559 | 840  | 1833 |      |
| AN4 | 571 | AX2  | 1871 |      |
| 392 | AS3 | 1369 | 1908 |      |
| AP9 | 624 | 1399 | 1926 |      |
| 447 | AT1 | 1403 | 1930 |      |
| 458 | 658 | 1435 | 1948 |      |

The serial numbers of the registered bonds to be redeemed in whole or in part and the principal amounts to be redeemed are as follows:

| Bond Number | Bond Amount | Amount Called | CUSIP Number |
|-------------|-------------|---------------|--------------|
| R102        | \$ 25,000   | \$5,000       | 818452AN4    |
| R185        | 10,000      | 5,000         | 818452AS3    |
| R153        | 5,000       | 5,000         | 818452AT1    |
| R111        | 50,000      | 5,000         | 818452AV6    |
| R113        | 100,000     | 5,000         | 818452AX2    |
| R114        | 100,000     | 10,000        | 818452AX2    |
| R115        | 100,000     | 10,000        | 818452AX2    |
| R116        | 100,000     | 5,000         | 818452AX2    |
| R131        | 5,000       | 5,000         | 818452AX2    |
| R183        | 25,000      | 5,000         | 818452AX2    |

Bonds with the June 1, 1990, coupons and all subsequent coupons attached should be presented to one of the offices of the paying agents:

**By hand:** Continental Bank, N.A.  
Corporate Trust Operations  
230 S. Clark St., 19th Floor  
Chicago, IL 60697

**By mail:** Continental Bank, N.A.  
Corporate Trust Operations  
231 S. LaSalle, 19th Floor  
Chicago, IL 60697

Kansas State Bank & Trust Company  
Trust Department  
123 N. Market  
Wichita, KS 67202

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approxi-

mately two weeks before June 1, 1990, to the above address. Sending certificates by registered mail is suggested.

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

Interest on the bonds called for redemption will cease to accrue on June 1, 1990.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payment of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 19, 1990.

By: Continental Bank, N.A.  
Trustee for Seward County, Kansas

Doc. No. 009090

(Published in the Kansas Register, April 19, 1990.)

**Notice of Redemption  
to the holders of  
Seward County, Kansas  
Single Family Mortgage Revenue Bonds  
1980 Series A  
Due December 1, 2010  
and December 1, 2011**

Notice is hereby given that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1990, \$280,000 principal amount of bonds are called for redemption at par on June 1, 1990.

Coupon bonds of \$5,000 denominations, called in full bearing CUSIP No. 818452 and suffix:

|     |     |     |      |      |      |
|-----|-----|-----|------|------|------|
| BJ2 | 403 | 664 | 966  | 1183 | 1439 |
| 244 | 445 | 744 | 973  | 1220 | 1462 |
| 280 | 462 | 745 | 1025 | 1226 | 1463 |
| 281 | 469 | 775 | 1042 | 1274 | 1486 |
| 292 | 486 | 792 | 1058 | 1334 | 1542 |
| 317 | 514 | 812 | 1060 | 1336 | 1548 |
| 325 | 545 | 829 | 1068 | 1358 | 1585 |
| 354 | 588 | 851 | 1092 | 1382 |      |
| 380 | 617 | 864 | 1132 | 1393 |      |
| 385 | 620 | 912 | 1171 | 1421 |      |

Bonds with the June 1, 1990, coupons and all subsequent coupons attached should be presented to one of the offices of the paying agents:

**By hand:** Continental Bank, N.A.  
Corporate Trust Operations  
230 S. Clark St., 19th Floor  
Chicago, IL 60697

(continued)

By mail: Continental Bank, N.A.  
 Corporate Trust Operations  
 231 S. LaSalle, 19th Floor  
 Chicago, IL 60697

Security National Bank of Kansas City  
 Attn: Bond Operations  
 One Security Plaza  
 P.O. Box 1250  
 Kansas City, KS 66112

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

Interest on the bonds called for redemption will cease to accrue on June 1, 1990.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payment of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 19, 1990.

By: Continental Bank, N.A.  
 Trustee for Seward County, Kansas

Doc. No. 009092

(Published in the Kansas Register, April 19, 1990.)

**Notice of Redemption  
 Saline County, Kansas**

**Single Family Mortgage Revenue Bonds  
 1980 Series A**

**Serial Bonds Due December 1, 1990-1996  
 Term Bonds Due December 1, 2010**

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated April 15, 1980, and as amended by the First Supplemental Indenture dated October 1, 1986, and the Second Supplemental Indenture dated September 1, 1988, \$310,000 principal amount of the bonds, as listed below, are called for redemption on June 1, 1990, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the coupon bonds at \$5,000 each to be redeemed in full, bearing CUSIP No. 795165 and suffix:

|     |     |      |      |      |
|-----|-----|------|------|------|
| AK5 | AN9 | 782  | 1152 | 1598 |
| 375 | 556 | 799  | 1179 | 3051 |
| 411 | 584 | AW9  | 1334 | 3099 |
| AL3 | AP4 | 1032 | 1349 | 3282 |
| 469 | 635 | 1061 | 1355 | 3310 |
| AM1 | AQ2 | 1117 | 1501 | 3318 |
| 492 | 713 | 1124 | 1510 | 3338 |
| 499 | ARO | 1151 | 1587 |      |

The serial numbers of the registered bonds to be redeemed in whole or in part and the principal amounts to be redeemed bearing CUSIP No. 795165AW9 are as follows:

| Bond Number | Bond Amount | Amount Called |
|-------------|-------------|---------------|
| R250        | \$ 85,000   | \$85,000      |
| R282        | 35,000      | 10,000        |
| R283        | 75,000      | 5,000         |
| R284        | 35,000      | 5,000         |
| R285        | 55,000      | 10,000        |
| R287        | 135,000     | 25,000        |
| R322        | 1,019,000   | 4,000         |
| R368        | 11,000      | 11,000        |

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before June 1, 1990, to the address below. Sending certificates by registered mail is suggested.

On June 1, 1990, all bonds designated for redemption will become due and payable upon presentation thereof to the office of the paying agent.

Registered bonds and coupon bonds with the June 1, 1990, coupon and all subsequent coupons attached should be presented to the office of the paying agent:

By hand: Continental Bank, N.A.  
 Corporate Trust Operations  
 230 S. Clark St., 19th Floor  
 Chicago, IL 60697

By Mail: Continental Bank, N.A.  
 Corporate Trust Operations  
 231 S. LaSalle, 19th Floor  
 Chicago, IL 60697

Each holder whose bond has been redeemed in part will receive a new bond for the unredeemed portion. Interest on the bonds or portions of bonds called for redemption will cease to accrue on June 1, 1990.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payment of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 19, 1990.

By: Continental Bank, N.A.  
 Trustee for Saline County, Kansas

Doc. No. 009091

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1989 Index Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

| Reg. No. | Action  | Register      |
|----------|---------|---------------|
| 1-2-1    | Revoked | V. 8, p. 1207 |
| 1-2-1    | Amended | V. 8, p. 1472 |
| 1-5-9    | Amended | V. 8, p. 1207 |
| 1-5-9    | Amended | V. 8, p. 1472 |
| 1-5-10   | Amended | V. 8, p. 1207 |
| 1-5-10   | Amended | V. 8, p. 1472 |
| 1-5-11   | Amended | V. 8, p. 130  |
| 1-5-11   | Amended | V. 8, p. 1473 |
| 1-5-13   | Amended | V. 8, p. 130  |
| 1-5-15   | Amended | V. 8, p. 130  |
| 1-5-19b  | Amended | V. 8, p. 1208 |
| 1-5-19b  | Amended | V. 8, p. 1473 |
| 1-5-19c  | Amended | V. 8, p. 1208 |
| 1-5-19c  | Amended | V. 8, p. 1473 |
| 1-5-24   | Amended | V. 8, p. 1209 |
| 1-5-24   | Amended | V. 8, p. 1474 |
| 1-5-29   | New     | V. 8, p. 1210 |
| 1-5-29   | New     | V. 8, p. 1475 |
| 1-6-24   | Amended | V. 8, p. 131  |
| 1-6-31   | New     | V. 8, p. 131  |
| 1-6-32   | Amended | V. 9, p. 10   |
| 1-7-10   | Amended | V. 8, p. 1210 |
| 1-7-10   | Amended | V. 8, p. 1475 |
| 1-9-19a  | Amended | V. 9, p. 10   |
| 1-16-8   | 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    |
| 28-19-56  | Amended | V. 8, p. 1298    |

(continued)

|           |         |                    |
|-----------|---------|--------------------|
| 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 |
| 30-4-63  | Amended | V. 9, p. 541  |
| 30-4-64  | Amended | V. 8, p. 1661 |
| 30-4-64  | Amended | V. 9, p. 542  |
| 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 |
| 30-4-120 | Amended | V. 9, p. 543  |
| 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. 544        |
| 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        |
| 30-6-77   | Amended | V. 9, p. 545        |
| 30-6-79   | Amended | V. 9, p. 195        |
| 30-6-86   | Amended | V. 8, p. 721        |
| 30-6-103  | Amended | V. 9, p. 546        |
| 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       |
| 30-10-21  | Amended | V. 9, p. 546        |
| 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. 457  |
| 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 |

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|          |         |                    |
|----------|---------|--------------------|
| 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    |         |                     |
| 111-5-3    | 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    |
| 112-4-22                 | Amended | V. 8, p. 1246    |
| 112-4-22                 | Amended | V. 8, p. 1289    |
| 112-5-1 through 112-5-9  | New     | V. 8, p. 258-260 |
| 112-5-1                  | Amended | V. 9, p. 153     |
| 112-5-2                  | Amended | V. 9, p. 154     |
| 112-5-3                  | Amended | V. 9, p. 154     |
| 112-5-8                  | Amended | V. 9, p. 155     |
| 112-5-9                  | Amended | V. 9, p. 155     |
| 112-6-1 through 112-6-8  | New     | V. 8, p. 261-263 |
| 112-6-6                  | Amended | V. 9, p. 155     |

|                             |         |                     |
|-----------------------------|---------|---------------------|
| 112-7-2 through 112-7-22    | New     | V. 8, p. 593, 594   |
| 112-7-22 through 112-8-2    | New     | V. 8, p. 641-648    |
| 112-8-12                    | New     | V. 8, p. 263-267    |
| 112-8-3                     | New     | V. 8, p. 596        |
| 112-8-3                     | New     | V. 8, p. 725        |
| 112-8-9                     | New     | V. 8, p. 596        |
| 112-8-9                     | New     | V. 8, p. 725        |
| 112-9-2 through 112-9-38    | New     | V. 8, p. 726-737    |
| 112-9-5                     | Amended | V. 9, p. 155        |
| 112-9-7                     | Amended | V. 9, p. 156        |
| 112-9-8                     | Amended | V. 9, p. 156        |
| 112-9-11                    | Amended | V. 9, p. 156        |
| 112-9-13                    | Amended | V. 9, p. 156        |
| 112-9-18                    | Amended | V. 9, p. 157        |
| 112-9-21                    | Amended | V. 9, p. 157        |
| 112-9-22                    | Amended | V. 9, p. 158        |
| 112-9-23                    | Amended | V. 9, p. 159        |
| 112-9-29                    | Amended | V. 9, p. 159        |
| 112-9-34                    | Amended | V. 9, p. 159        |
| 112-9-37                    | Amended | V. 9, p. 159        |
| 112-9-39 through 112-9-41   | New     | V. 8, p. 1214-1216  |
| 112-9-39 through 112-9-41   | New     | V. 8, p. 1289       |
| 112-10-2 through 112-10-12  | New     | V. 8, p. 598        |
| 112-10-2 through 112-10-12  | New     | V. 8, p. 737-740    |
| 112-10-4                    | Amended | V. 9, p. 160        |
| 112-10-32 through 112-10-37 | New     | V. 8, p. 1246-1248  |
| 112-10-32 through 112-10-37 | Amended | V. 8, p. 1289       |
| 112-11-1 through 112-11-19  | New     | V. 8, p. 594, 595   |
| 112-11-1 through 112-11-19  | New     | V. 8, p. 648-653    |
| 112-11-2                    | Amended | V. 9, p. 160        |
| 112-11-3                    | Amended | V. 9, p. 161        |
| 112-11-6                    | Amended | V. 9, p. 161        |
| 112-11-7                    | Amended | V. 9, p. 161        |
| 112-11-9                    | Amended | V. 9, p. 161        |
| 112-11-10                   | Amended | V. 9, p. 161        |
| 112-11-12                   | Amended | V. 9, p. 162        |
| 112-11-14                   | Amended | V. 9, p. 162        |
| 112-11-15                   | Amended | V. 9, p. 162        |
| 112-11-20                   | Amended | V. 9, p. 162        |
| 112-11-21                   | New     | V. 8, p. 595        |
| 112-11-21                   | New     | V. 8, p. 653        |
| 112-12-2 through 112-12-13  | New     | V. 8, p. 1007       |
| 112-12-2 through 112-12-13  | New     | V. 8, p. 1123-1126  |
| 112-12-2                    | Amended | V. 9, p. 164        |
| 112-12-4                    | Amended | V. 9, p. 164        |
| 112-13-2                    | New     | V. 8, p. 596        |
| 112-13-2                    | New     | V. 8, p. 267        |
| 112-13-3                    | New     | V. 8, p. 598        |
| 112-13-3                    | New     | V. 8, p. 740        |
| 112-14-2 through 112-14-10  | New     | V. 8, p. 1162-1164  |
| 112-14-2 through 112-14-10  | New     | V. 8, p. 1184, 1185 |

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

| Reg. No.                  | Action  | Register            |
|---------------------------|---------|---------------------|
| 115-1-1                   | New     | V. 8, p. 1629       |
| 115-2-1                   | New     | V. 8, p. 1520       |
| 115-2-2                   | New     | V. 8, p. 1733       |
| 115-2-3                   | New     | V. 8, p. 1733       |
| 115-3-1                   | New     | V. 8, p. 1160       |
| 115-3-1                   | New     | V. 8, p. 1185       |
| 115-3-2                   | Amended | V. 8, p. 1733       |
| 115-3-2                   | Amended | V. 9, p. 35         |
| 115-4-1                   | New     | V. 8, p. 1733       |
| 115-4-3                   | New     | V. 9, p. 386        |
| 115-4-5                   | New     | V. 9, p. 387        |
| 115-4-6                   | New     | V. 9, p. 388        |
| 115-4-7                   | New     | V. 9, p. 390        |
| 115-4-8                   | New     | V. 8, p. 1356       |
| 115-4-8                   | New     | V. 8, p. 1477       |
| 115-4-10                  | New     | V. 8, p. 1357       |
| 115-4-10                  | New     | V. 8, p. 1477       |
| 115-5-1                   | New     | V. 9, p. 167        |
| 115-5-2                   | New     | V. 9, p. 168        |
| 115-6-1                   | New     | V. 9, p. 168        |
| 115-7-1                   | New     | V. 8, p. 1630       |
| 115-7-2                   | New     | V. 8, p. 1630       |
| 115-7-4                   | New     | V. 8, p. 1631       |
| 115-7-5                   | New     | V. 8, p. 1631       |
| 115-8-1                   | New     | V. 8, p. 1521       |
| 115-8-2                   | New     | V. 9, p. 391        |
| 115-8-3                   | New     | V. 8, p. 1161       |
| 115-8-4 through 115-8-16  | New     | V. 8, p. 1521-1523  |
| 115-8-9                   | New     | V. 9, p. 169        |
| 115-8-21                  | New     | V. 9, p. 169        |
| 115-8-18                  | New     | V. 8, p. 1523       |
| 115-8-20                  | New     | V. 8, p. 1523       |
| 115-9-1 through 115-9-4   | New     | V. 8, p. 1631       |
| 115-9-5                   | New     | V. 8, p. 1524       |
| 115-9-6                   | New     | V. 8, p. 1161       |
| 115-9-6                   | New     | V. 8, p. 1185       |
| 115-10-1 through 115-10-8 | New     | V. 9, p. 391, 392   |
| 115-11-1                  | New     | V. 8, p. 1524       |
| 115-11-2                  | New     | V. 8, p. 1524       |
| 115-12-1                  | New     | V. 8, p. 1734       |
| 115-15-1                  | New     | V. 8, p. 1357       |
| 115-15-2                  | New     | V. 8, p. 1357       |
| 115-15-3                  | New     | V. 8, p. 1358       |
| 115-18-1 through 115-18-5 | New     | V. 8, p. 1359, 1360 |
| 115-18-7                  | New     | V. 8, p. 1361       |
| 115-30-1                  | New     | V. 8, p. 1361       |

AGENCY 116: STATE FAIR BOARD

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

## 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 19, 1990.)

## HOUSE BILL No. 2819

AN ACT relating to elections; concerning registration of voters; amending K.S.A. 25-2311 and repealing the existing section.

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

Section 1. K.S.A. 25-2311 is hereby amended to read as follows: 25-2311. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

(1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312; and amendments thereto;

(2) days when the main offices of the city government are closed for business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312; and amendments thereto;

(3) the 20 15 days preceding the day of primary and general state elections;

(4) the 20 15 days preceding the day of primary city and school elections, if either has a primary;

(5) the 20 15 days preceding each first Tuesday in April of odd-numbered years, being the day of city and school general elections;

(6) the 20 15 days preceding the day of any election other than one specified in paragraphs (3), (4) and (5) of this subsection; and

(7) the day of any primary or general election or any question submitted election.

(b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general state, city and school elections. The days so specified by the secretary of state shall be conclusive. Such notice shall be given by the secretary of state by mail at least 60 days preceding every primary and general state, city and school election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c) of this section, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to state primary and general elections, county election officers shall provide for registration of voters until 9:00 p.m. in cities of the first and second class.

(e) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

Sec. 2. K.S.A. 25-2311 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 19, 1990.)

## HOUSE BILL No. 2581

AN ACT concerning worthless and insufficient checks; amending K.S.A. 16a-2-501 and K.S.A. 1989 Supp. 60-2610 and repealing the existing sections.

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

Section 1. K.S.A. 1989 Supp. 60-2610 is hereby amended to read as follows: 60-2610. (a) If a person gives a worthless check, as defined by K.S.A. 21-3707 and amendments thereto subsection (g), the person shall be liable to the holder of the check for the amount of the check plus an amount equal to the greater of the following:

(1) Damages equal to three times the amount of the check but not exceeding the amount of the check by more than \$500; or  
(2) \$100.

(b) The amounts specified by subsection (a) shall be recoverable in a civil action brought by or on behalf of the holder of the check only if: (1) Not less than 21 14 days before commencing the action, the holder of the check made written demand on the maker or drawer for payment of the amount of the check and the incurred service charge; and (2) the maker or drawer failed to tender to the holder, prior to commencement of the action, an amount not less than the amount demanded. The written demand shall be sent by restricted mail, as defined by K.S.A. 60-103 and amendments thereto, to the person to be given notice at such person's address as it appears on such check, draft or order or to the last known address of the maker or drawer and shall include notice that, if the money is not paid within 21 14 days, triple damages in addition to an amount of money equal to the sum of the amount of the check, the incurred court costs, service charge and the costs of collection, may be incurred by the maker or drawer of the check.

(c) Subsequent to the commencement of an action under this section but prior to the hearing judgment of the court, the defendant may tender to the plaintiff as satisfaction of the claim, an amount of money equal to the sum of the amount of the check, the incurred court and costs, service costs charge and the costs of collection, including but not limited to reasonable attorney fees.

(d) If the court or jury trier of fact determines that the failure of the defendant to satisfy the dishonored check was due to economic hardship, the court or jury may waive all or part of the damages provided for by this section, but the court shall render judgment against defendant for not less than the amount of the dishonored check, the incurred court and costs service charge and the costs of collection, including but not limited to reasonable attorney fees.

(e) Any amount previously paid as restitution or reparations to the holder of the check by its maker or drawer shall be credited against the amount for which the maker or drawer is liable under subsection (a).

(f) Conviction of giving a worthless check or habitually giving a worthless check, as defined by K.S.A. 21-3707 and 21-3708; and amendments thereto, shall not be a prerequisite or bar to recovery pursuant to this section.

(g) As used in this section:

(1) "Giving a worthless check" means the making, drawing, issuing or delivering or causing or directing the making, drawing, issuing or delivering of any check, order or draft on any bank, credit union, savings and loan association or depository for the payment of money or its equivalent:

(A) With intent to defraud or in payment for a preexisting debt; and

(B) which is dishonored by the drawee because the maker or drawer had no deposits in or credits with the drawee or has not sufficient funds in, or credits with, the drawee for the payment of such check, order or draft in full upon its presentation.

(2) "Service charge" means the dollar charge authorized by subsection (2) of K.S.A. 21-3707 and subsection (1)(e)(iii) of K.S.A. 16a-2-501, and amendments thereto.

Sec. 2. K.S.A. 16a-2-501 is hereby amended to read as follows: 16a-2-501. (1) In addition to the finance charge permitted by the parts of this article on maximum finance charges for consumer credit sales and consumer loans (parts 2 and 4), a creditor may contract for and receive the following additional charges in connection with a consumer credit transaction:

- (a) Official fees and taxes;
- (b) charges for insurance as described in subsection (2);
- (c) annual fees payable in advance or monthly fees, delinquency charges, insufficient check charges as provided in paragraph (e) of this subsection, over-limit fees and cash advance fees, for the privilege of using a lender credit card which entitles the user to purchase goods or services from at least 100 persons not related to the issuer of the lender credit card, under an arrangement pursuant to which the debts resulting from the purchases are payable to the issuer;
- (d) charges for other benefits, including insurance, conferred on the consumer, if the benefits are of value to the consumer and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the finance charge by rules and regulations adopted by the administrator;

(e) charges a service charge for an insufficient check as defined and authorized by this subsection:

(i) For the purposes of this subsection, "insufficient check" means any check, order or draft drawn on any bank, credit union, savings and loan association, or other financial institution for the payment of money and delivered in payment, in whole or in part, of preexisting indebtedness of the drawer or maker, which is refused payment by the drawee because the drawer or maker does not have sufficient funds in or credits with the drawee to pay the amount of the check, order or draft upon presentation, provided that any check, order or draft which is postdated or delivered to a payee who has knowledge at the time of delivery that the drawer or maker did not have sufficient funds in or credits with the drawee to pay the amount of the check, draft or order upon presentation shall not be deemed an insufficient check.

(ii) "Written notice" shall be presumed to have been given a drawer or maker of an insufficient check when notice is deposited in the United States mail sent by restricted mail as defined by K.S.A. 60-103, and amendments thereto, addressed to the person to be given notice of such person's address as it appears on the insufficient check or to such person's last known address.

(iii) When an insufficient check has been given to a payee, the payee may charge and collect a \$10 insufficient check fee service charge from the drawer or maker if the payee has given the drawer or maker oral or written notice of demand that the amount of the insufficient check plus the \$10 insufficient check fee service charge be paid to the payee within seven 14 days from the giving of notice.

(iv) If the drawer or maker of an insufficient check does not pay the amount of the insufficient check plus the insufficient check fee service charge provided for in subsection (iii) to the payee within seven 14 days from the giving of notice as provided in subsection (iii), the payee may add the \$10 insufficient check fee service charge to the outstanding balance of the preexisting indebtedness of the drawer or maker to draw interest at the contract rate applicable to the preexisting indebtedness.

(2) An additional charge may be made for insurance written in connection with the transaction, including vendor's single interest insurance with respect to which the insurer has no right of subrogation against the consumer but excluding other insurance protecting the creditor against the consumer's default or other credit loss:

(a) With respect to insurance against loss of or damage to property, or against liability, if the creditor furnishes a clear and specific statement in writing to the consumer setting forth the cost of the insurance if obtained from or through the creditor and stating that the consumer may choose the person through whom the insurance is to be obtained, and

(b) with respect to consumer credit insurance providing life, accident and health, or loss of employment coverage, if the insurance coverage is not a factor in the approval by the creditor of the extension of credit, and this fact is clearly disclosed in writing to the consumer, and if, in order to obtain the insurance in connection with the extension of credit, the consumer gives specific affirmative written indication of the consumer's desire to do so after written disclosure to the consumer of the cost thereof.

New Sec. 3. In any civil action to enforce payment of or to collect upon a check, order or draft on any bank, credit union, savings and loan association or depository for the payment of money or its equivalent, payment upon which such instrument has been refused be-

cause of insufficient funds or no account, the party prevailing on such cause of action shall be awarded reasonable attorney fees, such fees to be assessed by the court as costs against the losing party. The fees shall not be allowed unless the plaintiff offers proof during the trial of such action that prior to the filing of the petition in the action demand for payment of the check, order or draft had been made upon the defendant by registered mail not less than 14 days prior to the filing of such suit.

Sec. 4. K.S.A. 16a-2-501 and K.S.A. 1989 Supp. 60-2610 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 19, 1990.)

#### HOUSE BILL No. 3017

AN ACT relating to securities; concerning certain powers of the commissioner; amending K.S.A. 17-1266a and repealing the existing section.

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

Section 1. K.S.A. 17-1266a is hereby amended to read as follows: 17-1266a. (a) If the commissioner determines after notice and opportunity for a hearing that any person has engaged, is engaging or is about to engage in any act or practice constituting a violation of any provision of this act or any rule and regulation or order hereunder, the commissioner by order may require that such person cease and desist from the unlawful act or practice and take such affirmative action as in the judgment of the commissioner will carry out the purposes of this act.

(b) If the commissioner makes written findings of fact that the public interest will be irreparably harmed by delay in issuing an order under subsection (a), the commissioner may issue an emergency temporary cease and desist order. Such order, even when not an order within the meaning of K.S.A. 1987 Supp. 77-502, and amendments thereto, shall be subject to the same procedures as an emergency order issued under K.S.A. 1987 Supp. 77-536, and amendments thereto. Upon the entry of such an order, the commissioner shall promptly notify the person subject to the order that it has been entered, of the reasons therefor and that upon written request the matter will be set for a hearing which shall be conducted in accordance with the provisions of the Kansas administrative procedure act. If no hearing is requested and none is ordered by the commissioner, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of and opportunity for hearing to the person subject to the order, shall by written findings of fact and conclusions of law vacate, modify or make permanent the order.

(c) If the commissioner reasonably believes that a person has violated this act or a rule and regulation or order of the commissioner under this act, the commissioner, in addition to any specific power granted under this act, after notice and hearing in an administrative proceeding, unless the right to notice and hearing is waived by the person against whom the sanction is imposed, may:

(1) Censure the person if the person is a licensed broker-dealer, sales representative or investment adviser; or

(2) issue an order against an applicant, licensed person or other person who knowingly violates this act or a rule or order of the commissioner under this act, imposing a civil penalty up to a maximum of \$5,000 for each violation; or

(3) bar or suspend the person from association with a broker-dealer or investment adviser registered in this state.

Sec. 2. K.S.A. 17-1266a 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 19, 1990.)

HOUSE BILL No. 3014

AN ACT concerning establishment and change of election precincts and precinct boundaries; amending K.S.A. 1989 Supp. 25-26a02, 25-26a03, 25-26a04 and 25-26a05 and repealing the existing sections; also repealing K.S.A. 1989 Supp. 25-26a01.

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

Section 1. K.S.A. 25-26a02 is hereby amended to read as follows: 25-26a02. Election precincts in all counties of the state shall be established or changed by county election officers in such a manner that:

(a) Except as otherwise provided in this section, each election precinct as nearly as practicable shall be composed of contiguous and compact areas having clearly observable boundaries using visible ground features which meet the requirements of the federal bureau of the census and which coincide with census block boundaries as established by the federal bureau of the census and shall be wholly contained within any larger district from which any municipal, township or county officers are elected; and

(b) election precincts for election purposes shall be designated consecutively in the county by number or name, or a combination of name and numbers;

(c) any municipal enclave or township enclave shall be a separate precinct and designated by a separate number or name, or combination of name and number, and shall not be identified with or as a part of any other municipal or township precinct;

(d) from and after the time that the legislature has been redistricted in 1992, precincts shall be arranged so that no precinct lies in more than one legislative district;

(e) a street or other roadway which has been platted but not graded is not a visible or observable feature for the purposes of this section; and

(f) where a legislative district boundary coincides with a municipal boundary which is changed by reason of annexation, such legislative district boundary shall be maintained as a precinct boundary until the next legislative redistricting regardless of whether such a legislative district boundary uses a visible ground feature or coincides with a census block boundary.

Sec. 2. K.S.A. 1989 Supp. 25-26a03 is hereby amended to read as follows: 25-26a03. (a) Notwithstanding any other law or provisions to the contrary, no election precinct shall be created, divided, abolished or consolidated or the boundaries thereof changed during the period four months prior to each primary election and the succeeding general election or between January 1 of any year whose last digit a year the last digit of which is 8 and December 1 of any year whose last digit a year the last digit of which is 0 unless required by the creation of a political subdivision or alteration of a political subdivision by annexation; or unless required to conform to a federal census block boundary established by the federal bureau of the census, and from and after January 1, 1993, between January 1 of a year the last digit of which is 7 and the time when the legislature has been redistricted in a year the last digit of which is 2 except in the following cases:

(a) (1) If required by the creation of a political subdivision, new precincts may be created.

(2) If there is an alteration of a political subdivision by annexation, new precincts may be created.

(3) If a political subdivision annexes an area adjacent to the political subdivision boundary, the annexed area may be included in a precinct immediately adjacent to it, if the annexed area is in the same legislative district.

(4) A municipality or county election officer may establish new election precincts lying entirely within the boundaries of any existing precinct and shall designate the new precincts by name or number, or a combination of name and number, which shall include the designated name or number of the former precinct.

(5) If required to conform and coincide with a federal census block boundary established by the federal bureau of the census, a county election officer may change precinct boundaries.

(b) When necessary to comply with the provisions of this act, not less than 45 days after the legislature has been redistricted, or by June 10 in a year the last digit of which is 2 (whichever occurs first), precinct boundaries shall be reestablished.

Sec. 3. K.S.A. 1989 Supp. 25-26a04 is hereby amended to read as follows: 25-26a04. (a) Each county election officer shall provide and maintain a suitable map or maps drawn to a scale no smaller than 1/2 mile to the inch in incorporated places and urban areas and no smaller than two miles to the inch in rural areas and clearly delineating all major observable features such as roads, streams, and railway lines and other visible ground features which meet the requirements of the federal bureau of the census for use as census block boundaries and showing the current geographical boundaries of each election precinct, representative district and senatorial district in the county. A street or other roadway which has been platted but not graded is not a visible or observable feature for the purposes of this section. The names of the features, including municipal boundaries, which constitute the boundaries of the precincts shall be shown clearly on the map or maps. The names or designations of the precincts shall be marked on the map or maps. A word description of the geographical boundaries shall be attached to each map. Such map, with attached description, shall be a public record.

(b) Each county election officer shall send a copy of each map or maps with attached description to the secretary of state no later than January 1, 1988. Such copies shall be public records.

(c) The county election officer shall notify the secretary of state in writing within at least 30 days following before any change in a political subdivision boundary or any changes in the boundaries or the reorganization of election precincts become effective and shall furnish a copy of the map or maps showing the current geographical boundaries, designation and word description of each new election precinct. The visible ground features of changed or new precinct boundaries shown on the map or maps, if not coinciding with an existing census block as established by the federal bureau of the census, shall be documented for actual physical existence using either topographical quadrangles of the United States Geological Survey or aerial photography or a plat of the precinct boundaries certified by a licensed engineer or licensed land surveyor and clearly stating and certifying that such engineer or surveyor has personally viewed the precinct boundaries and observed the actual physical existence of the visible ground features delineating such boundaries.

Sec. 4. K.S.A. 1989 Supp. 25-26a05 is hereby amended to read as follows: 25-26a05. (a) The secretary of state shall promptly review all precinct maps submitted pursuant to K.S.A. 1987 1989 Supp. 25-26a04 and amendments thereto for compliance with the provisions of this act. The secretary of state shall promptly notify the appropriate county election officer as to whether or not such precinct maps are in compliance with the provisions of this act. Those precinct maps determined not to be in compliance with this act shall be rejected and returned to the appropriate county election officer with a written statement of noncompliance setting forth those instances where the map is in default. The appropriate county or city officials shall be notified forthwith of the rejection by the county election officer and shall make the required adjustments and resubmit the corrected precinct map or maps within 30 days after receiving notice of noncompliance. Notwithstanding other law to the contrary, changes in precinct boundaries shall not be effective and shall not be used for the conduct of any election until the secretary of state has determined the precinct maps are in compliance with the provisions of this act.

(b) If the initial or corrected precinct maps as required in this act are not filed by the deadlines set forth in this act, the secretary of state is hereby authorized and required to establish where necessary appropriate precinct boundaries in compliance with the provisions of this act, notwithstanding any other law to the contrary providing or establishing authority for any county or city official to establish precinct boundaries. The secretary of state will notify the appropriate county election officer of any precincts established under the provisions of this subsection, and the county election officer immediately shall notify the appropriate city or county officials who shall forthwith adopt as the official precincts those precincts established by the secretary of state.

Sec. 5. K.S.A. 1989 Supp. 25-26a01, 25-26a02, 25-26a03, 25-26a04 and 25-26a05 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 19, 1990.)

## SENATE BILL No. 562

AN ACT concerning community corrections; relating to corrections advisory boards; state purchase of services from grant-receiving county; amending K.S.A. 75-5298 and 75-52,107 and repealing the existing sections.

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

Section 1. K.S.A. 75-5298 is hereby amended to read as follows: 75-5298. (a) Members of a corrections advisory board appointed in accordance with K.S.A. 75-5297 and amendments thereto shall serve for terms of two years from and after the date of their appointment, ~~unless the board is required to be reconstituted in accordance with subsection (d) of K.S.A. 75-5292~~, and shall remain in office until their successors are duly appointed. All vacancies in a corrections advisory board shall be filled for the unexpired term in the manner that the position was originally filled. Each corrections advisory board shall elect its own officers.

(b) All proceedings of the corrections advisory board and any committee or subcommittee of the board shall be open to the public in accordance with and subject to the provisions of K.S.A. 75-4317 to 75-4320, inclusive, and acts amendatory thereto. All votes of members of the corrections advisory board shall be recorded and shall become matters of public record.

(c) The corrections advisory board shall promulgate and implement rules concerning the conduct of proceedings and attendance of members at board meetings.

Sec. 2. K.S.A. 75-52,107 is hereby amended to read as follows: 75-52,107. (a) The secretary of corrections may contract for any correctional services described in K.S.A. 75-5291 and amendments thereto from any county or group of cooperating counties which are receiving grants under this act, including services for inmates classified ~~less than~~ minimum security or less.

(b) Any county may contract for any correctional services described in K.S.A. 75-5291 and amendments thereto from any county or group of cooperating counties which are receiving grants under this act, regardless of whether such county or group of counties is in the same judicial district as the county contracting for such services.

Sec. 3. K.S.A. 75-5298 and 75-52,107 are hereby repealed.

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

(Published in the *Kansas Register*, April 19, 1990.)

## SENATE BILL No. 213

AN ACT concerning corrections; relating to female inmates; amending K.S.A. 75-5220, 75-5229 and 75-5262 and repealing the existing sections.

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

Section 1. K.S.A. 75-5220 is hereby amended to read as follows: 75-5220. (a) Within three days of receipt of the notice provided for in K.S.A. 75-5218 and amendments thereto, the secretary of corrections shall notify the sheriff having such offender in custody to convey such offender immediately to the state reception and diagnostic center or if space is not available at such center, then to some other state correctional institution until space at the center is available, except that, in the case of first offenders who are conveyed to a state correctional institution other than the state reception and diagnostic center, such offenders shall be segregated from the inmates of such correctional institution who are not being held in custody at such institution pending transfer to the state reception and diagnostic center when space is available therein. The expenses of any such conveyance shall be charged against and paid out of the general fund of the county whose sheriff conveys the offender to the institution as provided in this subsection.

(b) Any female offender sentenced according to the provisions of K.S.A. 75-5229 and amendments thereto ~~shall not be conveyed to the state reception and diagnostic center but shall be conveyed by the sheriff having such offender in custody directly to the Kansas correctional institution at Lansing a correctional institution designated by the secretary of corrections, subject to the provisions of section 3.~~ The expenses of such conveyance to the ~~Kansas correctional institution at Lansing designated institution~~ shall be charged

against and paid out of the general fund of the county whose sheriff conveys such female offender to such institution.

(c) Each offender conveyed to a state correctional institution pursuant to this section shall be accompanied by the record of the offender's trial and conviction as prepared by the clerk of the district court in accordance with K.S.A. 75-5218 and amendments thereto.

Sec. 2. K.S.A. 75-5229 is hereby amended to read as follows: 75-5229. (a) Every woman sentenced to imprisonment for a felony shall be sentenced to the custody of the secretary of corrections.

(b) Every woman sentenced to the custody of the secretary of corrections shall be given a scientific examination and study and shall have a rehabilitation program planned and recommended for her, which examination, study and program shall be substantially equal to that required for male felons at the state reception and diagnostic center as provided for in K.S.A. 75-5262 and amendments thereto. ~~At the direction of and in accordance with procedures prescribed by the secretary,~~ The examination shall be given, the study shall be made and the rehabilitation program shall be prepared at the Kansas correctional institution at Lansing or at another appropriate state institution, other than a correctional institution, in the manner prescribed in K.S.A. 75-5200 and amendments thereto, or at a local governmental or private facility which has been approved by the secretary for these purposes in accordance with procedures prescribed by the secretary of corrections, subject to the provisions of section 3.

New Sec. 3. The state correctional-vocational training center at Topeka, Kansas, shall be used to confine or house only female inmates having a custody or security classification of medium or minimum or lower and shall not be used to confine or house such inmates having a maximum custody or security classification either on a permanent or temporary basis.

Sec. 4. K.S.A. 75-5262 is hereby amended to read as follows: 75-5262. (a) The primary function and purpose of the state reception and diagnostic center shall be to provide a thorough and scientific for examination and study of all felony offenders of the male sex sentenced by the courts of this state to the custody of the secretary of corrections so that each such offender may be assigned to a state correctional institution having the type of security (~~maximum, medium or minimum~~) and programs of education, employment or treatment and programs designed to accomplish a maximum of rehabilitation for such offender. All such offenders shall be delivered to the center as provided in K.S.A. 75-5220 and amendments thereto, upon being sentenced by the court.

(b) Each inmate delivered to the state reception and diagnostic center pursuant to K.S.A. 75-5220 and amendments thereto shall be examined and studied and shall have a rehabilitation program planned and recommended for the inmate. An inmate shall be held at the center for a period not exceeding 60 days except that an inmate may be held for a longer period of time on order of the secretary. Upon the completion of the case study, diagnosis and report on an inmate, the inmate shall be assigned to one of the state correctional institutions or facilities for confinement, which shall be selected as the secretary prescribes, based on the examination and study of the inmate, or the inmate may be paroled or may be assigned to one of the state hospitals for further treatment not exceeding 60 days where an ultimate parole is indicated at the expiration of such additional time. If an inmate is assigned to a conservation camp described in K.S.A. 75-52,127, the chief administrator of such camp shall file a performance report and recommendations prior to 180 days after such assignment with the original sentencing court. The court shall enter an order based on such report and recommendations modifying the sentence, if appropriate, by sentencing the defendant to any of the authorized dispositions provided in subsection (2) of K.S.A. 21-4603 and amendments thereto, except to reassign such inmate to a conservation camp as provided in subsection (2)(f).

Sec. 5. K.S.A. 75-5220, 75-5229 and 75-5262 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 19, 1990.)

### HOUSE BILL No. 2792

AN ACT concerning regulation of invention promotion services.

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

Section 1. As used in this act:

(a) "Contract for invention promotion services" means a contract by which an invention promoter undertakes to develop or promote an invention for a consumer.

(b) "Invention" means a process, machine, manufacture, composition of matter, or an improvement upon any of the foregoing.

(c) "Fee" means any payment made by a consumer to an invention promoter, including reimbursements for expenditures made or costs incurred.

(d) "Invention promoter" means any person, and the agents, employees or representatives of the person, who develops or promotes or offers to develop or promote an invention for a consumer. The following are not invention promoters for purposes of this act:

(1) A person licensed to practice before the United States patent and trademark office as a patent attorney;

(2) a department or agency of federal, state or local government;

or

(3) a person who accepts technology from institutions of higher education or other state or federal research institutions for evaluation and the providing of marketing services.

(e) "Invention promotion services" means acts to be performed or promised to be performed, or both, by an invention promoter.

(f) "Person" means an individual, partnership, corporation or other legal entity. Such term does not include a department or agency of any governmental unit.

Sec. 2. An invention promoter shall make the following disclosures:

(a) In any solicitation, whether a fee is charged for invention promotion services.

(b) In any contract between an invention promoter and consumer for invention promotion services:

(1) The fee to be charged and the specific services to be provided including:

(A) Whether the promoter will construct one or more prototypes, models or devices embodying the consumer's invention;

(B) whether the promoter undertakes to sell or distribute one or more prototypes, models or devices embodying the consumer's invention;

(C) the expected completion date of services; and

(D) the extent to which the invention promoter will acquire an interest in the title to the consumer's invention.

(2) Whichever of the following statements is applicable:

(A) That the invention promoter does not evaluate either:

(i) The commercial feasibility of inventions submitted to the invention promoter; or

(ii) the technical feasibility of inventions submitted to the invention promoter; or

(B) that the invention promoter does evaluate either:

(i) The commercial feasibility of inventions submitted to the invention promoter; or

(ii) the technical feasibility of inventions submitted to the invention promoter.

(3) That without an evaluation of commercial or technical feasibility, the consumer is at substantial risk that the invention may not be commercially or technically feasible.

(4) The following statement in 10 point boldface type:

**"IF YOU ASSIGN EVEN A PARTIAL INTEREST IN THE INVENTION TO THE INVENTION PROMOTER, THE INVENTION PROMOTER MAY HAVE THE RIGHT TO ASSIGN OR LICENSE ITS INTEREST IN THE INVENTION, OR MAKE, USE, AND SELL THE INVENTION, WITHOUT YOUR CONSENT AND MAY NOT HAVE TO SHARE THE PROFITS WITH YOU.**

YOU ARE ENCOURAGED TO CONSULT WITH A QUALIFIED ATTORNEY BEFORE SIGNING THIS CONTRACT. BY PROCEEDING WITHOUT THE ADVICE OF A QUALIFIED ATTORNEY YOU COULD LOSE ANY RIGHTS YOU MIGHT HAVE IN YOUR INVENTION.

THE PERFORMANCE OF THE SERVICES DETAILED IN

THE CONTRACT PROVIDES NO GUARANTEE OR PROMISE OF PROFITS, OR THAT YOUR INVENTION WILL BE PURCHASED BY A MANUFACTURER.

THIS CONTRACT DOES NOT PROVIDE ANY PATENT, COPYRIGHT OR TRADEMARK PROTECTION FOR YOUR INVENTION. THE PATENT OFFICE DISCLOSURE PROGRAM IS NOT A PATENT APPLICATION PROCEEDING.

YOUR POTENTIAL PATENT RIGHTS MAY BE ADVERSELY AFFECTED BY ANY ATTEMPT TO COMMERCIALIZE YOUR INVENTION BEFORE A PATENT APPLICATION COVERING IT IS FILED. NONCONFIDENTIAL DISCLOSURES OF YOUR INVENTION MAY ALSO TRIGGER CERTAIN STATUTORY DEADLINES FOR FILING A PATENT APPLICATION IN THE UNITED STATES AND WOULD PREVENT YOU FROM OBTAINING VALID PATENT RIGHTS IN COUNTRIES WHOSE LAWS PROVIDE THAT PATENT APPLICATIONS MUST BE FILED BEFORE ANY PUBLIC DISCLOSURE."

Sec. 3. This act shall be a part of and shall be supplemental to the Kansas consumer protection act.

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 19, 1990.)

### HOUSE BILL No. 2773

AN ACT concerning the nursing student scholarship program; relating to limits on the number of scholarships; amending K.S.A. 1989 Supp. 74-3293 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 74-3293 is hereby amended to read as follows: 74-3293. (a) There is hereby established the nursing student scholarship program. A scholarship may be awarded under the nursing student scholarship program to any qualified nursing student enrolled in or admitted to a school of nursing in a course of instruction leading to licensure as a licensed professional nurse or licensed practical nurse. The number of new scholarships awarded under the nursing student scholarship program in any each year shall not exceed 250. Of this number, 100 scholarships shall be awarded to nursing students whose sponsors are located in rural areas and who are enrolled in a course of instruction leading to licensure as a registered professional nurse, 50 scholarships shall be awarded for nursing students enrolled in or admitted to a school of nursing operated by a community college, area vocational-technical school or area vocational school in a course of instruction leading to licensure as a licensed practical nurse and the remaining 100 scholarships shall be awarded to any nursing students who have a sponsor and who are enrolled in a course of instruction leading to licensure as a registered professional nurse. The determination of the individuals qualified for such scholarships shall be made by the executive officer after seeking advice from the committee. Within each scholarship category prescribed by this subsection, scholarships shall be awarded on a priority basis to qualified applicants who have the greatest financial need for such scholarships. To the extent practicable and consistent with the other provisions of this section, consideration shall be given to minority applicants.

(b) Scholarships awarded under the nursing student scholarship program shall be awarded for the length of the course of instruction leading to licensure as a licensed professional nurse or licensure as a licensed practical nurse in which the student is enrolled in or admitted to unless otherwise terminated before such period of time. Such scholarships shall provide to the nursing student receiving the scholarship the payment of tuition, fees, books, room and board in an amount to not exceed the total of \$3,500 annually. The amount of each scholarship shall be established annually by the executive officer and shall be financed equally by the sponsor of the nursing student and by the state of Kansas.

Sec. 2. K.S.A. 1989 Supp. 74-3293 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 19, 1990.)

## SENATE BILL No. 637

AN ACT authorizing purchase of insurance for volunteers participating in family foster care program; amending K.S.A. 1989 Supp. 74-4702, as amended by section 2 of 1990 Senate Bill No. 462, and repealing the existing section; also repealing K.S.A. 1989 Supp. 74-4702, as amended by section 1 of 1990 Senate Bill No. 515, and K.S.A. 1989 Supp. 74-4702, as amended by section 2 of 1990 House Bill No. 2874.

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

New Section 1. The secretary of the department of social and rehabilitation services may procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the family foster care program against loss in accordance with specifications of department of administration guidelines. Such agency may purchase such policy of insurance independent of the committee on surety bonds and insurance without complying with K.S.A. 75-3738 to 75-3744, inclusive, and amendments thereto.

Sec. 2. K.S.A. 1989 Supp. 74-4702, as amended by section 2 of 1990 Senate Bill No. 462, is hereby amended to read as follows: 74-4702. No state agency shall purchase or carry insurance on any property owned by the state agency or the state except as otherwise expressly and specifically authorized by K.S.A. 74-4703, 74-4705, 74-4707, 75-2728, 76-218, 76-301, 76-304, 76-747 and 76-749 and section 1 and amendments to these sections law.

Sec. 3. K.S.A. 1989 Supp. 74-4702, as amended by section 2 of 1990 Senate Bill No. 462, is hereby repealed.

Sec. 4. On and after July 1, 1990, K.S.A. 1989 Supp. 74-4702, as amended by section 1 of 1990 Senate Bill No. 515, and K.S.A. 1989 Supp. 74-4702, as amended by section 2 of 1990 House Bill No. 2874, 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 19, 1990.)

## HOUSE BILL No. 2959

AN ACT relating to motor vehicles; concerning permits for certain vehicles; providing for a special vehicle combination permit; amending K.S.A. 1989 Supp. 8-1904 and 8-1911 and repealing the existing sections.

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

New Section 1. (a) The secretary of transportation with respect to highways under the secretary's jurisdiction and local authorities with respect to highways under their jurisdiction may issue permits authorized under the provisions of K.S.A. 8-1911, and amendments thereto, for the operation of combinations of vehicles operating on a route designated by the secretary or local authority between a Kansas turnpike authority toll booth and a motor-freight truck terminal located within a ten-mile radius of any such toll booth, except at the northeastern end of the turnpike at which location a twenty-mile radius shall apply.

(b) Notwithstanding any other provision of law to the contrary, for the purpose of this section, all two-lane roads and highways within the corporate limits of a city shall be deemed to be under the jurisdiction of such city.

New Sec. 2. (a) The secretary of transportation may issue a special vehicle combination permit pursuant to the provisions of K.S.A. 8-1911, and amendments thereto, for the operation of a special vehicle combination consisting of a truck tractor, semitrailer, trailer and trailer. In addition to the conditions the secretary may establish under K.S.A. 8-1911, and amendments thereto, such vehicle combinations shall also be required to operate under the following conditions:

- (1) The special vehicle combination may be operated only on:
  - (A) United States highway 69 alternate between a motor-freight truck terminal located at the city of Baxter Springs and the Kansas-Oklahoma line; and
  - (B) interstate highway 70 between a motor-freight truck terminal located within a five-mile radius of such interstate at the city of Goodland and the Kansas-Colorado line;
- (2) any semitrailer or trailer used in such special vehicle combination, shall not exceed 28½ feet in length;

(3) travel of such special vehicle combination may be restricted to specific routes, hours of operation, specific days or seasonal periods; and

(4) the secretary may enforce any other restrictions determined by the secretary to be necessary.

(b) The secretary of transportation may adopt rules and regulations implementing the provisions of subsection (a), including prescribing standards for the qualifications of drivers operating such special vehicle combinations and the equipping and operation of such special vehicle combinations to enhance highway traffic safety.

(c) A person, firm or corporation convicted of violating any provision of this section or any restriction on the special permits issued by the secretary under this section shall be punished by a fine of not less than \$500 nor more than \$1,000 and all special permits issued for the operation of such special vehicle combinations in violation shall be confiscated. The special vehicle combination must be separated into combinations of legal length before the units may proceed.

(d) The provisions of this section shall not govern the operations of combinations of vehicles authorized to be operated under the provisions of section 1 of this act.

Sec. 3. K.S.A. 1989 Supp. 8-1904 is hereby amended to read as follows: 8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by subsection (e) of K.S.A. 8-1902, and amendments thereto, may be loaded with such bales secured to a height not exceeding 14½ feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 42½ feet extreme overall dimension, inclusive of front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in sections 1 and 2 and subsections (d), (e), (f), ~~(g)~~ and (h) and (g), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59½ feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and trailer shall exceed 28½ feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with the superintendent of the Kansas highway patrol for such purpose, and in such event, the superintendent or any designee of the superintendent may issue such special permit pursuant to the terms and conditions of the contract. The limitations in this section shall not apply to vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in K.S.A. 8-1911, and amendments thereto, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(f) The limitations of this section governing the maximum length of combinations of vehicles shall not apply to a combination of vehicles consisting of a truck tractor towing a house trailer, if such combination of vehicles does not exceed an overall length of 97 feet.

(g) The limitations of this section governing the maximum length of combinations of vehicles upon roads and highways under the jurisdiction of the secretary of transportation or local authorities shall not apply to any vehicle operating on a route

(continued)

designated by the secretary or local authority between a Kansas turnpike authority toll booth and a motor freight truck terminal located within a ten-mile radius of any such toll booth, except at the northeastern end of the turnpike at which location a twenty-mile radius shall apply, under a permit issued pursuant to K.S.A. 8-1011, and amendments thereto by the secretary, with respect to roads and highways under the secretary's jurisdiction, or a local authority, with respect to roads and highways under such local authority's jurisdiction. Notwithstanding any other provision of law to the contrary, for the purposes of this subsection, all two-lane roads and highways within the corporate limits of a city shall be deemed to be under the jurisdiction of such city.

(h) (g) The length limitations of this section shall not apply to stinger-steered automobile or boat transporters. No stinger-steered automobile or boat transporter shall exceed an overall length limit of 75 feet, exclusive of front and rear overhang.

Sec. 4. K.S.A. 1989 Supp. 8-1911 is hereby amended to read as follows: 8-1911. (a) The secretary of transportation with respect to highways under the secretary's jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application in writing and good cause being shown therefor, may issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this act or otherwise not in conformity with the provisions of this act upon any highway under the jurisdiction of the party granting the permit and for the maintenance of which such party is responsible. Any permit authorized under this section may be for a single trip on a highway or route or for continuous operation on a highway or route. No permit shall be required to authorize the moving or operating upon any highway of farm tractors, combines, fertilizer dispensing equipment or other farm machinery, or machinery being transported to be used for terracing or soil or water conservation work upon farms, or vehicles owned by counties, cities and other political subdivisions of the state, unless such moving or operation occurs at any time from a half hour after sunset to a half hour before sunrise, except that this sentence shall not: (1) Exempt trucks owned by counties, cities and other political subdivisions specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations from the maximum gross weight limitations contained in the table in K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on interstate highways. Application for any permit to operate a vehicle or combination of vehicles on the highways under the jurisdiction of the secretary of transportation may be made by telephoning the secretary for the permit. The secretary of transportation may then issue or withhold the permit by sending a collect telegram or making a collect telephone call to the applicant notifying the applicant thereof, and if the permit is granted, the applicant shall execute, in triplicate, a permit on a serially numbered form provided by the secretary. Such form shall require information specified in subsections (b) and (c). The provisions of subsections (c), (d) and (e) shall apply to the permit, and the original copy of the permit executed by the applicant or the copy of the telegram if the permit is granted by telegraph, shall accompany the vehicle or combination of vehicles in lieu of the regular permit and shall be a valid permit for such operation and movement of the vehicle or combination of vehicles until the regular written permit executed by the secretary is issued and received. Application by telephone shall be followed by the mailing to the secretary, within 24 hours, of the second copy of the permit executed by the applicant, which mailing shall constitute a written application as required. The third copy of the permit shall be retained by the applicant.

If it is determined by the secretary of transportation that any person who executed a permit has not complied with the applicable provisions of this section and the rules and regulations of the secretary of transportation relating thereto, the secretary may withdraw the privilege of executing such permits from the person.

(b) The application for the permit shall specifically describe the vehicle or combination of vehicles and load to be operated or moved and the highway or highway route for which the permit is requested. Any permit authorized under this section may be for a single trip

or for continuous operation. The application shall specify the requested duration of the permit.

Upon proper application stating the description and registration of each power unit the secretary of transportation shall issue permits for a period, from May 1 to November 15, for custom combine operators at the rate of \$10 per power unit. Each application shall be accompanied by information as required by the secretary. The permits shall allow the movement of such vehicles on designated interstate highways as requested by the operator, if such vehicles:

(1) Do not exceed 14 feet in width, except that such vehicles may be loaded with two combine headers which exceed 14 feet in width; and

(2) are not overweight.

(c) The secretary or local authority may issue or withhold the permit at the secretary's or local authority's discretion or may limit the number of trips, or establish seasonal or other time limitations within which the vehicles described may be operated on the highways, or may otherwise limit or prescribe conditions of operations of such vehicle or combination of vehicles, when necessary to assure against undue damage to the road. The secretary or local authority may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(d) Every permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit. It shall be unlawful for any person to violate any of the terms or conditions of special permit.

(e) The secretary of transportation shall charge and collect a fee of \$5 for each special permit issued under the authority of this section, except ~~no~~ for the special vehicle combination permits authorized under section 2, the fee for each qualified carrier company shall be \$2,000 per year, plus \$50 per year for each power unit operating under such annual permit. No fee shall be charged for permits issued for vehicles owned by counties, cities and other political subdivisions of the state. The fees received under this section shall be remitted to the state treasurer who shall deposit the same in the state treasury and shall be credited to the state highway fund. The secretary may adopt rules and regulations for payment and collection of the fees.

(f) If any local authority does not desire to exercise the powers conferred on it by this section to issue or deny permits then such a permit from the local authority shall not be required to operate any such vehicle or combination of vehicles on highways under the jurisdiction of such local authority, but in no event shall the jurisdiction of the local authority be construed as extending to any portion of any state highway, any city street designated by the secretary as a connecting link in the state highway system or any highway within the national system of interstate and defense highways, which highways and streets, for the purpose of this section, shall be under the jurisdiction of the secretary.

(g) A house trailer or mobile home which exceeds the width as provided in subsection (a) of K.S.A. 8-1902, and amendments thereto, may be moved on the highways of this state by obtaining a permit as provided in this section, if:

(1) The width of such house trailer or mobile home does not exceed 16 feet;

(2) the driver of the vehicle pulling the house trailer or mobile home has a valid driver's license; and

(3) the driver carries evidence that the house trailer or mobile home, and the vehicle pulling it, are covered by motor vehicle liability insurance with limits of not less than \$100,000 for injury to any one person, and \$300,000 for injury to persons in any one accident, and \$25,000 for injury to property.

Sec. 5. K.S.A. 1989 Supp. 8-1904 and 8-1911 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.



(Published in the *Kansas Register*, April 19, 1990.)

## SENATE BILL No. 572

AN ACT relating to property taxation; concerning the valuation of certain land devoted to agricultural use; amending K.S.A. 79-1476 and repealing the existing section.

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

Section 1. K.S.A. 79-1476 is hereby amended to read as follows: 79-1476. The director of property valuation is hereby directed and empowered to administer and supervise a statewide program of reappraisal of all real property located within the state. Except as otherwise authorized by K.S.A. 19-428, and amendments thereto, each county shall comprise a separate appraisal district under such program, and the county appraiser shall have the duty of reappraising all of the real property in the county pursuant to guidelines and timetables prescribed by the director of property valuation and of updating the same on an annual basis. In the case of multi-county appraisal districts, the district appraiser shall have the duty of reappraising all of the real property in each of the counties comprising the district pursuant to such guidelines and timetables and of updating the same on an annual basis. Commencing in 1990, every parcel of real property shall be actually viewed and inspected by the county or district appraiser once every four years. The director shall require the initiation of such program of statewide reappraisal immediately after the effective date of this act.

Compilation of data for the initial preparation or updating of inventories for each parcel of real property and entry thereof into the state computer system as provided for in K.S.A. 1987 Supp. 79-1477, and amendments thereto, shall be completed not later than January 1, 1989. Whenever the director determines that reappraisal of all real property within a county is complete, notification thereof shall be given to the governor and to the state board of tax appeals.

Valuations shall be established for each parcel of real property at its fair market value in money in accordance with the provisions of K.S.A. 79-503a, and amendments thereto.

In addition thereto valuations shall be established for each parcel of land devoted to agricultural use upon the basis of the agricultural income or productivity attributable to the inherent capabilities of such land in its current usage or, in the case of such land which is subject to the federal conservation reserve program, in its usage immediately prior to being subject to such program; under a degree of management reflecting median production levels in the manner hereinafter provided. A classification system for all land devoted to agricultural use shall be adopted by the director of property valuation using criteria established by the United States department of agriculture soil conservation service. *For all taxable years commencing after December 31, 1989, all land devoted to agricultural use which is subject to the federal conservation reserve program shall be classified as cultivated dryland for the purpose of valuation for property tax purposes pursuant to this section.* Productivity of land devoted to agricultural use shall be determined for all land classes within each county or homogeneous region based on an average of the eight calendar years immediately preceding the calendar year which immediately precedes the year of valuation, at a degree of management reflecting median production levels. The director of property valuation shall determine median production levels based on information available from state and federal crop and livestock reporting services, the soil conservation service, and any other sources of data that the director considers appropriate.

The share of net income from land in the various land classes within each county or homogeneous region which is normally received by the landlord shall be used as the basis for determining agricultural income for all land devoted to agricultural use except pasture or rangeland. The net income normally received by the landlord from such land shall be determined by deducting expenses normally incurred by the landlord from the share of the gross income normally received by the landlord. The net rental income normally received by the landlord from pasture or rangeland within each county or homogeneous region shall be used as the basis for determining agricultural income from such land. The net rental income from pasture and rangeland which is normally received by the landlord shall be determined by deducting expenses normally incurred from the gross income normally received by the landlord. Commodity prices, crop yields and pasture and rangeland rental rates and expenses shall be based on an average of the eight calendar years

immediately preceding the calendar year which immediately precedes the year of valuation. Net income for every land class within each county or homogeneous region shall be capitalized at a rate determined to be the sum of the contract rate of interest on new federal land bank loans in Kansas on July 1 of each year averaged over a five-year period which includes the five years immediately preceding the calendar year which immediately precedes the year of valuation, plus a percentage not less than .75% nor more than 2.75%, as determined by the director of property valuation.

Based on the foregoing procedures the director of property valuation shall make an annual determination of the value of land within each of the various classes of land devoted to agricultural use within each county or homogeneous region and furnish the same to the several county appraisers who shall classify such land according to its current usage and apply the value applicable to such class of land according to the valuation schedules prepared and adopted by the director of property valuation under the provisions of this section.

For the purpose of the foregoing provisions of this section the phrase "land devoted to agricultural use" shall mean and include land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, which is devoted to the production of plants, animals or horticultural products, including but not limited to: Forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products. Land devoted to agricultural use shall not include those lands which are used for recreational purposes, suburban residential acreages, rural home sites or farm home sites and yard plots whose primary function is for residential or recreational purposes even though such properties may produce or maintain some of those plants or animals listed in the foregoing definition.

The term "expenses" shall mean those expenses typically incurred in producing the plants, animals and horticultural products described above including management fees, production costs, maintenance and depreciation of fences, irrigation wells, irrigation laterals and real estate taxes, but the term shall not include those expenses incurred in providing temporary or permanent buildings used in the production of such plants, animals and horticultural products.

The valuations established for tangible property under the program of statewide reappraisal shall not be applied by any county as a basis for the levy of taxes until January 1, 1989. The provisions of this act shall not be construed to conflict with any other provisions of law relating to the appraisal of tangible property for taxation purposes including the equalization processes of the county and state board of tax appeals.

Sec. 2. K.S.A. 79-1476 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 19, 1990.)

## HOUSE BILL No. 3028

AN ACT concerning the workers compensation act; relating to medical, physical and vocational rehabilitation; amending K.S.A. 1989 Supp. 44-510g and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 44-510g is hereby amended to read as follows: 44-510g. (a) A primary purpose of the workers compensation act shall be to restore to the injured employee the ability to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto. To this end, the director shall appoint, subject to the approval of the secretary, a specialist in medical, physical and vocational rehabilitation, who shall be referred to as the rehabilitation administrator. The director shall appoint, subject to the approval of the secretary, four assistant rehabilitation administrators. The rehabilitation administrator and the assistant rehabilitation administrators shall be in the classified service under the Kansas civil service act. The rehabilitation administrator and the assistant rehabilitation administrators, subject to the direction of the

(continued)

rehabilitation administrator, shall: (1) Continuously study the problems of physical and vocational rehabilitation; (2) investigate and maintain a directory of all rehabilitation facilities, public or private, in this state, and, where such rehabilitation administrator determines necessary, in any other state; and (3) be fully knowledgeable regarding the eligibility requirements of all state, federal and other public medical, physical and vocational rehabilitation facilities and benefits. With respect to private facilities and agencies providing medical, physical and vocational rehabilitation services, including rehabilitation service programs provided directly by employers, the director shall approve as qualified such facilities, institutions, agencies, employer programs and physicians as are capable of rendering competent rehabilitation services. No such facility, institution, agency or employer program shall be considered qualified unless it is specifically equipped to provide rehabilitation services for persons suffering from either some specialized type of disability or some general type of disability within the field of occupational injury or disease, and is staffed with trained and qualified personnel and, with respect to medical and physical rehabilitation, unless it is supervised by a physician qualified to render such service. No physician shall be considered qualified unless such physician has had such experience and training as the director may deem necessary.

(b) Under the direction of the director, and subject to the director's final approval, the rehabilitation administrator shall have the duties of directing and auditing medical, physical and vocational rehabilitation of employees in accordance with the provisions of this section.

(c) An employee who has suffered an injury shall be entitled to prompt medical and physical rehabilitation services as may be reasonably necessary to restore to such employee the ability to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto, and as provided in this section.

(d) When as a result of an injury or occupational disease which is compensable under the workers compensation act, the employee is unable (1) to perform work for the same employer at a comparable wage with or without accommodation or (2) to enter the open labor market to perform work for which such employee has previous training, education, qualifications or experience and earn a comparable wage, such employee shall be entitled to such vocational rehabilitation services, including retraining and job placement, as may be reasonably necessary to restore to such employee the ability to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto, and as provided in this section.

(e) (1) If the employee has remained off work for 90 days or if it is apparent to the director the employee requires vocational rehabilitation services and, in either case, if approved rehabilitation services are not voluntarily furnished to the employee by the employer, the director, on such director's own motion or upon application of any party, may refer the employee to a qualified public agency, if the employee is eligible, or to a private agency or facility, or the employer's rehabilitation service program, if qualified, for ~~evaluation~~ an assessment and for a report of the practicability of, need for, and kind of service, treatment, training or rehabilitation which is or may be necessary and appropriate to render such employee able to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto. Such referral for an assessment by a qualified agency or facility shall be subject to the employer's right to select the qualified agency or facility under subsection (k). If the employee is referred for assessment, the director may order the employer to pay temporary total disability compensation, computed as provided in K.S.A. 44-510c and amendments thereto, or temporary partial disability compensation, computed as provided in K.S.A. 44-510e and amendments thereto, to the employee which may be payable commencing on the date that the assessment is determined to be necessary and may continue to be paid during the period of rehabilitation assessment through the date that the assessment and the rehabilitation plan, if needed, are delivered by the rehabilitation administrator to the director as provided in subsection (e)(2), except that such temporary total disability compensation or temporary partial disability compensation shall cease to be payable if the assessment and plan development or completion are delayed and the delay is

determined by an administrative law judge to be the fault of the employee. The date of the order by the administrative law judge or the written notification by the rehabilitation administrator, regarding the assessment, shall be the date that the assessment is determined to be necessary. The costs of such ~~evaluation~~ assessment and report shall be at the expense of the employer. Each report shall contain a determination as to whether a rehabilitation plan is needed. If it is determined that a rehabilitation plan is needed, the report shall contain a rehabilitation plan which shall adhere to the following priority listing of rehabilitation goals:

(A) The first priority is to return the employee to the same work for the same employer;

(B) The second priority is to return the employee to the same work, with accommodation, for the same employer;

(C) The third priority is to return the employee to other work, with or without accommodation, for the same employer;

(D) The fourth priority is to return the employee to the same work for another employer;

(E) The fifth priority is to return the employee to other work for another employer; and

(F) The sixth priority is to provide vocational rehabilitation, reeducation and training.

(2) Within 50 days after such referral, the report shall be submitted to and reviewed by the rehabilitation administrator and copies shall be furnished to each party. If all parties do not agree with the report, the rehabilitation administrator shall confer with the rehabilitation service provider, the employee and the employer to review the ~~evaluation~~ assessment and the proposed rehabilitation plan in the report. The rehabilitation administrator shall ensure the ~~evaluation~~ assessment and the rehabilitation plan are objective and reasonable and the rehabilitation goal is reasonably obtainable. Within 20 days after the initial review of the report, the rehabilitation administrator shall deliver copies of the report, together with the rehabilitation administrator's recommendations and any revisions of or objections to the ~~assessment~~ or the rehabilitation plan, to each party, to the director and to the assigned administrative law judge, if there is one. Within 10 days after receipt of such report, any party may request a hearing before the director on any matter contained in the report or any such recommendations or revisions. After affording the parties an opportunity to be heard and present evidence, the director:

(A) May order any treatment, or medical and physical rehabilitation, as recommended in the report or as the director may deem necessary, be provided at the expense of the employer;

(B) may order the employer to pay temporary total disability compensation, computed as provided in K.S.A. 44-510c and amendments thereto, or temporary partial disability compensation, computed as provided in K.S.A. 44-510e and amendments thereto, to the employee which may be payable commencing on the date that the assessment is determined to be necessary and may continue to be paid during the period of rehabilitation ~~evaluation~~ and ~~continuing~~ assessment through the date that the assessment and the rehabilitation plan is, if needed, are delivered by the rehabilitation administrator to the director as provided in subsection (e)(2). Temporary total or temporary partial disability compensation paid solely because of involvement in the rehabilitation evaluation process shall not be payable for more than 70 days from the date of the evaluation, except such temporary total or temporary partial disability compensation may be continued by the director for an additional period of not more than 30 days if circumstances outside the control of the employee prevents completion of the evaluation or the formulation of the rehabilitation plan, except that such temporary total disability compensation or temporary partial disability compensation shall cease to be payable if the assessment and plan development or completion are delayed and the delay is determined by an administrative law judge to be the fault of the employee; the date of the order by the administrative law judge or the written notification by the rehabilitation administrator, regarding the assessment, shall be the date that the assessment is determined to be necessary;

(C) where vocational rehabilitation, reeducation or training is recommended in the report, or is deemed necessary by the director to restore to the employee the ability to perform work in the open labor market and to earn comparable wages, as determined pursuant

to subsection (a) of K.S.A. 44-510e and amendments thereto, may direct the employee to the appropriate federal, state or other public facility or agency where such services will or may be provided at no cost to the employer, except as otherwise provided in this section, or, upon the request of the employer, to a qualified rehabilitation service program provided directly by the employer; and

(D) if the employee is not eligible for such vocational rehabilitation, reeducation or training through any such state, federal or other public facility or agency, or where such services through such facilities or agencies are not available to the employee within a reasonable period of time, may order such services be provided at the expense of the employer by any qualified private agency or facility in this state or any state contiguous to this state or by a qualified rehabilitation service program provided directly by the employer, *subject to the right of the employer to select the qualified agency or facility under subsection (k).*

(3) Any vocational rehabilitation, reeducation or training to be provided at the expense of the employer under subsection (e)(2) shall not extend for a period of more than 36 weeks, except, in extremely unusual cases, after a hearing and the presentation of evidence, the director, by special order, may extend the period for not more than an additional 36 weeks. The employer shall have a right to appeal to the district court any such special order by the director for any extension of the initial thirty-six-week period, within the time and in the manner provided in K.S.A. 44-556 and amendments thereto and any such special order shall be stayed until the district court has determined the appeal. There shall be no right of appeal to the Kansas supreme court or court of appeals from a judgment of the district court sustaining or overruling any such special order of the director.

(f) Where vocational rehabilitation, reeducation or training is to be furnished at the expense of the employer under this section, and such services require that the employee reside at or near a facility or institution, away from the employee's customary county of residence, either in or out of the state of Kansas, the reasonable costs of the employee's board, lodging and travel, not to exceed a maximum total of \$3,500 for any thirty-six-week period, shall be paid by the employer, except, in unusual cases where, after a hearing and the presentation of evidence the director finds the costs are clearly reasonable and necessary, the director may require by special order that the employer pay an additional amount for the costs of the employee's board, lodging and travel of not more than \$2,000.

(g) The employer shall pay temporary total disability compensation during any period of vocational rehabilitation, reeducation or training, computed as provided in K.S.A. 44-510c and amendments thereto, but the employer shall receive credit for any weekly, monthly or other monetary payments made to the employee or such employee's family by any state, federal or other public agency during any such period, exclusive of any such payments for the board, lodging and travel expenses of the employee. Subject to a maximum of 26 weeks, the number of weeks during which temporary total disability compensation is paid during vocational rehabilitation, reeducation or training shall not be deducted from the maximum number of weeks available for the payment of disability compensation under the schedule provided in K.S.A. 44-510d and amendments thereto.

(h) The director shall cooperate with federal, state and other public or private agencies for vocational assessment, rehabilitation, reeducation or training, or medical or physical rehabilitation. The employer shall not be required to pay the reasonable costs of the employee's board, lodging and travel where such costs are borne by any federal, state or other public agency, nor shall any costs for vocational assessment, rehabilitation, reeducation or training be assessed to the employer if such vocational assessment, rehabilitation, reeducation or training is in fact furnished by and at the expense of any federal, state or other public agency.

(i) Whenever the director determines there is a reasonable probability that with appropriate medical, physical or vocational rehabilitation, reeducation or training, a person, who is entitled to compensation for permanent total disability, partial disability or any other disability under the workers compensation act, may be rehabilitated to the extent such person can become able to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto, and it is for the best interests of such person to undertake such rehabilitation, reeducation or training, if the injured

employee without good cause refuses to undertake the rehabilitation, educational or training program determined by the director to be suitable for such employee or refuses to be evaluated under the provisions of subsection (e) and the refusal is not due to the employee's physical or mental ability to do so, the employee shall be considered as having elected not to participate in such rehabilitation, reeducation or training and the director may suspend the payment of any disability compensation until the employee consents to undertake such program or to be so evaluated. The director may reduce the disability compensation otherwise payable if any such refusal persists for a period in excess of 90 days, except disability compensation shall not be reduced to less than that payable for permanent partial disability in accordance with K.S.A. 44-510d and amendments thereto or for permanent partial general disability for functional impairment in accordance with K.S.A. 44-510e and amendments thereto.

(j) At such time as any medical, physical or vocational rehabilitation, reeducation or training has been completed under this section, the employer shall have the right, by the filing of an application with the director, to seek a modification of any award which has been rendered granting any compensation to the employee for any disability. Upon at least 20 days' notice by registered mail to all parties, the director shall set the application for hearing and the parties shall present all material and relevant evidence. In the event the director determines the employee is rehabilitated so such employee is able to perform work in the open labor market and to earn comparable wages, as determined pursuant to subsection (a) of K.S.A. 44-510e and amendments thereto, the director shall modify any award of compensation or, if no such award has been made, the director shall make an award to reflect only such disability, if any, as exists at the conclusion of such rehabilitation. Any award of partial disability, or modification of an existing award, made pursuant to this subsection (j) shall be subject to the provisions of K.S.A. 44-510d and 44-510e and amendments thereto.

(k) *The employer has the right to select the qualified agency or facility to provide vocational assessment, rehabilitation, reeducation or training for an employee under this section if the selection is made by the employer within 15 days after receipt of an order issued by an administrative law judge or a notification by the rehabilitation administrator that the vocational assessment, rehabilitation, reeducation or training is needed for the employee.*

(l) *Upon proper application by either party, after a review for good cause shown by substantial evidence, a qualified agency or facility providing vocational assessment, rehabilitation, reeducation or training under this section may be replaced if the administrative law judge, in litigated cases, or the rehabilitation administrator, in nonlitigated cases, concur that there is adequate cause for a change of such qualified agency or facility. If an application made under this subsection is approved, the employer shall provide the employee a list of at least three qualified agencies or facilities to provide the vocational assessment, rehabilitation, reeducation or training under this section and the employee shall select a replacement from such list.*

(m) *Any qualified agency or facility providing vocational assessment, rehabilitation, reeducation or training under this section may be replaced by another such qualified agency or facility upon written notice by all parties, including the rehabilitation administrator, if there is an agreement by all parties to make such replacement.*

(n) *As used in this section, "assessment" means the process of determining the need for services and the vocational potential of the injured worker. The assessment process includes the appointment of a rehabilitation vendor to review the injured worker's medical restrictions, education, experience and training, the worker's aptitude and abilities, and the job the worker was doing at the time of injury. The assessment must include a documented recommendation of the need for vocational rehabilitation services, and if needed, an individualized rehabilitation plan that identifies realistic vocational goals. The assessment must identify the obstacles to returning to a comparable wage position in the open labor market and the plan must provide a step-by-step procedure that will either circumvent or alleviate the obstacles identified in the counselor's determination that services are needed.*

Sec. 2. K.S.A. 1989 Supp. 44-510g 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 19, 1990.)

## HOUSE BILL No. 2840

AN ACT concerning the division of services for the blind of the department of social and rehabilitation services; designating the positions of certain persons employed at the industries for the blind workshop as being within the unclassified service under the Kansas civil service act.

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

Section 1. The positions of persons who are employed at the industries for the blind workshop of the department of social and rehabilitation services in Topeka, Kansas, and who are not employed in positions within the classified service under the Kansas civil service act, shall be within the unclassified service under such act.

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

(Published in the *Kansas Register*, April 19, 1990.)

## SENATE BILL No. 690

AN ACT concerning probate procedure; relating to venue; amending K.S.A. 59-2203 and repealing the existing section.

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

Section 1. K.S.A. 59-2203 is hereby amended to read as follows: 59-2203. Proceedings for the probate of a will or for administration shall be had in the county of the residence of the decedent at the time of his or her such decedent's death if the decedent owned an interest in real property in such county, or, if the decedent did not own an interest in real property in the decedent's county of residence at the time of such decedent's death, in such county of the residence of the decedent at the time of such decedent's death or in any county where the decedent owned an interest in real property; if the decedent was not a resident of this state, proceedings may be had in any county wherein said where such decedent left any estate to be administered as provided in K.S.A. 59-805 and amendments thereto. Proceedings for the appointment of a guardian may be had in the county of the proposed ward's residence or where the proposed ward may be found. Proceedings for the appointment of a conservator shall be had in the county of the proposed conservatee's residence; if the proposed conservatee resides without this state, proceedings may be had in any county in which any of the proposed conservatee's property is situated. Proceedings for the administration of a partnership estate by the surviving partner shall be had in the county of the residence of the deceased partner at the time. If the deceased partner is a nonresident of the state the proceedings may be had in any county in which any of the partnership property is situated. Such proceedings first legally commenced shall extend to all of the property of the decedent or proposed conservatee in this state.

If the proceedings are instituted in more than one county, they shall be stayed except in the county where first commenced until final determination of venue. If the proper venue is determined to be in another county, the district court, after making and retaining a true copy of the entire file, shall transmit the original to the proper county. Proceedings by a person seeking to adopt a child shall be had in the county of the residence of such person if such person is a resident of the state. If such person is a nonresident of the state such proceedings shall be had in the county in which the child to be adopted resides, except that if the child is in the custody of an institution or agency authorized by the laws of this state to place children for adoption such proceedings shall be had in the county in which such institution or agency is located. If such person resides upon or is stationed at a United States military post or reservation within this state, and the child to be adopted is then residing with such person, adoption proceedings may be had in the district court of the county in which such post or reservation is located, or in the district court of any county located immediately adjacent to such county.

Sec. 2. K.S.A. 59-2203 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 19, 1990.)

## SENATE BILL No. 755

AN ACT enacting the state certified real estate appraisers act; establishing the real estate appraisal board and prescribing the duties thereof; subjecting the board to the provisions of the Kansas sunset law; providing for certification and regulation of certain real estate appraisers; prohibiting certain acts and providing penalties for violations.

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

Section 1. This act shall be known and may be cited as the state certified real estate appraisers act.

Sec. 2. As used in this act:

(a) "Appraisal" or "real estate appraisal" means an analysis, opinion or conclusion prepared by a real estate appraiser relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis. A valuation is an estimate of the value of real estate or real property. An analysis is a study of real estate or real property other than estimating value.

(b) "Appraisal assignment" means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested party in rendering an unbiased analysis, opinion or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate.

(c) "Appraisal report" means any communication, written or oral, of an appraisal.

(d) "Board" means the real estate appraisal board established pursuant to the provisions of this act.

(e) "Certified appraisal" or "certified appraisal report" means an appraisal or appraisal report given or signed and certified as such by a state certified real estate appraiser. When identifying an appraisal or appraisal report as certified, the state certified real estate appraiser must indicate which type of certification is held. A certified appraisal or appraisal report represents to the public that it meets the appraisal standards defined in this act.

(f) "Commission" means the Kansas real estate commission.

(g) "Federal law" means title XI of the financial institutions reform, recovery and enforcement act of 1989 (12 U.S.C. 3331 et seq.) and any other federal law, and any regulations adopted pursuant thereto.

(h) "Real estate" means an identified parcel or tract of land, including improvements, if any.

(i) "Real estate appraisal organization" means any nationally recognized organization of professional appraisers.

(j) "Real property" means one or more defined interests, benefits and rights inherent in the ownership of real estate.

(k) "Specialized services" means those appraisal services which do not fall within the definition of appraisal assignment. Specified services may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser would be perceived by third parties or the public as acting as a disinterested party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services.

(l) A "state certified real estate appraiser" means a person who develops and communicates real estate appraisals and who holds a current, valid general or residential certificate issued to such person under the provisions of this act.

Sec. 3. (a) Except as provided in subsection (b), no person, other than a state certified real estate appraiser, shall:

(1) Engage in any appraisal of real property for which certification is required pursuant to this act;

(2) assume or use the title of state certified real estate appraiser or any title, designation or abbreviation likely to create the impression of certification as a real estate appraiser by this state; or

(3) describe or refer to such person's appraisal or other evaluation of real estate located in this state as a state certified appraisal.

(b) The board shall recognize on a temporary basis the certification or license of an appraiser issued by another state in accordance with federal law if:

(1) The property to be appraised is part of a federally related transaction pursuant to federal law;

- (2) the appraiser's business in this state is of a temporary nature; and  
 (3) the appraiser registers with the board, as prescribed by the board.

(c) Violation of subsection (a) is a class B misdemeanor.

(d) The provisions of this act requiring certification or the issuance of a certificate of authorization to engage in the practice of real estate appraisal shall not be construed to prevent a person who is not a state certified real estate appraiser from appraising real estate for compensation if state certification is not required pursuant to federal law.

Sec. 4. (a) There is hereby established the real estate appraisal board which shall be attached to the commission for purposes of administrative functions.

(b) The board shall consist of seven members appointed by the governor. At least one member of the board shall represent the general public, at least two shall represent financial institutions and at least three shall be real estate appraisers. No two real estate appraiser members shall be members of the same real estate appraisal organization. Upon expiration of the terms of the first members appointed to the board and thereafter, no real estate appraiser member of the board shall be eligible to serve unless such member is a state certified real estate appraiser. Not more than two years after the effective date of this act at least two of the appraiser members shall hold a current, valid general appraisal certificate. Any member representing the general public shall not be affiliated with any financial institution or in the practice of real estate appraising.

(c) Members of the board shall serve for terms of three years except that, of the members first appointed to the board, two shall serve for terms of two years and two shall serve for terms of one year, as designated by the governor. Upon expiration of a member's term, the member shall continue to hold office until the appointment and qualification of a successor. No person shall serve as a member of the board for more than two consecutive terms.

(d) The governor may remove a member of the board for cause.

(e) The board shall hold meetings and hearings in the city of Topeka or at such times and places as it designates, on call of the chairperson or on request of two or more members.

(f) The members of the board shall select a chairperson from among the members to preside at board meetings.

(g) A quorum of the board shall be four members.

(h) Each member of the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto for attendance at any meeting of the board or any subcommittee meeting authorized by the board.

(i) The provisions of the Kansas sunset law apply to the real estate appraisal board established by this section, and the board is subject to abolition under that law.

Sec. 5. (a) The board may adopt such rules and regulations as necessary to implement, administer and enforce the provisions of this act.

(b) The board shall:

(1) Establish by rules and regulations, consistent with requirements pursuant to federal law, the type of education and experience that will meet the requirements of this act with respect to each class of state certified real estate appraiser;

(2) establish, consistent with requirements pursuant to federal law, examination specifications for each class of state certified real estate appraiser and administer, or designate a testing service to administer, examinations required by this act;

(3) approve or disapprove applications for certification and renewal of certification;

(4) establish by rules and regulations, consistent with requirements pursuant to federal law, the continuing education requirements for the renewal of certification that will meet the statutory requirements provided in this act with respect to each class of state certified real estate appraisers;

(5) review from time to time the standards for the development and communication of real estate appraisals provided for in this act and to adopt rules and regulations explaining and interpreting the standards;

(6) suspend and revoke certificates pursuant to disciplinary proceedings provided for in section 18; and

(7) perform such other functions and duties as necessary to carry out the provisions of this act.

(c) In adopting rules and regulations pursuant to subsection (b), the board shall determine the education, experience and examination requirements necessary to provide appropriate assurance that an applicant for certification is competent to perform appraisals within the scope of practice of the certified appraisal work authorized for the classification of certification applied for. In making such determination, the board shall take into consideration the following:

(1) Appropriate knowledge of technical terms commonly used in or related to real estate appraising, appraisal report writing and economic concepts applicable to real estate;

(2) understanding of the principles of land economics, real estate appraisal processes and problems likely to be encountered in gathering, interpreting and processing data in carrying out appraisal disciplines;

(3) understanding of the standards for the development and communication of real estate appraisals as provided in this act;

(4) knowledge of theories of depreciation, cost estimating, methods of capitalization and mathematics of real estate appraisal that are appropriate for the classification of certificate applied for;

(5) knowledge of such other principles and procedures as may be appropriate for the respective classifications;

(6) basic understanding of real estate law;

(7) understanding of the types of misconduct for which disciplinary proceedings may be initiated against a state certified real estate appraiser, as set forth in this act;

(8) the requirements of federal law; and

(9) such other matters as the board determines appropriate and relevant.

(d) The board may enter into such contracts for the services of attorneys and appraisers as necessary to administer and enforce the provisions of this act.

(e) Actions of the board shall not be reviewable by the commission.

Sec. 6. (a) The commission shall:

(1) Receive applications for certification and renewal of certification;

(2) issue certificates after the board has approved applications for certification and renewal of certification;

(3) maintain a registry of the names and addresses of persons certified under this act and transmit the registry to the federal financial institutions examination council on an annual basis in accordance with federal law;

(4) maintain all records submitted to it;

(5) collect fees prescribed pursuant to section 7;

(6) make such expenditures as are necessary to properly carry out the provisions of this act; and

(7) submit the board's annual budget, assisted by the board, to the department of administration.

(b) The commission may assist the board in such other manner as agreed upon by the board and commission.

Sec. 7. (a) The board shall adopt rules and regulations prescribing the fees provided for by this act in amounts necessary to administer and enforce this act, subject to the following:

(1) For application for certification, a fee not to exceed \$50.

(2) For any examination required for certification, a fee in an amount equal to the actual cost of the examination and administration thereof.

(3) For original certification, a fee not to exceed \$150.

(4) For renewal of certification, a fee not to exceed \$100.

(5) For late renewal certification, a late fee not to exceed \$50.

If a certificate is issued or renewed for a period other than one year, the fee shall be prorated to the nearest whole month.

(b) In addition to the fees prescribed above, the commission shall collect any registry fee required pursuant to federal law. Such registry fee shall be transmitted by the commission to the federal financial institutions examination council in accordance with federal law.

(c) Except as provided in subsection (d), the commission shall

(continued)

collect all fees provided for by this act. No original or renewal certification shall be issued unless all appropriate fees, including any federal registry fee, have been paid.

(d) If a testing service has been designated by the board to administer the examination, each applicant shall pay the examination fee to the testing service.

(e) The director of the commission shall remit to the state treasurer at least monthly all moneys, received pursuant to this act. Upon receipt thereof the state treasurer shall deposit the entire amount in the state treasury. Twenty percent of each such deposit, other than amounts collected for federal registry fees, shall be credited to the state general fund and the balance shall be credited to the appraiser fee fund, which is hereby created in the state treasury. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the director of the commission or by a person or persons designated by the director.

Sec. 8. (a) Applications for original certification and renewal of certification shall be made in writing to the commission on forms approved by the board and shall be accompanied by the appropriate fees prescribed pursuant to section 7.

(b) Applications for examination shall be made in writing to the commission on forms approved by the board and shall be accompanied by the appropriate fee prescribed pursuant to section 7. If a testing service has been designated by the board to administer the examination, applications for examination shall be made in writing to the testing service on forms approved by the testing service.

(c) At the time of filing an application for certification, each applicant shall sign a statement agreeing to comply with the standards set forth in this act and stating that the applicant understands the types of misconduct for which disciplinary proceedings may be initiated against a state certified real estate appraiser, as set forth in this act.

Sec. 9. (a) There shall be the following classes of certification for state certified real estate appraisers:

(1) The state certified residential real estate appraiser classification, which shall consist of those persons meeting the requirements for certification relating to the appraisal of residential real property of one to four units, agricultural real property and small commercial real property, except appraisals required pursuant to federal law to be performed by a state certified general real estate appraiser.

(2) The state certified general real estate appraiser classification, which shall consist of those persons meeting the requirements for certification relating to the appraisal of all types of real property.

(3) Such other classifications, to be established by the board, as permitted by federal law.

(b) The application for original certification and examination shall specify the classification of certification being applied for.

Sec. 10. Certificates issued pursuant to this act shall expire annually on June 30. The expiration date of the certificate shall appear on the certificate and no other notice of its expiration need be given to its holder.

Sec. 11. If, in the determination of the board, another state has certification requirements substantially equivalent to those of this state, an applicant who is certified under the laws of the other state may obtain certification under this act upon such terms and conditions as prescribed by the board.

Sec. 12. (a) To obtain a renewal certificate as a state certified real estate appraiser, the holder of a current, valid certificate shall make application and pay the fee prescribed pursuant to section 7 to the commission not earlier than 120 days nor later than 30 days prior to the expiration date of the certificate then held. With the application for renewal, the state certified real estate appraiser shall present evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in this act.

(b) If a person fails to apply for renewal of certificate as a state certified real estate appraiser prior to the date provided by subsection (a) or within a period of extension granted by the board pursuant to this act, the person may obtain a renewal certificate if the person, not later than three months after expiration of the certification, satisfies all of the requirements for renewal and pays the renewal and late fees prescribed pursuant to section 7. If the applicant satisfies

the requirement for renewal during the extended term of certification, the beginning date of the new renewal certificate shall be the day following the expiration of the certificate previously held by the applicant.

Sec. 13. (a) The board may refuse to issue or renew a certificate as a state certified real estate appraiser on any applicable grounds enumerated in section 18.

(b) If the board, after an application for certification or renewal of certification has been filed with the proper form, accompanied by the proper fee, denies an application for certification or renewal of certification, it shall give notice to the applicant setting forth the reasons for such refusal. Such notice and an opportunity to be heard shall be given in accordance with the provisions of the Kansas administrative procedure act, unless the application is denied solely because of the applicant's failure to pass a required examination.

Sec. 14. (a) Each state certified real estate appraiser shall advise the commission of the address of the appraiser's principal place of business and all other addresses at which the appraiser is currently engaged in the business of preparing real property appraisal reports.

(b) When a state certified real estate appraiser changes a place of business, the appraiser shall immediately give written notice of the change to the commission.

(c) Each state certified real estate appraiser shall notify the commission of the appraiser's current residence address. Residence addresses on file with the commission are exempt from disclosure as public records.

Sec. 15. (a) A certificate issued under authority of this act shall bear the signatures or facsimile signatures of the chairperson of the board and a certificate number assigned by the commission.

(b) Each state certified real estate appraiser shall place the appraiser's certificate number adjacent to or immediately below the title "state certified residential real estate appraiser" or "state certified general real estate appraiser" when used in an appraisal report or in a contract or other instrument used by the certificate holder in conducting real property appraisal activities.

Sec. 16. (a) The term "state certified real estate appraiser" may be used only to refer to individuals who hold the certificate and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation or group, or in such manner that it might be interpreted as referring to a firm, partnership, corporation, group or anyone other than an individual holder of the certificate.

(b) No certificate shall be issued under the provisions of this act to a corporation, partnership, firm or group. This shall not be construed to prevent a state certified real estate appraiser from signing an appraisal report on behalf of a corporation, partnership, firm or group practice.

Sec. 17. (a) As a prerequisite to renewal of certification, a state certified real estate appraiser shall present evidence satisfactory to the board of having met the continuing education requirements.

(b) The basic continuing education requirement for renewal of certification shall be the completion by the applicant, during the immediately preceding term of certification, of the number of hours of classroom instruction required by the board in courses or seminars which have received the approval of the board. Such requirement shall not exceed the requirements of federal law.

(c) The board shall adopt rules and regulations for implementation of the provisions of this section to the end of assuring that persons renewing their certifications as state certified real estate appraisers have current knowledge of real property appraisal theory, practices and techniques which will provide a high degree of service and protection to those members of the public with whom they deal in a professional relationship under authority of the certification. The rules and regulations shall prescribe:

(1) Policies and procedures for obtaining board approval of courses of instruction pursuant to subsection (b); and

(2) standards, monitoring methods and systems for recording attendance to be employed by course sponsors as a prerequisite to board approval of courses for credit.

(e) No amendment or repeal of a rule and regulation adopted by the board pursuant to this section shall operate to deprive a state certified real estate appraiser of credit toward renewal of certification for any course of instruction completed by the applicant prior to the

amendment or repeal of the rule and regulation which would have qualified for continuing education credit under the rule and regulation as it existed prior to the repeal or amendment.

(f) A certification as a state certified real estate appraiser that has been revoked as a result of disciplinary action by the board shall not be reinstated unless the applicant presents evidence of completion of the continuing education required pursuant to this act. This requirement of evidence of continuing education shall not be imposed upon an applicant for reinstatement who has been required to successfully complete the examination for state certified real estate appraiser as a condition to reinstatement of certification.

Sec. 18. (a) The certificate of a state certified real estate appraiser may be revoked or suspended, or the holder of the certificate may be otherwise disciplined in accordance with the provisions of this act, upon any of the grounds set forth in this section. The board may investigate the actions of a state certified real estate appraiser and may revoke or suspend the rights of a certificate holder or otherwise discipline a state certified real estate appraiser for any of the following acts or omissions:

(1) Procuring or attempting to procure a certificate pursuant to this act by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or any form of fraud or misrepresentation;

(2) failing to meet the minimum qualifications established by this act;

(3) paying money, other than provided for by this act, to any member or employee of the board or commission to procure a certificate under this act;

(4) a plea of guilty or nolo contendere to, or conviction of: (A) Forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud or any other similar offense; (B) a crime involving moral turpitude; or (C) any felony charge;

(5) an act or omission involving dishonesty, fraud or misrepresentation, with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person;

(6) violation of any of the standards for the development or communication of real estate appraisals as provided in this act;

(7) failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal;

(8) negligence or incompetence in developing an appraisal, preparing an appraisal report or communicating an appraisal;

(9) willfully disregarding or violating any provision of this act or rules and regulations of the board for the administration and enforcement of the provisions of this act;

(10) accepting an appraisal assignment, described in section 22, when the employment itself is contingent upon the appraiser reporting a predetermined estimate, analysis or opinion, or when the fee to be paid is contingent upon the opinion, conclusion or valuation reached, or upon the consequences resulting from the appraisal assignment;

(11) violating the confidential nature of governmental records to which the appraiser gained access through employment or engagement as an appraiser by a governmental agency; or

(12) entry of a final civil judgment against the person on grounds of fraud, misrepresentation or deceit in the making of any appraisal of real property.

(b) In a disciplinary proceeding based upon a civil judgment, the state certified real estate appraiser shall be afforded an opportunity to present matters in mitigation and extenuation but may not collaterally attack the civil judgment.

(c) All administrative proceedings pursuant to this section shall be conducted in accordance with the Kansas administrative procedure act.

Sec. 19. The costs of any hearing before the board may be assessed against the state certified real estate appraiser or applicant if the order of the board is adverse to the appraiser or applicant. The board may reduce any such assessment to judgment by filing a petition in the district court of Shawnee county. No certification shall be reinstated, renewed or issued if an assessment for costs has not

been paid by the holder of or applicant for such certification. Costs shall include:

(a) Statutory fees and mileage of witnesses attending a hearing or for the taking of depositions used as evidence;

(b) reporter's or stenographic charges for the taking of depositions used as evidence or for transcripts of the hearing; and

(c) such other charges authorized to be taxed as costs, as specified in K.S.A. 60-2003 and amendments thereto.

Sec. 20. Any person aggrieved by an order of the board may appeal the order in accordance with the provisions of the act for judicial review and civil enforcement of agency actions.

Sec. 21. A state certified real estate appraiser must comply with the uniform standards of professional appraisal practice promulgated pursuant to federal law.

Sec. 22. A client or employer may retain or employ a state certified real estate appraiser to act as a disinterested third party in rendering an unbiased estimate of value or analysis. A client or employer may also retain or employ a state certified real estate appraiser to provide specialized services to facilitate the client's or employer's objectives. In either case, the appraisal and the appraisal report must comply with the provisions of this act.

Sec. 23. (a) A state certified real estate appraiser shall retain for five years originals or true copies of all written contracts engaging the appraiser's services for real property appraisal work and all reports and supporting data assembled and formulated by the appraiser in preparing the reports.

(b) The five-year period for retention of records is applicable to each engagement of the services of the appraiser and shall commence upon the date of the submittal of the appraisal to the client unless, within such five-year period, the appraiser is notified that the appraisal or report is involved in litigation, in which event the five-year period for the retention of records shall commence upon the date of the final disposition of such litigation.

(c) All records required to be maintained under the provisions of this act shall be made available by the state certified real estate appraiser for inspection and copying by the board on reasonable notice to the appraiser.

Sec. 24. Not more than two years after the effective date of this act, the board shall hold public hearings to address the question of implementation of mandatory licensing or certification of appraisers. Such hearings shall be held at such reasonable times and places as to provide adequate opportunity for input by all interested parties. At the end of the two-year period, the board will present evidence of the hearings and make a recommendation to the legislature, based upon the results of the hearings, as to whether mandatory licensing or certification should be implemented. If the board determines that the hearings show the need for mandatory licensing or certification of appraisers, the board shall draft such legislation and request its introduction by an appropriate committee of the legislature.

Sec. 25. If any provision of this act or its application to any person or in any circumstance is declared by a court of competent jurisdiction to be invalid or unenforceable, provisions constituting the remainder of the act and the application of those provisions to other persons and in other circumstances shall not be affected.

Sec. 26. Except as provided in K.S.A. 74-7246, and amendments thereto, the real estate appraisal board, established by section 4, and amendments thereto, shall be and hereby is abolished on July 1, 1993.

Sec. 27. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the *Kansas Register*, April 19, 1990.)

## HOUSE BILL No. 3099

AN ACT concerning the treatment act for mentally ill persons; relating to notice of application for determination of mental illness; amending K.S.A. 1989 Supp. 59-2916 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 59-2916 is hereby amended to read as follows: 59-2916. (a) The notice required by K.S.A. 59-2914 and amendments thereto shall be given to the proposed patient named in the application, *the proposed patient's guardian if there is one*, the attorney appointed pursuant to K.S.A. 59-2914 and amendments thereto and such other persons as the court directs.

(b) The notice shall state:

(1) That an application has been filed, alleging that the proposed patient is a mentally ill person and requesting that the court order treatment;

(2) the time and place of the hearing;

(3) the name of the attorney appointed to represent the proposed patient and the time and place where the proposed patient shall consult with such attorney; and

(4) that the proposed patient has a right to demand a hearing before a jury.

(c) The court may order any of the following to serve the notice:

(1) The physician or psychologist currently administering to the proposed patient, if the physician or psychologist consents;

(2) the head of the local mental health clinic or the designee thereof;

(3) the local health officer or such officer's designee;

(4) the secretary of social and rehabilitation services or the secretary's designee;

(5) any law enforcement officer; or

(6) the attorney of the proposed patient.

The notice shall be served personally on the proposed patient and the attorney appointed pursuant to K.S.A. 59-2914 and amendments thereto as soon as possible, but not less than 10 days prior to the date of the hearing, and immediate return thereof shall be made. Unless otherwise ordered by the court, notice shall be served on the proposed patient by a nonuniformed person. Notice to all other persons shall be made in the manner directed by the court, but such notice shall not be given less than 10 days prior to the date of the hearing.

Sec. 2. K.S.A. 1989 Supp. 59-2916 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 19, 1990.)

## SENATE BILL No. 667

AN ACT amending and supplementing the Kansas private activity bond allocation act; amending K.S.A. 1989 Supp. 74-5060 and repealing the existing section.

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

Section 1. K.S.A. 1989 Supp. 74-5060 is hereby amended to read as follows: 74-5060. (a) The secretary shall determine the state ceiling for each calendar year in accordance with the formula provided therefor in the code and, *except as otherwise provided in section 2*, shall allocate the state ceiling among governmental issuers in accordance with the provisions of this *act section*.

(b) The secretary shall reserve until October 15 of each year (1) an amount equal to \$5,000,000 for allocation in accordance with the provisions of section 141(b)(5) of the code for private activity use of a portion of the proceeds of bonds issued by governmental issuers, (2) an amount equal to \$5,000,000 for allocation for qualified student loan bonds as defined in section 144(b) of the code, and (3) an amount equal to \$25,000,000 for allocation for qualified small issue bonds as defined in section 144(a) of the code. On and after October 15 of each year, any portion of the state ceiling remaining unused or uncommitted shall be available for allocation to governmental issuers by the secretary without regard to the reservations provided for in this subsection.

(c) Prior to any issuance of private activity bonds subject to the state ceiling, a governmental issuer shall submit to the secretary on

a form prescribed by the secretary a written application for an allocation of the state ceiling for such issue.

(d) Subject to the provisions of subsection (b), the secretary shall approve each properly filed application for an allocation for *qualified small issue bonds* of \$5,000,000 or less on the basis of the chronological order of receipt of applications. If an application is for an allocation in excess of \$5,000,000, the secretary may approve the total amount, approve a partial amount or reject the application.

(e) Within five business days after receipt of an application for an allocation, the secretary shall notify the governmental issuer in writing that (1) the application has been approved and shall specify the amount approved, or (2) the application has been denied, or (3) the application has been placed on hold pending receipt of additional information with respect to the application or pending a review of the effect approval of the application will have on the state ceiling.

(f) Unless an extension or a carryforward election is approved by the secretary, an approved allocation, or any portion thereof, that is not utilized by the issuance of the private activity bonds for which the allocation was approved shall expire at the earliest of (1) the time of 11:59 p.m. on the date which is 60 days after the date the notification of the approved allocation is mailed to the governmental issuer or on such other date as the secretary may specify in the notification, or (2) the date upon which the approved allocation is voluntarily surrendered to the secretary by the governmental issuer; or (3) the time of 11:59 p.m. on December 1 of the calendar year in which the allocation was approved.

(g) A governmental issuer may request an extension of the expiration date of an approved allocation by filing a written application therefor with the secretary. Any such application must be received by the secretary not less than two days prior to the expiration date of the approved allocation. In such instances, the secretary may approve an extension for a period ending at the earliest of (1) the time of 11:59 p.m. on the date which is 30 days after the initial expiration date, or (2) the date upon which the approved allocation is voluntarily surrendered to the secretary by the governmental issuer, or (3) the time of 11:59 p.m. on December 1 of the calendar year in which the allocation was approved. The secretary shall notify the governmental issuer within five business days after receipt of the application if the request for extension has been approved or denied. If the private activity bonds for which an extension has been approved are not issued on or before the last day of the extension period approved by the secretary, the approved allocation shall expire unless a carryforward election is approved by the secretary.

(h) Notwithstanding any other provision of this *act section*, if an approved allocation or an approved extension period expires on December 1, the secretary may grant an extension, or a further extension, for any period ending not later than the time of 11:59 p.m. on December 31 of the calendar year in which the allocation was approved.

(i) The secretary shall provide to the governmental issuer on or prior to the date of issuance of any private activity bonds for which an approved allocation has not expired a certification that such bonds meet the requirements of section 146 of the code.

(j) On or after December 16 of each calendar year, the secretary may approve a carryforward election with respect to an approved allocation or any approved extension if the governmental issuer, in writing (1) requests such action, and (2) indicates that the private activity bonds for which the allocation was approved cannot be issued during the calendar year in which the allocation was approved. Such approved carryforward election shall be made by the governmental issuer by means of a statement, signed by a duly authorized official of such issuer. Such statement shall be filed with the secretary and with the internal revenue service *prior to the end of such calendar year* in accordance with section 146(f) of the code. A governmental issuer may elect to carryforward such issuing authority only for qualified mortgage bonds, mortgage credit certificates, qualified student loan bonds, qualified redevelopment bonds, as defined in sections 142, 143 and 144 of the code, or for bonds to finance a project described in section ~~141(d)(1)(A)~~ 141(e)(1)(A) of the code. In no event shall such carryforward be effective for a period longer than permitted by section 146(f) of the code.

(k) If an approved allocation expires, a governmental issuer may submit another application for an allocation of the state ceiling for the same purpose for which the expired allocation was approved.



Any such applications shall be reviewed in order of receipt with no preference or priority being given as a result of the prior application and allocation.

New Sec. 2. (a) The secretary shall determine the state ceiling for calendar year 1990 in accordance with the formula provided therefor in the code and shall allocate the state ceiling among governmental issuers in accordance with the provisions of this section.

(b) The secretary shall reserve until June 1 (1) an amount equal to \$5,000,000 for allocation in accordance with the provisions of section 141(b)(5) of the code for private activity use of a portion of the proceeds of bonds issued by governmental issuers, (2) an amount equal to \$5,000,000 for allocation for qualified student loan bonds as defined in section 144(b) of the code, and (3) an amount equal to \$25,000,000 for allocation for qualified small issue bonds as defined in section 144(a) of the code. On and after June 1, any portion of the state ceiling remaining unused or uncommitted shall be available for allocation to governmental issuers by the secretary without regard to the reservations provided for in this subsection.

(c) Prior to any issuance of private activity bonds subject to the state ceiling, a governmental issuer shall submit to the secretary on a form prescribed by the secretary a written application for an allocation of the state ceiling for such issue.

(d) Subject to the provisions of subsection (b), the secretary shall approve each properly filed application for an allocation for qualified small issue bonds of \$5,000,000 or less on the basis of the chronological order of receipt of applications. If an application is for an allocation in excess of \$5,000,000, the secretary may approve the total amount, approve a partial amount or reject the application.

(e) Within five business days after receipt of an application for an allocation, the secretary shall notify the governmental issuer in writing that (1) the application has been approved and shall specify the amount approved, or (2) the application has been denied, or (3) the application has been placed on hold pending receipt of additional information with respect to the application or pending a review of the effect approval of the application will have on the state ceiling.

(f) Unless an extension or a carryforward election is approved by the secretary, an approved allocation, or any portion thereof, that is not utilized by the issuance of the private activity bonds for which the allocation was approved shall expire at the earliest of (1) the time of 11:59 p.m. on the date which is 60 days after the date the notification of the approved allocation is mailed to the governmental issuer or on such other date as the secretary may specify in the notification, or (2) the date upon which the approved allocation is voluntarily surrendered to the secretary by the governmental issuer.

(g) A governmental issuer may request an extension of the expiration date of an approved allocation by filing a written application therefor with the secretary. Any such application must be received by the secretary not less than two days prior to the expiration date of the approved allocation. In such instances, the secretary may approve an extension for a period ending at the earliest of (1) the time of 11:59 p.m. on the date which is 30 days after the initial expiration date, or (2) the date upon which the approved allocation is voluntarily surrendered to the secretary by the governmental issuer. The secretary shall notify the governmental issuer within five business days after receipt of the application if the request for extension has been approved or denied. If the private activity bonds for which an extension has been approved are not issued on or before the last day of the extension period approved by the secretary, the approved allocation shall expire unless a carryforward election is approved by the secretary.

(h) Notwithstanding any other provision of this act, if an approved allocation or an approved extension period expires, the secretary may grant an extension, or a further extension, for any period ending not later than the time of 11:59 p.m. on December 31.

(i) The secretary shall provide to the governmental issuer on or prior to the date of issuance of any private activity bonds for which an approved allocation has not expired a certification that such bonds meet the requirements of section 146 of the code.

(j) The secretary may approve a carryforward election with respect to an approved allocation or any approved extension if the governmental issuer, in writing (1) requests such action, and (2) indicates that the private activity bonds for which the allocation was approved cannot be issued during calendar year 1990. Such approved

carryforward election shall be made by the governmental issuer by means of a statement, signed by a duly authorized official of such issuer. Such statement shall be filed with the secretary and with the internal revenue service in accordance with section 146(f) of the code.

A governmental issuer may elect to carryforward such issuing authority only for qualified mortgage bonds, mortgage credit certificates, qualified student loan bonds, qualified redevelopment bonds, as defined in sections 142, 143 and 144 of the code, or for bonds to finance a project described in section 141(e)(1)(A) of the code. In no event shall such carryforward be effective for a period longer than permitted by section 146(f) of the code.

(k) If an approved allocation expires, a governmental issuer may submit another application for an allocation of the state ceiling for the same purpose for which the expired allocation was approved. Any such applications shall be reviewed in order of receipt with no preference or priority being given as a result of the prior application and allocation.

Sec. 3. K.S.A. 1989 Supp. 74-5060 is hereby repealed.

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

(Published in the Kansas Register, April 19, 1990.)

#### HOUSE BILL No. 2751

AN ACT concerning governing boards of community colleges and area vocational-technical schools; providing for the payment of expenses incurred by members of such boards; amending K.S.A. 71-201 and K.S.A. 1989 Supp. 72-4412 and repealing the existing sections.

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

Section 1. K.S.A. 71-201 is hereby amended to read as follows:

71-201. (a) The board of trustees, in accordance with the provisions of this act and the rules and regulations of the state board of education, shall have custody of and be responsible for the property of the community college and shall be responsible for the management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of education. *Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.*

(b) For the effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by this act and subject to the rules and regulations of the state board of education is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties, and to fix their compensation and terms of employment. No community college teacher shall be required to meet certification requirements greater than those required in the state universities supervised by under the control and supervision of the state board of regents.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of this act and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from any other public or private body, or from any other source,

(continued)

grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, condemnation or otherwise, own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for the community college purposes. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease made under this act shall contain a citation of this section and a recitation that the lease agreement and assignment thereof are subject to change or termination by the legislature. The provisions of the cash basis and budget laws shall not apply to any lease made under authority of this subsection in such a manner as to prevent the intention of this act from being made effective.

(10) To determine that any property owned by the college is no longer necessary for college purposes and to dispose of the same in such manner and upon such terms and conditions as provided by law.

(11) To exercise the right of eminent domain, pursuant to chapter 26 of the Kansas Statutes Annotated.

(12) To make and promulgate such rules and regulations, not inconsistent with the provisions of this act or with rules and regulations of the state board of education, that are necessary and proper for the administration and operation of the community college, and for the conduct of the business of the board of trustees.

(13) To exercise all other powers not inconsistent with the provisions of this act or with the rules and regulations of the state board of education which may be reasonably necessary or incidental to the establishment, maintenance and operation of a community college.

(14) To appoint a member to fill any vacancy on the board of trustees for the balance of the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the community college district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than 15 days after such publication.

(15) To contract with one or more agencies, either public or private, whether located within or without the community college district or whether located within or without the state of Kansas for the conduct by any such agencies of academic or vocational education for students of the community college, and to provide for the payment to any such agencies for their contracted educational services from any funds or moneys of the community college, including funds or moneys received from student tuition, out-district tuition, fees, funds received from the state of Kansas or the United States for academic or vocational education or taxes collected under K.S.A. 71-204 and 72-4424, and ~~acts supplemental or amendatory amendments~~ thereto. Any contract made under this subsection with an institution of another state shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(16) To authorize by resolution the establishment of a petty cash fund in an amount not to exceed \$1,000, and to designate in such resolution an employee to maintain such petty cash fund. The employee designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end of the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the

record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) The board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than \$90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than \$90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection, such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

Sec. 2. K.S.A. 1989 Supp. 72-4412 is hereby amended to read as follows: 72-4412. As used in this act:

(a) "Board" means the board of education of any school district, the board of trustees of any community college, the board of regents of any municipal university, the board of control of any area vocational-technical school, or the state board of regents.

(b) "Area vocational school" means any vocational education school established under authority of the laws of this state, approved and officially designated as an area vocational school by the state board, and operated under the board of education of a school district, the board of trustees of a community college, the state board of regents, or the board of regents of a municipal university. Any area vocational school, except for purposes of the construction of this act, may retain and use the name given to such school prior to the effective date of this act, even though such name includes the words "area vocational-technical school." Until this provision is amended by or repealed from law, the state board shall not approve the establishment or operation of any area vocational school which has not been approved for establishment or officially designated as an area vocational school prior to the effective date of this act.

(c) "Area vocational-technical school" means any vocational education school which was classified as a type II area vocational-technical school under authority of former laws or which is established and classified as a type II area vocational-technical school under authority of this act. The schools to which this definition applies are:

- (1) Central Kansas area vocational-technical school;
- (2) Southeast Kansas area vocational-technical school;
- (3) Northwest Kansas area vocational-technical school;
- (4) North Central Kansas area vocational-technical school; and
- (5) Johnson county area vocational-technical school, upon its establishment in accordance with the provisions of this act.

The governing body of an area vocational-technical school shall be called a board of control and shall be constituted as is provided by agreement of the boards participating therein. *Members of the board of control shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their*

*official duties.* The state board may adopt special rules and regulations applicable to the conduct, operation and administration of area vocational-technical schools. Nothing in this act shall be construed to authorize the establishment or operation of any area vocational-technical school not specifically designated in this subsection. Unless approved by the state board of education, no area vocational-technical school shall construct or reconstruct or acquire any building or land until this provision is amended or repealed from the law. Nothing in this act shall be deemed to prevent any board from entering into an agreement for participation in the operation of any area vocational-technical school designated in this subsection; nor shall any board which is now or hereafter a participant in the operation of such an area vocational-technical school be prevented by the provisions of this act from withdrawing therefrom in the absence of a written agreement to the contrary.

(d) "School district" means any school district organized under the laws of this state.

(e) "Community college" means any community college organized and operating under the laws of this state.

(f) "Municipal university" means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.

(g) "State educational institution" has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.

(h) "State board" means the state board of education.

(i) "School year" means the twelve-month period ending on June 30.

(j) "Vocational education" means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work and remedial or related academic and technical instruction incident thereto) under public supervision and control or under contract with the state board or a board or board of control and is conducted as part of a program designed to prepare individuals for gainful employment as semi-skilled or skilled workers or technicians or subprofessionals in recognized occupations and in new and emerging occupations or to prepare individuals for enrollment in advanced technical education programs, but excluding any program to prepare individuals for employment in occupations which the United States commissioner of education determines, and specifies by regulation, to be generally considered professional or which requires a baccalaureate or higher degree; and such term includes vocational guidance and counseling (individually or through group instruction) in connection with such training or for the purpose of facilitating occupational choices; instruction related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training; job placement; the training of persons engaged as, or preparing to become, teachers in a vocational program or preparing such teachers to meet special education needs of exceptional students; teachers, supervisors, or directors of such teachers while in such a training program; travel of students and vocational education personnel while engaged in a training program; and the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment.

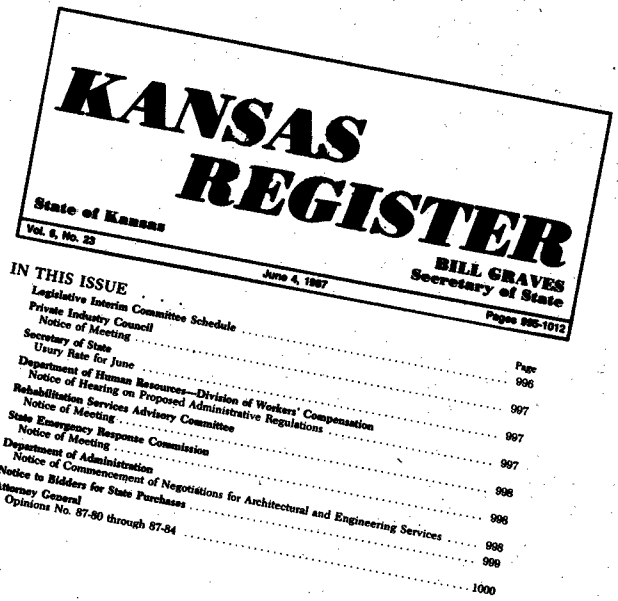
(k) "State plan" means a document or set of documents, together with attachments and supplements thereto, containing such provisions as are authorized by this act and required by the Carl Perkins vocational education act of 1984, and acts amendatory thereof or supplemental thereto.

Sec. 3. K.S.A. 71-201 and K.S.A. 1989 Supp. 72-4412 are hereby repealed.

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

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