

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

Vol. 9, No. 23

June 7, 1990

Pages 883-932

IN THIS ISSUE . . .

	Page
Attorney General	
Opinions No. 90-59 through 90-62	884
State Fair Board	
Notice of Meeting	885
State Board of Mortuary Arts	
Notice of Meeting	885
Department of Administration	
Notice of Commencement of Negotiations for Architectural Services	885
Kansas Arts Commission	
Notice of Deadline for Proposals for the Kansas Touring Program	885
Notice of Meeting	885
Notice of Design Arts/Capital Aid Grant Program	886
State Banking Board	
Notice of Meeting	886
Legislative Interim Committee Schedule	886
Department of Health and Environment	
Notices Concerning Kansas Water Pollution Control Permits	886, 888
Notices Concerning Proposed Permit Action	888, 889
Social and Rehabilitation Services	
Request for Proposals	888
Department of Transportation	
Public Notice	889
Notice of Public Auction	890
Notice to Contractors	890
Secretary of State	
Usury Rate for June	890
Notice to Bidders for State Purchases	891
Executive Appointments	892
State Board of Agriculture—Division of Water Resources	
Notice of Hearing on Proposed Administrative Regulations	892
Notice of Bond Redemption	
Shawnee County	893
City of Dodge City	893
Permanent Administrative Regulations	
Consumer Credit Commissioner	893
State Corporation Commission	894
Wildlife and Parks Commission	
Notice of Meeting and Hearing on Proposed Administrative Regulations	910
State Corporation Commission	
Notice of Motor Carrier Hearings	912
New State Laws	
Senate Bill 653, concerning certain claims against the state	914
Governor's line-item veto message	917
House Substitute for Senate Bill 793, making and concerning appropriations	917
Governor's line-item veto message	926
Index to Administrative Regulations	927

State of Kansas

Attorney General

Opinion No. 90-59

Cities of the First Class—Board of Commissioners—Filling Vacancies in the Office of Mayor or Commissioner. Senator Phil Martin, 13th District, Pittsburg, May 25, 1990.

Under the common law general rule, it is against public policy for an officer to use his official appointing power to place himself in office, and all officers who have the appointing power are disqualified for appointment to the offices to which they may appoint. In our judgment, this rule applies to filling vacancies in the office of mayor or commissioner under K.S.A. 1989 Supp. 13-1806, and remaining members of the board of commissioners are not eligible for appointment to a vacant commission seat. Additionally, a remaining member does not become eligible for appointment to a vacant commission seat by resigning the position he currently holds on the board of commissioners. Cited herein: K.S.A. 1989 Supp. 13-1806. TRH

Opinion No. 90-60

Roads and Bridges; Roads—General Provisions; Laying Out and Opening Roads—Opening and Repair of Road by Township. Logan Township Board, c/o Ronnie Graham, Trustee, Atlanta, May 29, 1990.

A township has the exclusive responsibility to maintain township roads and ditches. Liability for injury caused by failure to maintain township roads and ditches rests on the township. An abutting landowner who obstructs the township from performing its duty to maintain township roads and ditches may be prosecuted. No property of value of the abutting landowner may be taken by the township without compensation. Cited herein: K.S.A. 19-212; 68-106; 68-115; 68-502; 68-526. CN

Opinion No. 90-61

Taxation—Mortgage Registration and Intangibles; Mortgage Registration—Amount of Fee Based on Amount of Debt Secured. Lewis A. Heaven, Jr., Special Counsel for Johnson County Register of Deeds, Merriam, May 29, 1990.

The mortgage registration fee to be collected upon the filing of a mortgage is based on the amount of principal debt or obligation secured by the mortgage and is not affected by the value of the property constituting the security. Determination of the amount any given mortgage secures must be made on a case-by-case basis, construing the mortgage and underlying note to determine the intent of the parties. A mortgage given to secure repayment of a \$100,000 indebtedness, and which will not be released until the entire \$100,000 is repaid and other conditions met, secures the entire \$100,000 even though it contains a statement to the contrary. Mortgage registration fees should therefore be assessed based on the \$100,000 debt. Cited herein: K.S.A. 79-3102. JLM

Opinion No. 90-62

Automobiles and Other Vehicles—Licensure of Vehicle Sales and Manufacture—Denial, Suspension or Revocation of License; Grounds; Chain of Title. Mark A. Burghart, General Counsel, Kansas Department of Revenue, Topeka, May 30, 1990.

Vehicle brokers should not appear in the chain of title of a vehicle unless the broker has or claims a legal interest in the vehicle. Cited herein: K.S.A. 1989 Supp. 8-135; 8-2401; 8-2408; 8-1410. JLM

Robert T. Stephan
Attorney General

Doc. No. 009339

The *Kansas Register* (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.15 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

© Kansas Secretary of State 1990. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will be meeting by conference call originating from the State Fair Administration Office in Hutchinson at 7:30 a.m. Wednesday, June 13. For further information, contact Deana Novak at (316) 662-6611.

Deana K. Novak
Administrative Officer

Doc. No. 009337

State of Kansas

Board of Mortuary Arts

Notice of Meeting

The Kansas State Board of Mortuary Arts will meet at 9 a.m. Thursday, July 12, and Friday, July 13, at the Holidome, 200 McDonald Road, Lawrence. Friday's meeting will begin with the administering of examinations.

Douglas "Mack" Smith
Executive Secretary

Doc. No. 009326

State of Kansas

Kansas Arts Commission

Notice of Deadline for Proposals
for the Kansas Touring Program

All interested groups and individuals are advised that the Kansas Arts Commission is accepting proposals from Kansas performing artists interested in being considered for addition to the Kansas Touring Program roster for a three-year period beginning in 1991.

The commission will accept proposals from solo artists, groups and ensembles in such performance areas as classical, folk, jazz and bluegrass music, theater for children and adults, storytelling, folk and modern dance, and mime.

All proposals must be received in the commission office by August 1. Late submissions will not be accepted.

The artist-applicants are evaluated by expert panelists for possible addition to the roster. The panelists base their recommendations to the commission upon the artists' professionalism and performance skill.

The roster is published annually and made available to presenters, who may apply for up to 50 percent of the fees charged by the artists listed. Besides performances, many of the artists listed also are available, for additional fees, to conduct residencies, workshops and master classes.

Requests for information about the Kansas Touring Program should be directed to the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen
Executive Director

Doc. No. 009348

State of Kansas

Department of Administration

Division of Architectural Services

Notice of Commencement
of Negotiations
for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the renovation of the cardiothoracic ICU at the University of Kansas Medical Center, Kansas City.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before June 22. An SF 255 form should be submitted with letters of interest.

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

Doc. No. 009327

State of Kansas

Kansas Arts Commission

Notice of Meeting

The Kansas Arts Commission will conduct a public meeting for the purpose of reviewing and discussing the Kansas Arts in Education (AIE) Program and its guidelines. The meeting is scheduled for Friday, June 29, from 10 a.m. until noon in the auditorium of the Kansas State Historical Society, 10th and Jackson, Topeka.

A questionnaire has been distributed to past grant recipients and advisory panelists for their evaluations of the fiscal year 1990 program.

Artists interested in being evaluated for possible residencies have until February 1 each year to apply, and schools and non-profit cultural organizations interested in sponsoring an artist-in-residence have until March 1 to apply.

Advisory panels review the artist-applicants and the residency proposals submitted by the sponsors. Each May, the commission awards grants to help support residencies ranging from two weeks to three years of nine months each.

The revised guidelines for fiscal year 1992 will be on the agenda for adoption by the commission during its quarterly meeting in September. The formal guidelines will be printed for distribution, and their availability and the deadlines will be publicized.

Persons unable to attend the meeting may submit written statements and suggestions before the meeting. Comments and inquiries may be directed to the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603.

Dorothy L. Ilgen
Executive Director

Doc. No. 009347

State of Kansas

Kansas Arts Commission

Notice of Design Arts/Capital Aid
Grant Program

Applications are being accepted for design arts planning grants and capital aid grants from the Design Arts/Capital Aid Program for fiscal year 1991.

All applications must be received in the Kansas Arts Commission office by August 16. Late applications will not be accepted. The applications will be evaluated by an advisory panel, and the grants will be awarded by the commission in September.

The Design Arts/Capital Aid Program encourages arts organizations and community leaders to work together to assess their arts needs, integrate design of cultural facilities into the community planning process, and strengthen the arts industry, thereby providing communities with economic revitalization capabilities.

These grants assist with planning to develop or improve a cultural facility, to conduct a needs assessment, to secure professional service for a feasibility study, or to secure professional or administrative services for preparation of a programming plan for a facility.

Design arts planning grants in amounts of up to \$5,000 are available for planning activities that take place during the fiscal year. The applicant must provide a 1:1 cash match.

Capital aid grants of up to \$25,000 are available to assist with the acquisition of buildings or real property, renovation of a facility, and purchase of equipment related to arts programs. The applicant must provide a 2:1 cash match.

Revenue shown as match on any other Kansas Arts Commission grant is not eligible match for Design Arts/Capital Aid Program grants.

An eligible applicant must be a not-for-profit, tax-exempt organization or public agency. Not-for-profit organizations must be incorporated in the state of Kansas and must have applied for tax-exempt status with the federal Internal Revenue Service.

Programs of the Kansas Arts Commission, a state agency, are funded through appropriations from the Kansas Legislature and grants from the National Endowment for the Arts, a federal agency. State funding of this program includes Economic Development Initiative Funds, revenue from the Kansas Lottery.

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

Dorothy L. Ilgen
Executive Director

Doc. No. 009346

State of Kansas

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9:30 a.m. Friday, June 29, in the conference room of the State Banking Department, 700 S.W. Jackson, Suite 300, 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. 009341

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 11 through June 24:

Date	Room	Time	Committee	Agenda
June 14	514-S	10:00 a.m.	Joint Committee on	Agenda
June 15	514-S	9:00 a.m.	Administrative Rules and Regulations	unavailable.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 009328

State of Kansas

Department of Health
and EnvironmentNotice 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
DeKalb Swine Breeders, Inc. P.O. Box 429 Plains, KS 67869	E 1/2 Section 28, Township 33S, Range 30W, Meade County, Kansas	Cimarron River Basin

Federal Permit No: KS-0079375 Kansas Permit No: A-CIME-H001

The existing facility has the capacity for approximately 36,000 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Henry's LTD Roy Henry Route 1, P.O. Box 26 Longford, KS 67458	NW 1/4 Section 8, SE 1/4 Section 5, Township 10S, Range 2E, Clay County, Kansas	Smoky Hill River Basin

Federal Permit No: KS-0017401 Kansas Permit No: A-SHCY-H001
The proposed expanded facility will have capacity for approximately 5,350 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Hilary Kessler and Kenton Harkness DBA N-K Lamb Feeders Route 2, Box 173 Scott City, KS 67871	SW 1/4 Section 8, Township 20S, Range 32W, Scott County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0086959 Kansas Permit No: A-UASC-L001
The feedlot has capacity for approximately 5,000 sheep and a contributing drainage area of approximately 10 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 3.5 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Lazy E H Cattle Feeders, Inc. Route 2, Box 150 Liberal, KS 67901	N 1/2 Section 5, Township 35S, Range 32W, Seward County, Kansas	Cimarron River Basin

Federal Permit No: KS-0040657 Kansas Permit No: A-CISW-C001
The feedlot has capacity for approximately 15,000 cattle with expansion planned for an additional 12,900 cattle and a contributing drainage area of approximately 200 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 69.7 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
LOBO Cattle Co. 8220 East Highway 50 Garden City, KS 67846	NE, NW and SW 1/4's Section 20, Township 24S, Range 31W, Finney County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0055069 Kansas Permit No: A-UAFI-C004
The feedlot has capacity for approximately 28,000 cattle with expansion planned for an additional 7,000 cattle and a contributing drainage area of approximately 185 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 63 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Old Santa Fe Feeders, Inc. Box 638 Sublette, KS 67877	E 1/2 Section 36, Township 28S, Range 33W, Haskell County, Kansas	Cimarron River Basin

Federal Permit No: KS-0115291 Kansas Permit No: A-CIHS-C004
The feedlot has capacity for approximately 20,000 cattle with expansion planned for an additional 10,000 cattle and a contributing drainage area of approximately 240 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 84 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Sagebrush Feeders, Inc. Box 137 Ingalls, KS 67853	W 1/2, NE 1/4 Section 10, Township 26S, Range 29W, Gray County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0086941 Kansas Permit No: A-UAGY-C009
The feedlot has capacity for approximately 5,000 cattle and a contributing drainage area of approximately 20 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 6.75 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Charles Zortman Valley Cattle and Fowler Feeders Route 1, Box 102 Fowler, KS 67844	S 1/2 Section 27, Township 30S, Range 27W, Meade County, Kansas	Cimarron River Basin

Federal Permit No: KS-0086142 Kansas Permit No: A-CIME-C003
The feedlot has capacity for approximately 10,000 cattle with expansion planned for an additional 5,000 cattle and a contributing drainage area of approximately 66 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 23.75 acre-feet.

Compliance Schedule: None, existing control adequate.

Written comments on the proposed NPDES permits may be submitted to Angela Buie, Bureau of Environmental Quality, Kansas Department of Health and Environment, Forbes Field, Topeka 66620-0001. All comments received prior to July 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-40/47) and name of applicant as listed when preparing comments.

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

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

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009343

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permit

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

Name and Address of Applicant	Waterway	Type of Discharge
Blue Township Sewer District c/o Pottawatomie County Commissioners Pottawatomie County Courthouse Westmoreland, KS 66549 Pottawatomie County, Kansas Kansas Permit No. M-KS75-0002	Kansas River	Secondary Wastewater Treatment Facility
	Fed. Permit No. KS-0086673	

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

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to July 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-35) and the name of applicant as listed when preparing comments.

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

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

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009342

State of Kansas

Social and Rehabilitation Services

Request for Proposals

Kansas Rehabilitation Services (KRS) is seeking proposals for establishment grants for new or expanded community based programs that provide direct vocational rehabilitation services to persons with disabilities. Proposed projects are to be designed to meet current and future needs of Kansans challenged by disabilities to prepare for and engage in competitive employment.

A total of \$400,000 in grant funding is available with a maximum award not to exceed \$100,000 per project. Decreasing funding for the second and third years is dependent upon availability of funds and success of the first year project as measured by attainment of project goals. A 20 percent cash match will be required of the grantees. The closing date for receipt of proposals is July 13.

To obtain a request for proposal and grant application packet please contact Marnie Brown at (913) 296-3911 or TDD (913) 296-7029.

Gabriel R. Faimon
Commissioner of Rehabilitation Services

Doc. No. 009349

State of Kansas

Department of Health
and EnvironmentNotice Concerning Proposed
Permit Action

The Secretary of the Kansas Department of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Hugoton Gathering Co. (HGC), Liberal, to install and operate a gas compressor station at Section 2, T33S, R39W, Stevens County.

Written materials, including the permit application and information relating to the application submitted by HGC, 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 July 6 by contacting Wayne Neese, KDHE, 302 W. McArtor Road, Dodge City 67801, (316) 225-0596. Questions concerning this material should be directed to L. C. Hinthner, KDHE, (913) 296-1576.

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 for hearing 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 July 6.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009324

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 Benson Mineral Group, Inc. (BMG), Golden, Colorado, to install and operate a gas compressor station at Section 14, T21S, R21W, Hodgeman County.

Written materials, including the permit application and information relating to the application submitted by BMG, 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 July 6 by contacting Wayne Neese, KDHE, 302 W. McArtor Road, Dodge City, (316) 225-0596. Questions concerning this proposed permit should be directed to L. C. Hinther, KDHE, Forbes Field, Topeka, (913) 296-1576.

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 for hearing 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 July 6.

Stanley C. Grant Secretary of Health and Environment

Doc. No. 009338

State of Kansas

Department of Transportation

Public Notice

Notice is hereby given of the opportunity for public comments and/or a public hearing for the purpose of considering a project for which financial assistance is being sought for a Section 3 Discretionary Grant by the Kansas Department of Transportation from the Urban Mass Transportation Act of 1964, as amended, generally described as follows:

(1) Replacement of approximately twenty-six (26) Section 18 vehicles that provide transportation for the elderly, handicapped and the general public.

(2) Project area is the six Kansas Department of Transportation Highway Districts.

District 1 Counties Marshall Nemaha Brown

District 2 Counties Jewell Mitchell Lincoln

District 3 Counties Cheyenne Sherman Wallace

Doniphan Pottawatomie Jackson Riley Atchison Jefferson Leavenworth Wabaunsee Douglas Lyon Osage + Approx. 1 Vehicle

District 4 Counties Greenwood Elk Chautauqua Montgomery Wilson Woodson Coffey Franklin Anderson Allen Neosho Labette Cherokee Crawford Bourbon Linn Miami + Approx. 4 Vehicles

Ellsworth Republic Cloud Ottawa Saline McPherson Washington Clay Dickinson Marion Geary Morris Chase + Approx. 7 Vehicles

District 5 Counties Rush Pawnee Edwards Kiowa Comanche Barber Pratt Stafford Barton Rice Reno Kingman Harper Sumner Harvey Butler Cowley + Approx. 11 Vehicles

Logan Thomas Rawlins Decatur Sheridan Gove Trego Graham Norton Ellis Rooks Phillips Smith Osborne Russell + Approx. 2 Vehicles District 6 Counties Greeley Hamilton Stanton Morton Stevens Grant Kearny Wichita Scott Finney Haskell Seward Meade Gray Lane Ness Hodgeman Ford Clark + Approx. 1 Vehicle

(3) Estimated cost of the project is \$642,857, with \$450,000 provided by federal funding and \$192,857 provided by the local grantees eligible for a replacement vehicle.

Any person desiring a public hearing on this matter must make their request known in writing to the Kansas Department of Transportation, Office of Public Transportation, Thacher Building, 217 S.E. 4th, Topeka 66603-3501, on or before the close of business June 15. Written comments should be submitted to the same address on or before the close of business June 15. Questions regarding this project may be directed to James Van Sickle, program manager, (913) 296-0343.

Horace B. Edwards Secretary of Transportation

Doc. No. 009220

State of Kansas
 Department of Transportation
 Notice of Public Auction

At Site

Between Highway K-14 and Lawrence Ave., Anthony, at 10 a.m. Thursday, July 12.

The Secretary of Transportation of the State of Kansas will offer for sale at public auction the following tract of land and former port of entry building 12' x 16' x 8' located in Harper County, Kansas, described as follows:

A tract of land in the South Half (S 1/2) of Lot Eleven (11), and all of Lots Twelve (12), Thirteen (13), Fourteen (14), Twenty-one (21), Twenty-two (22), and Twenty-three (23), and the South Half (S 1/2) of Lot Twenty-four (24), in Block One (1), in Gray's Addition to the city of Anthony, as shown by the recorded plat thereof, subject to any and all existing easements of record. The above parcel is 175' x 388', and contains 67,900 square feet, more or less and a 12' x 16' building that was originally used as a port of entry. The building will be open for inspection one-half hour before sale.

Terms of the Sale

Money order, certified or cashier's check for full price. Make check payable to Secretary of Transportation. Purchaser will receive a quitclaim deed only.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Option

Money order, certified or cashier's check for 10 percent of the purchase price the day of the sale. The balance of the purchase price will be paid by money order, certified or cashier's check on or before August 12. If the balance is paid on or before said date, a quitclaim deed will be given to the successful bidder. If the balance of the purchase price is not paid on or before said date, the 10 percent down payment will be forfeited to the seller. Make checks payable to Secretary of Transportation.

The seller reserves the right to reject any and all bids. For additional information, contact Beverly Lee or Pamela Wolf, Bureau of Right of Way, Kansas Department of Transportation, (913) 296-3501.

Horace B. Edwards
 Secretary of Transportation

Doc. No. 009350

State of Kansas
 Secretary of State
 Usury Rate for June

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1990, through June 30, 1990, is 11.78 percent.

Bill Graves
 Secretary of State

Doc. No. 009334

State of Kansas
 Department of Transportation
 Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas county 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. June 21, 1990, and then publicly opened:

District Three—Northwest

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)

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 project 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. 009315

State of Kansas
 Department of Administration
 Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed 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, June 18, 1990

27532 (Supp)

Kansas State University and Division of Printing—
 Envelopes—unprinted

28022

University of Kansas Medical Center—Photographic
 supplies

28249

Various agencies—Intrastate delivery of library
 materials

84188

Department of Transportation—Surveying equipment,
 Norton

84211

Kansas State University—Agricultural equipment,
 Manhattan and Parsons

Tuesday, June 19, 1990

A-6281

Kansas Highway Patrol—Metal storage building,
 Salina

A-6419

Department of Administration—Renovation of first
 floor restrooms, Statehouse

27458

Statewide—Linens

27829

Department of Social and Rehabilitation Services—
 Refuse collection services

84194

Department of Transportation—Wood posts, Garden
 City

84251

Kansas State University—Furnish and install fiber
 optic cable

84257

Emporia State University—Dining furniture

Wednesday, June 20, 1990

A-6418

University of Kansas—Multipurpose room renovation,
 Burge Memorial Union

84323

Wichita State University—DEC vaxstation and X
 windows terminal

Thursday, June 21, 1990

A-6407

Department of Administration—Statehouse stone
 restoration, north and south porticos

A-6422

Emporia State University—Road and parking lot
 improvements

28261

Board of Regents' educational institutions—Laptop
 computers

84271

Kansas Bureau of Investigation—Forensic image
 system

84288

Kansas State University—Color imaging workstation

Friday, June 22, 1990

A-6391

Kansas Correctional Institute at Lansing—Reroof
 Phillips Hall

84210

Department of Transportation—Intergraph or
 equivalent components

84298

Kansas State Fair—Asphalt paving and repair

84299

Wichita State University—Furnish all labor and
 materials to resurface flooring, Haskett Center

84300

Kansas Bureau of Investigation—Optical disk
 cartridges

84310

Kansas Public Employees Retirement System—
 Microfilm camera

84311

Kansas State University—Floor covering, Union
 Station

84314

Department of Corrections—Steel shelving

84334

Department of Social and Rehabilitation Services—
 Mop yarn

84344

Emporia State University, Kansas State University
 and Kansas College of Technology—Video and audio-
 visual systems

Tuesday, June 26, 1990

A-6203 (Rev)

Larned State Hospital—Replace floor finish, Jung
 Building

A-6318

Department of Wildlife and Parks—Pratt Museum
 renovation

Tuesday, July 10, 1990

27246

Statewide—Dressing and patient care items (Class 02)

Nicholas B. Roach
 Director of Purchases

Doc. No. 009340

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 May 29-June 1:

Doniphan County Clerk

Beverly A. Schoenfelder, 321 E. Myrtle, Box 452, Troy 66087. Term expires when a successor is elected and qualifies according to law. Succeeds Wilma Williams, resigned.

Mitchell County Register of Deeds

Susanne Gasper, 701 N. Mill, Beloit 67420. Term expires when a successor is elected and qualifies according to law. Succeeds Vivian Krone, deceased.

Office of the Governor

Richard L. Epp, Press Secretary to the Governor, 2nd Floor, State Capitol, Topeka 66612. Serves at the pleasure of the Governor.

Kansas State Holocaust Commission

Esther Levens, 8601 Delmar Lane, Prairie Village 66207. Serves at the pleasure of the Governor. Succeeds Evelyn Wasserstrom, deceased.

State Board of Indigents' Defense Services

Hilma Ungeheuer, Route 1, Box 116, Centerville 66014. Subject to Senate confirmation. Term expires July 1, 1992. Succeeds John Ivy.

Northwest Kansas Regional Library System

Phoebie Stutheit, Route 1, Norton 67654. Term expires July 31, 1993. Succeeds Fran Williams, resigned.

Advisory Committee on Podiatry

Irwin Waxman, 4905 W. 90th, Prairie Village 66207. Term expires August 31, 1992. Succeeds Lawrence Krause, deceased.

Department of Social and Rehabilitation Services

Dennis R. Taylor, Acting Secretary, 3333 Randolph, Topeka 66611. Effective June 18, 1990. Subject to Senate confirmation. Serves at the pleasure of the Governor. Succeeds Winston Barton, resigned.

Bill Graves
Secretary of State

State of Kansas

Board of Agriculture

Division of Water Resources

Notice of Hearing
on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, July 11, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed changes in two existing rules and regulations of the Division of Water Resources and the adoption of a new regulation.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th, Suite 202, Topeka 66612-1283. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows.

5-1-1. Definitions. Adds definitions of hydraulic dredging and contamination remediation. Such uses will no longer be included in the category of industrial use. The definitions of diversion works, household purposes, industrial use, irrigation use and municipal use also have been amended. A definition of dewatering has been added. Because this regulation will remove hydraulic dredging and contamination remediation uses of water from the industrial use category of water, these categories of use will no longer be assessed by the Department of Revenue a water protection fee of three cents per 1,000 gallons of water used, thus reducing those fees by about \$75,000 each year. There are no other fiscal effects on other governmental units or private citizens.

5-5-7. A regulation prohibiting waste of water has been added. There should be no fiscal impact on state agencies, other governmental units or private citizens because this regulation merely formalizes an existing administrative policy of the chief engineer.

5-9-3. The regulation will be amended to remove the 1,000,000 gallon limit from temporary permits if the purpose of the use will be dewatering. This will allow contractors to file for temporary permits for dewatering. The processing time will be expedited and a flat application fee of \$100 will be required, instead of the sliding scale fees now required by K.S.A. 82a-708a.

Copies of the regulations and their economic impact statements may be obtained from the Division of Water Resources, (913-296-4623).

Sam Brownback
Secretary of Agriculture

Doc. No. 009331

(Published in the *Kansas Register*, June 7, 1990.)

**Notice of Redemption
Shawnee County, Kansas
Single Family
Mortgage Revenue Bonds
1981 Series A**

Notice is hereby given that \$445,000 principal amount of bonds, as listed below, are called for redemption on July 1, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the 9.75 percent option bonds due July 1, 2013, to be redeemed July 1, 1990, are as follows:

Serial Bonds

196; 245; 560; 561; 565; 566; 572; 573; 576; 577; 578; 579; 582; 583; 585; 586; 588; 589; 596; 597; 598; 921; 1094; 1113; 1139; 1496; 1519; 1712; 1747; 1797; 2159; 2220; 2285; 2325; 2382; 2822; 2881; 3010; 3071; 3091; 3453; 3471; 3495; 3563; 3646; 3888; 3956; 4049; 4118; 4971; 4974; 4975

Registered bond numbers are as follows:

R117; R171; R172; R180; R115

Cusip #820624AYO

Option bonds tendered are included in this call. Registered bonds are to be presented to Merchants National Bank of Topeka only.

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

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

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following addresses:

By Mail

The Merchants National Bank of Topeka
Attn: Corporate Trust
P.O. Box 178
Topeka, KS 66601-0178

CITICORP, NAIB
Receive and Deliver Department
20 Exchange Place 17th Floor
P.O. Box 1154
Wall Street Station
New York, NY 10268

By Hand

CITICORP, NAIB
Municipal Securities Processing
65 Beaver Street, 17th Floor
New York, NY 10005

Shawnee County, Kansas

Doc. No. 009333

(Published in the *Kansas Register*, June 7, 1990.)

**Notice of Redemption
City of Dodge City, Kansas
Industrial Revenue Bonds
Series 1 of 1984
(Hyplains Dressed Beef Project)**

Notice is hereby given that \$275,000 principal amount of bonds, as listed below, are called for redemption on July 1, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

Registered Bonds

R161; R164; R186; R187; R188; R172; R174; R177; R180; R190; R191; R194; R195; R196; R202; RR192; RR193; R182; R116; R158; R203; R88

Cusip #256335DQO

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

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

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following address: The Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601-0178.

City of Dodge City, Kansas

Doc. No. 009332

State of Kansas

Consumer Credit Commissioner

**Permanent Administrative
Regulations**

**Article 6.—UNIFORM CONSUMER
CREDIT CODE**

75-6-24. Adjustment in dollar amounts. (a) The dollar amounts of \$300 and \$1,000 in K.S.A. 16a-2-401(2) and any amendments thereto shall be changed to \$690 and \$2,300.

(b) This regulation shall be effective on and after July 1, 1990. (Authorized by and implementing K.S.A. 16a-2-401a; effective, E-79-9, April 20, 1978; effective May 1, 1979; amended, E-81-15, June 25, 1980; amended May 1, 1981; amended, T-83-16, July 1, 1982; amended May 1, 1983; amended, T-85-18, July 1, 1984; amended May 1, 1985; amended, T-87-14, June 6, 1986; amended May 1, 1987; amended, T-89-22, May 27, 1988; amended Oct. 1, 1988; amended July 23, 1990.)

Neil Arasmith
Consumer Credit Commissioner

Doc. No. 009330

State of Kansas
State Corporation Commission
Permanent Administrative
Regulations

**Article 8.—SITING OF ELECTRIC
GENERATION FACILITIES**

82-8-100. Definitions. The following terms shall have the meaning set out below when applied to these regulations.

(a) "Commission" means the state corporation commission of Kansas.

(b) "Inductive coordination" means the location, design, construction, operation and maintenance of electric and communication systems methods which will prevent inductive interference.

(c) "Inductive interference" means an effect due to the inductive influence of an electric system, the inductive susceptiveness of a communication system, and the inductive coupling between the two systems of such character and magnitude as to prevent the communication system from rendering satisfactory and economical service.

(d) "Inductive susceptiveness" means those characteristics of a communication circuit with its associated apparatus which determine the extent to which its operation may be affected by inductive influence.

(e) "Metallic circuit" means a two or more wire circuit that is multigrounded.

(f) "Overbuilding" means construction of one supply line above another supply line.

(g) "Supply line" means any overhead or underground transmission or distribution line for either telecommunication or electric energy transfer.

(h) "Underbuilding" means construction of one supply line under another supply line.

(i) "Utility" means organizations, individuals or others whose supply line construction comes under the jurisdiction of the commission as provided in K.S.A. 66-104. (Authorized by and implementing K.S.A. 66-183; effective May 1, 1983; amended July 23, 1990.)

82-8-101. Adoption by reference of the national electrical safety code, or n.e.s.c., 1990 edition. The standard entitled the "national electrical safety code," or n.e.s.c., of the American national standards institute, inc., 1990 edition, ansi C2-1990, approved June 26, 1989, and published by the institute of electrical and electronic engineers, inc., is adopted by reference except for the portion of table 232-1, which provides standards for minimum vertical clearance of wires, conductors, and cables over railroad tracks. These minimum clearance standards are set out in K.S.A. 66-183 and K.S.A. 66-320. Copies of n.e.s.c. are available from the institute of electrical and electronic engineers, inc. (Authorized by and implementing K.S.A. 66-183; effective May 1, 1983; amended May 1, 1985; amended July 23, 1990.)

82-8-108. Requirements for the installation of warning buoys and warning spheres installed in connection

with electric lines crossing water areas suitable for sailboating.

(a) Each electric utility in Kansas that maintains electric lines over water areas, other than rivers, streams and creeks, which are suitable for sailboating, or other water sports, shall place warning buoys in the water under electric lines and warning spheres on the electric lines, where they cross water.

(b) A waiver, as deemed appropriate, of the sphere and buoy requirement may be granted by the commission for good cause upon application by the utility. Applications for waivers may be submitted by each electric utility at the same time it supplies the information required by paragraph (c). Each application for waiver shall specify the reasons for the requested waiver and assess the safety implications of the commission's waiver of the buoy and sphere requirement.

(c) Each electric utility shall provide an annual report to the commission indicating the number and type of electric lines which cross water areas suitable for sailboating or other water sports and report the following facts about each line, unless previously reported:

(1) Name and location of each electric line that crosses water areas, other than rivers, streams or creeks, that are suitable for sailboating or other water sports;

(2) length and primary voltage of the electric line crossing the water area;

(3) approximate clearance height of the electric line above water, at its lowest point, using the design high water level;

(4) number of spheres and buoys installed under and on each line; and

(5) the date of the installation of the spheres and buoys.

(d) The placement of warning buoys and warning spheres is the minimum level of safety which shall be provided. Each utility may, at its option, provide a greater level of protection for the general public by relocating the electric line or taking other equivalent measures. (Authorized by and implementing K.S.A. 66-183; effective July 23, 1990.)

Judith McConnell
Executive Director

Doc. No. 009325

State of Kansas
State Corporation Commission
Permanent Administrative
Regulations

**Article 1.—RULES OF PRACTICE
AND PROCEDURE**

82-1-201. Title and prefatory matters. These rules shall be known as the rules of practice and procedure of the state corporation commission of Kansas.

(a) The effective date of these rules shall be upon publication.

(b) These rules have been revised to conform to the Kansas administrative procedures act, K.S.A. 77-501, et seq.

(c) As to proceedings commenced after publication,

these rules shall apply, except by order prescribed by the commission in its discretion providing for the proceeding to continue in whole or in part in the manner prescribed by the former rules if they would expedite the just and efficient disposition of the pending proceeding.

(d) These rules have been renumbered for convenient reference.

(e) Statutory authorizations for these rules are cited after each rule. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-202. Scope and purpose. (a) These rules shall govern the practice and procedure in all proceedings before the state corporation commission, or any commissioner, examiner, presiding officer, attorney, or employee of the commission, under the public utilities act, the motor carrier act, the natural gas policy act, the oil and gas conservation act, the energy conservation policy act, and any other act administered by the state corporation commission, to the extent these rules are not in conflict with these acts. Unless otherwise required by law, the requirements of these rules may be waived by the commission upon a showing of good cause and when it is in the public interest to do so.

(b) These rules assist the commission in defining the public interest as it serves the residents of Kansas. Upon request, any person having business before the commission may receive all reasonable and proper assistance from personnel of the commission, including advice as to the form of any application, complaint, motion, answer or other paper necessary to be filed in any proceeding before the commission and the furnishing of any blank forms or other information from its records relating thereto. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1987; amended July 23, 1990.)

82-1-204. Definitions. As used in these rules: (a) "Commission" and "commissioner" mean the state corporation commission of Kansas, and a member thereof, respectively.

(b) "Presiding officer" means the chairperson of the commission or the commissioner or other person appointed by the commission who is actively conducting the hearing.

(c) "Attorney" means and shall include any licensed attorney currently admitted to practice before the supreme court of the state of Kansas or any attorney at law authorized to enter an appearance under K.A.R. 82-1-228.

(d) "Party" means any individual, partnership, corporation, association or other person who is an applicant, complainant, petitioner, defendant, intervenor, protestant, respondent or other person as defined by K.S.A. 77-502(f).

(e) "Applicant" means any party on whose behalf an application for authority or permission, which the commission is authorized by law to grant or deny, is made.

(f) "Complainant" means any person who complains to the commission of:

(1) anything done or failed to be done in contravention or violation of:

(A) the provisions of any statute or other delegated authority administered by the commission; or

(B) of any orders, rules, or regulations issued or promulgated by the commission thereunder; or

(2) of any other alleged wrong over which the commission may have jurisdiction.

(g) "Petitioner" means any person seeking relief who is not otherwise designated under these rules.

(h) "Defendant" means any person:

(1) who is subject to any statute or other delegated authority administered by the commission, or any order, rule or regulation issued or promulgated by the commission; and

(2) against whom any complaint is filed.

(i) "Intervenor" means any person petitioning to intervene as provided by K.A.R. 82-1-225, when admitted by the commission as a participant in any proceeding. Admission as an intervenor shall not be construed as recognition by the commission that the intervenor might be aggrieved by any order of the commission in the proceeding.

(j) "Protestant" means any person objecting on the ground of private or public interest to the approval of an application, petition, motion or other matter which the commission may have under consideration. Any person protesting the granting of any permit, certificate, extension, abandonment or transfer under the motor carrier act shall comply with the provisions of K.A.R. 82-4-65. Any person protesting the granting of any application or permit under the oil and gas conservation act shall comply with the provisions of K.A.R. 82-3-135(b). Any protestant desiring to become an intervenor in any other proceeding before the commission may file a petition for intervention as provided by K.A.R. 82-1-225. Admission of a party as a protestant shall not be construed as recognition by the commission that the party might be aggrieved by any order of the commission in the proceeding.

(k) "Respondent" means any person who is subject to any statute or other delegated authority administered by the commission, and to whom an order or notice is issued by the commission when it institutes a proceeding or investigation on its own initiative.

(l) "Staff counsel" means the general counsel of the commission, any assistant general counsel of the commission and any special counsel retained by the commission, participating in a proceeding before the commission.

(m) "Technical staff" means commission employees with technical expertise, any special assistants or consultants retained by the commission, but does not include staff counsel. Technical staff may conduct investigations and otherwise evaluate issues raised, and may testify and offer exhibits on behalf of the general public, but do not appear in support of, or in opposition to, any party in any cause.

(n) "The formal record" or "the record" shall include the following, when filed:

(1) All applications, complaints, petitions and other papers seeking commission action;

(2) All answers, replies, responses, objections, protests, motions, stipulations, exceptions, other pleadings, notices, depositions, certificates, proofs of service, transcripts of oral arguments, and briefs in any matter or proceeding;

(3) All exhibits, all attachments to exhibits, all append-

(continued)

ices to exhibits, amendments of exhibits, corrections of exhibits, supplements to exhibits, and all letters of transmittal or withdrawal of any items mentioned in this subparagraph;

(4) Any notice or commission order initiating the matter or proceeding;

(5) Any commission order designating a hearing examiner, attorney, or other employee, for any purpose;

(6) The official transcript of the hearing made and transcribed by the reporter;

(7) All exhibits received in evidence;

(8) All prefiled testimony or proposed exhibits offered but not received in evidence; however, any prefiled testimony or proposed exhibit which was not offered in evidence shall not be included in the record;

(9) All offers of proof; and

(10) All motions, stipulations, subpoenas, proofs of service, and anything else ordered by the commission or presiding officer to be made a part of the record.

(o) "Restricted mail" shall have the same meaning as set forth in K.S.A. 60-103.

(p) Classification of utilities for filing purposes.

(1) Electric and gas utilities:

(A) Class A - Annual operating revenues of \$1 million or more;

(B) Class B - Annual operating revenues less than \$1 million.

(2) Water utilities:

(A) Class A - Annual operating revenues of \$750,000 or more;

(B) Class B - Annual operating revenues less than \$750,000.

(3) Telephone utilities:

(A) Class A - Local exchange companies with 20,000 or more access lines and all interexchange companies and resellers;

(B) Class B - Local exchange companies with less than 20,000 access lines. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106, 74-606; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

82-1-205. Office hours. All offices of the state corporation commission shall be open to the public from 8:00 a.m. to 5:00 p.m. each day other than Saturday and Sunday, except as otherwise provided by law or by order of the governor. Meetings and exercise of powers may be held in any part of the state of Kansas by the Commission. Any inquiry, investigation or other proceeding necessary to the performance of the Commission's duties and functions may be conducted in any place in the state of Kansas and any person or persons may be designated or appointed by order to do so on behalf of and by the Commission. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-206. Communications. All written communications to the commission shall be addressed to the executive director of the commission at its Topeka office, unless otherwise specifically directed by the commission or any commissioner. Except as otherwise provided by K.A.R. 82-3-100, et seq., all pleadings, exhibits and other papers required to be filed with the commission shall be

filed in the office of the executive director of the commission at Topeka, Kansas, within the time limits provided by KAPA unless otherwise specified by these regulations or by order of the commission, for such filing. All communications and documents when so addressed or filed shall be deemed to be officially received by the commission when actually delivered at the office of the executive director of the commission. Provided, such communications or documents are accompanied by appropriate fees in cases where fees are required. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-207. Ex parte communications in non-KAPA proceedings. (a) (1) After the commission has determined and announced that a hearing should be held, and prior to the issuance of a final order, no parties to the proceeding, or their counsel, shall discuss the merits of the matter or proceeding with the commissioners or the presiding officer unless reasonable notice is given to all parties who have appeared to enable the parties to be present at the conference.

(2) After the commission has determined and announced that a hearing should be held, prior to the issuance of a final order, copies of any written communications regarding the proceeding that are directed to the commission, or any member of its staff, shall be mailed to all parties of record and proof of service shall be furnished to the commission.

(3) The person or persons to whom any ex parte communication has been made shall promptly and fully inform the full commission of the substance of the communication, and the circumstances thereof, to enable the commission to take appropriate action.

(b) For purposes of this regulation only, no member of the technical staff shall be considered a "party" to any proceeding before the commission, regardless of participation in staff investigations with respect to the proceeding or of participation in the proceeding as a witness. Since the purpose of the staff is to aid the commission in the proper discharge of commission duties, any staff member may be conferred with at any time by the commissioners. However, no facts that are outside the record, and that reasonably could be expected to influence the decision in any matter pending before the commission, shall be furnished to any commissioner unless all parties to the proceeding are likewise informed and afforded a reasonable opportunity to respond. The rule against ex parte communications shall apply to staff counsel only in regard to any adjudicative proceeding before the commission that may result in the imposition of fines or other sanctions.

(c) All letters and written communications that are received by the commission, or any commissioner, from interested parties and members of the general public, and that are in the nature of ex parte communications, shall be made a part of the file in the docket and shall be made available to all persons who desire to see them. The deposit of such written communications and letters in the file shall not make them a part of the official transcript of the case. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective

tive Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

82-1-214. Commencement of a proceeding. A proceeding is commenced either by the filing of an application, a complaint, a petition or an order of the commission initiating a proceeding on its own motion; except that an application filed by an investor owned utility for permission to make changes in its rates and tariffs shall not commence a proceeding under this section unless the commission shall have received written notification of the intent to file the application no less than 30 nor more than 90 days prior to the application filing date. A hearing, which may be part of a proceeding, commences when the commission or the presiding officer notifies a party that a prehearing conference or other stage of the hearing will be conducted. (Authorized by K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; implementing K.S.A. 1989 Supp. 55-605, K.S.A. 1989 Supp. 55-706, K.S.A. 66-110, 66-111, K.S.A. 1989 Supp. 66-117; effective Jan. 1, 1966; amended Feb. 15, 1977; amended, E-82-1, Jan. 21, 1981; amended May 1, 1981; amended May 1, 1986; amended July 23, 1990.)

82-1-215. Copies of pleadings and prefiled testimony. Except as otherwise provided in K.A.R. 82-1-231; K.A.R. 82-3-101 et seq.; and K.A.R. 82-4-27, 82-4-28, 82-4-29, 82-4-30 and 82-4-65, each party filing any application, complaint, prefiled testimony or other pleading shall file an original and seven copies for the commission and furnish an additional copy to the commission for each party who may be expected to participate in the proceeding. The filing of such additional copies as may be necessary may be required by the commission. Upon filing, the original shall be placed by the executive director of the commission in the official records of the commission and the duplicate copies shall be distributed as directed by the commission. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

82-1-216. Service of pleadings. (a) Manner of service of papers. Notices, motions, pleadings, or other papers may be hand delivered, or served by mail, by overnight courier, or by facsimile machine provided that the original of the facsimile document is also served.

(b) Who shall be served. All parties and attorneys who have entered their appearances in any proceeding shall be served with all notices, motions, pleadings, orders or other papers filed in said matter. Service upon an attorney of record shall be deemed to be service upon the party represented by such attorney.

(1) Service by commission. Orders, applications other than petitions for reconsideration, formal complaints to which a docket number has been assigned, petitions, notices, and supplemental complaints where such have been permitted by the commission, and amended complaints where amendments have been permitted by the commission, shall be served by the commission. Complainants shall supply the commission with sufficient number of copies of the complaint to enable the commission to serve one copy upon each defendant and retain the signed original and seven copies for its own use, together with such

other copies as may be required by the commission.

(2) Service by parties. Pursuant to K.S.A. 77-519, except as stated above in subsection (b)(1), parties shall be required to serve all documents in accordance with the procedures outlined in subsection (a). (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106, 77-519; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-217. Computation and extension of time. (a) Computation; legal holiday defined. In computing any period of time prescribed or allowed by these rules or by an applicable statute in which the method of computing such time is not otherwise specifically provided, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Sundays and holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday. "Legal holiday" includes any day designated as a holiday by the congress of the United States, or by the legislature of this state.

(b) Enlargement. When by these rules or by a notice given under them an act is required or allowed to be done at or within a specified time, the time for doing such act may be extended for good cause shown by the commission in its discretion, or the act may be done subsequent to the expiration of the prescribed time where the failure to act within such time was the result of excusable neglect, as permitted by the commission.

(c) Additional time after service by mail. Service is complete upon mailing. Three days shall be added to the prescribed period for any action required of the recipient. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-218. Form and contents of pleadings. All applications, formal complaints, supplemental complaints, amended complaints, petitions, replies, answers, protests, motions, petitions in intervention, and all amendments of said pleadings shall comply with the provisions of K.A.R. 82-1-219 relating to general requirements for all such pleadings. The form and contents of the numbered paragraphs in the various kinds of pleadings shall be as follows:

(a) Applications. All applications for the approval, determination, consent, permission, certificate or authorization of the commission in cases where such approval, determination, consent, permission, certificate or authorization is required by law, shall be made in writing in a document entitled "application." In matters before the utilities division and transportation division of the commission, certified copies of the charter or articles of incorporation of every corporation directly affected by the proposed action and certified copies of all certificates, statements, or records which modify or extend the purpose or powers of such corporations, may be required by the commission to be filed, but until so required, the

(continued)

applicant may incorporate such items by reference rather than by actually filing copies thereof. The application shall set forth the facts upon which the application is based, in numbered paragraphs, and reference to the particular provision of the law or rules of the commission requiring or providing for the same shall be made in the application. The application shall contain such further statements of fact and of law as may be required by any provision of law or by these rules and shall show compliance therewith.

(b) Complaints. Complaints shall comply with the provisions of K.A.R. 82-1-220.

(c) Petitions. All petitions for relief shall clearly and concisely state the interest of the petitioner in the subject matter, the relief sought, cite by appropriate reference the law, statute, rule or regulation relied upon by the petitioner for relief and shall comply with the requirements of these rules.

(d) Responsive pleadings. All responsive pleadings shall be so drawn as to fully and completely advise the parties and the commission of the basis and nature of the defense, the rights of the defendant, and shall admit or deny specifically and in detail, each material allegation of the pleading being answered. Written responses to petitions for intervention are not required. However, if a responsive pleading is filed to a petition to intervene, it shall be served in accordance with K.S.A. 77-519 and these rules. Any party may file and serve a protest, motion, or other proper pleading within 10 days after service upon that party of any application, petition, notice, formal complaint, supplemental complaint or amended complaint. However, protests to oil and gas conservation matters shall be filed with the conservation division within 15 days after publication of the notice of the application as required in K.A.R. 82-3-135a. Answers to formal complaints shall be filed as prescribed by K.A.R. 82-1-220 and these rules.

(e) Protests. All protests shall set forth the position and interest of the protestant and must advise the commission and the parties in detail of the basis of the protest. Protests against the granting of permits, certificates, extensions, abandonments and transfers under the motor carrier act shall comply with K.A.R. 82-4-65. Protests against the granting of applications and permits under the oil and gas conservation act shall comply with K.A.R. 82-3-135b. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106, effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-219. General rules relating to pleadings and other papers. (a) Contents. Except as otherwise provided in K.A.R. 82-1-231, every pleading shall contain the following formal parts:

(1) Caption. The caption of a pleading includes the heading, the title of the docket and the docket number assigned to the matter by the executive director of the commission.

(A) Heading. Each pleading shall contain the heading "BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS" which shall be centered at the top of the first page of the pleading.

(B) Docket title. Immediately beneath the heading, and to the left of the center of the page, shall be the title of

the docket. Such title shall begin with the words "In the matter of," and shall be followed by a concise statement of the matter presented to the commission for its determination, including where appropriate a brief description of the order, authorization, permission or certificate sought by the party initiating the docket. The name of the party initiating the docket and the names of all other parties to whom the initials pleading is directed shall be stated in the docket title, followed by a designation of each party's status in the proceeding. Such designations include, but are not limited to, applicant, complainant, defendant, respondent.

(C) Docket number. Upon the filing of the initial pleading in a docket, a docket number shall be assigned by the executive director of the commission, which shall be placed immediately to the right of the docket title.

All pleadings filed in the docket subsequent to the formal initiation of the matter shall bear the same caption as the original pleading.

(2) Pleading title. The title of the pleading shall be centered immediately beneath the caption and shall describe the pleading contained in the numbered paragraphs which follow.

(3) Numbered paragraphs. Following the title of the pleading, the pertinent allegations of fact and law, in compliance with these rules, shall be set forth in numbered paragraphs.

(4) The prayer. The numbered paragraphs of the pleading shall be followed by the prayer, which shall be a concise and complete statement of all relief sought by the pleader. The prayer should be brief, but should be complete to the end that an order granting the prayer would include all of the relief desired and requested by the pleader.

(5) Subscription. All pleadings must be personally subscribed or executed by one of the following methods:

(A) By the party making the same or by one of the parties, if there be more than one party;

(B) By an officer of the party, if the party be a corporation or association; or

(C) For the party, by its attorney.

The names and the addresses of all parties shall either appear in the subscription or elsewhere in the pleading. The name and address of the attorney for the party who is the pleader shall appear either in the subscription or immediately below it. Abbreviations of names and addresses shall not be used.

(6) Verification. All pleadings shall be verified upon oath before any person authorized by law to administer oaths by the subscriber thereto, or by the subscriber's attorney, if such attorney has actual knowledge of the truth of the statements contained therein or reasonable grounds to believe that the same are true. Pleadings by corporations or associations may be verified by an officer or director thereof. Written verification may be waived by the commission by order, in its discretion, upon request.

(7) Certificate of service. Whenever a pleading is required by these rules to be served by a party, the party responsible for effecting service shall endorse a certificate of service upon the pleading to show compliance with these rules. The certificate may show service by mail, restricted mail or hand delivery. If restricted mail is used,

the fact relating thereto shall be stated and the certificate shall state the time, place and manner of service and be signed by the party or by the attorney for the party.

(8) Form. Pleadings shall be typewritten. All pleadings shall be typewritten on paper which is 8½" wide and 11" long. The left-hand margin shall not be less than one inch wide. The impression shall be on only one side of the paper and shall be double-spaced, except that lengthy quotations may be single-spaced and indented. Photocopied copies, as well as typewritten carbon copies, may be filed.

(9) Rejection of document. Whenever there is filed with the commission any document which contains defamatory, scurrilous, or unethical language, it shall be rejected by the commission and returned to the party filing the same. Any papers, correspondence, pleadings or any copies thereof which are not clearly legible, shall be rejected by the commission and returned to the party filing the same.

(10) Amendments. The amendment of any pleading may be allowed by the commission in its discretion, either by replacement of the original pleading with an amended version thereof or by interlineation or deletion or material on the original pleading. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-220. Complaints. (a) Any mercantile, agricultural, manufacturing organization or society, any body politic, municipal organization, or any taxpayer, firm, corporation or association may initiate, by the filing of a formal complaint, proceedings in which the rates, joint rates, fares, tolls, charges, rules, regulations, classifications, or schedules of any public utility or common carrier are alleged to be unreasonable, unfair, unjust, unjustly discriminatory, unduly preferential, or that allege that any service performed or to be performed is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained. Parties other than those enumerated may file complaints if they have an interest in the subject of the action involved and if this interest can be shown by their complaint.

(b) Formal complaints shall be in writing and shall comply with the requirements of these rules. Formal complaints shall:

(1) fully and completely advise each defendant and the commission as to the provisions of law or the rules, regulations or orders of the commission that have been or are being violated by the acts or omissions complained of, or that will be violated by a continuance of acts or omissions;

(2) set forth concisely and in plain language the facts claimed by the complainant to constitute such violations; and

(3) state the relief sought by the complainant.

(c) Commission action required upon the filing of a formal complaint. A formal complaint shall, as soon as practicable, be examined by the commission upon filing to ascertain whether or not the allegations, if true, would establish a prima facie case for action by the commission and whether or not it conforms to these rules. If the commission is of the opinion that the formal complaint does not establish a prima facie case for commission action

or does not conform to these rules, the complainant or the complainant's attorney shall be notified by the commission of the defects, and opportunity shall be given to amend the formal complaint within a specified time. If the formal complaint is not so amended within the time specified therefor or such extension thereof as granted by the commission for good cause shown, it will be dismissed. If the commission is of the opinion that such formal complaint, either as originally filed or as amended, does establish a prima facie case for commission action and does conform to these rules, each corporation or person complained of shall be served by the commission a true copy of said formal complaint, and the defendant or defendants shall either satisfy the matter complained of or file their written answer, within 10 days.

Any formal complaint to be amended or corrected by the complainant may be allowed by order by the commission. The amended complaint shall set forth any new grounds for the complaint which have accrued in favor of the complainant and against the defendant subsequent to the filing of the original complaint. Upon leave granted by the commission, an amended complaint shall be filed pursuant to these rules, and it shall be served by the commission, as provided by K.A.R. 82-1-216. Wherever practicable, an amended complaint shall be heard, considered and disposed of in the same proceeding as the original formal complaint.

(d) Multiple complaints or multiple complainants may be joined as provided by K.A.R. 82-1-224.

(e) Prior or subsequent to the hearing, the parties to the proceeding may, with the approval of the commission, enter into a voluntary settlement of the subject matter of the complaint if:

(1) the matter in controversy affects only the parties involved;

(2) the period for intervention has run; and

(3) the issue has no direct or substantial impact upon the general public.

In furtherance of a voluntary settlement, the parties may be invited by the commission to confer with it, or with a hearing officer or staff member designated by it. Such conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission, or offer of settlement made at such an informal conference shall be admissible in evidence in any formal hearing before the commission. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

82-1-221. Exhibits and documentary evidence. (a) (1) Incorporation of documents by reference. Whenever under these rules any map, profile, certificate, statement or other document is required to be filed with an application and the same has theretofore been filed with the commission, the application may state the fact of such filing, with the date and the proceeding in which, or occasion on which, the filing was made. The application may in such event request that the previously filed document be incorporated by reference. The applicant shall file an original and seven copies; an original and four copies in the conservation division; and any additional copies the com-

(continued)

mission may request. Documents and exhibits may be attached as exhibits to the application and be incorporated by reference.

(2) Court records may be offered in evidence by reference, but shall not be received over the objection of any party unless opportunity for examination has been afforded to the objecting party.

(b) Exhibits. Unless otherwise directed by the commission or hearing examiner, an original and seven copies of any exhibit a party intends to offer in evidence, other than in rebuttal, shall be filed with the commission at least 10 days prior to the date of the hearing, and one copy of any such exhibit shall be furnished to every other party to the proceeding at least 10 days prior to the date of hearing. For conservation division matters, an original and four copies of any exhibit an applicant intends to offer in evidence, other than in rebuttal, shall be filed with the conservation division at least 20 days before the hearing; an original and four copies of any exhibit an intervenor or protestant intends to offer in evidence, other than in rebuttal, shall be filed with the conservation division at least 10 days before the hearing. Exceptions to these requirements will be granted only for good cause shown. Any party desiring to introduce an exhibit during the course of the hearing shall furnish six copies thereof to the commission and one copy to every other party to the proceeding. Any exhibit which is not filed within the time limit herein specified may be refused to be received by the commission.

(c) Numbering of exhibits. The presiding commissioner or hearing examiner shall assign numbers to the exhibits at the time they are marked for identification at the hearing.

(d) Documentary evidence. When relevant and material matter offered as documentary evidence by any party is embraced in a book, paper or document containing other matter not material or relevant, the party offering such documentary evidence shall plainly designate the matter so offered. If other matter is in such volume as would encumber the record, such book, paper or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding commissioner or examiner so directs, a true copy of such matter, in proper form, shall be received as an exhibit, and like copies delivered by the party offering the same to opposing parties or their attorneys, who shall be afforded an opportunity to examine the book, paper or document, and to offer into evidence in like manner other portions thereof, if found to be material and relevant. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-222. Prehearing conferences; procedure. (a) In any matter pending before the commission, not governed by the Kansas administrative procedure act, the attorneys for the parties to appear before the commission for a prehearing conference may be directed by the commission in its own discretion or on the request of any party to consider:

- (1) The simplification of the issues;
- (2) The trial of issues of law, the determination of which

may eliminate or affect the trial of issues of fact;

(3) The necessity or desirability of amendments to the pleadings;

(4) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(5) The limitation of the number of expert witnesses;

(6) The advisability of a preliminary reference of issues of fact to an examiner or an investigator appointed by the commission;

(7) Such other matters as may aid in the disposition of the proceeding.

(b) Preliminary reference. If in the course of a prehearing conference any issues are referred to a presiding officer or an investigator appointed by the commission, the findings of fact of the presiding officer or investigator shall be reduced to writing, filed as an exhibit, and admitted into evidence at the hearing.

(c) Prehearing order. A prehearing order shall be made by the commission to reflect the action taken at the prehearing conference, any amendments allowed to the pleadings, and any agreements by the parties relating to any of the matters considered at the prehearing conference. Any agreements by the parties or their attorneys which limit the issues for trial to those not disposed of by admissions or agreements of counsel shall be in writing and shall be filed. Such preliminary order, when entered, shall control the subsequent course of the proceeding, unless modified by the commission to prevent manifest injustice. A calendar on which proceedings may be placed for consideration at prehearing conferences may be published by the commission in its discretion, or the attorneys for the parties may be summoned, or the parties themselves, or both, to a prehearing conference upon such notice as may be deemed reasonable by the commission. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1977; amended July 23, 1990.)

82-1-223. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; revoked July 23, 1990.)

82-1-225. Intervention. This rule shall apply to both KAPA and non-KAPA proceedings. (a) The presiding officer shall grant a petition for intervention if:

(1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer's notice of the hearing, at least three days before the hearing;

(2) the petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and

(3) the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

(b) The presiding officer may grant a petition for intervention at any time upon determining that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.

(c) If a petitioner qualifies for intervention, the presid-

ing officer may impose conditions upon the intervenor's participation in the proceedings, either at the time that intervention is granted or at any subsequent time. Conditions may include:

(1) Limiting the intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition;

(2) limiting the intervenor's use of discovery, cross-examination and other procedures so as to promote the orderly and prompt conduct of the proceedings; and

(3) requiring two or more intervenors to combine their presentations of evidence and argument, cross-examination, discovery and other participation in the proceedings.

(d) The presiding officer, at least 24 hours before the hearing, shall issue an order granting or denying each pending petition for intervention, specifying any conditions and briefly stating the reasons for the order. The presiding officer may modify the order at any time, stating the reasons for the modification. The presiding officer shall promptly give notice of an order granting, denying or modifying intervention to the petitioner for intervention and to all parties. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-227. Subpoenas. (a) For attendance of witnesses. Subpoenas may be issued by the commission or by any commissioner, or by the presiding officer, upon written petition therefor by any party to the proceeding. Every subpoena shall contain the caption of the docket and shall command each person to whom it is directed to attend and give testimony at the time and place therein specified.

(b) For production of documentary evidence. A subpoena duces tecum shall be issued in the same manner and form as a subpoena for the attendance of a witness, and may command the person to whom it is directed to produce the books, papers, documents or tangible things designated therein; upon a motion made promptly and in any event at or before the time specified in the subpoena duces tecum for compliance therewith, the following action may be taken by the commission: (1) quash or modify the subpoena if it is unreasonable and oppressive or (2) condition denial of the motion upon the advancement by the party in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents or tangible things.

(c) Service. A subpoena or subpoena duces tecum may be served by the sheriff, by the sheriff's deputy or by any other person designated by the commission or by the party requesting issuance thereof and who is not a party to the proceeding and is not less than 18 years of age. Each person who shall appear as a witness before the commission, or any person authorized by the commission to preside at a hearing, in answer to a subpoena or subpoena duces tecum shall receive for that person's attendance such fees and mileage as are provided by law for such witnesses. Service of a subpoena or subpoena duces tecum upon a person named therein, shall be made by delivering a copy thereof to such person and by tendering to such person the fees for one day's attendance and the mileage allowed by law. When the subpoena or subpoena

duces tecum is not served by the sheriff or the sheriff's deputy, proof of service shall be shown by affidavit.

(d) Costs. The party petitioning for the subpoena or subpoena duces tecum shall forward to the commission along with the written petition that person's draft made payable to the party being subpoenaed in an amount equal to the statutory fee for one day's attendance, plus mileage computed at the rate allowed by law for travel over the most direct route from the party's place of residence to the designated place for hearing and back. The subpoena duces tecum and draft shall then be issued by the commission as requested in the petition. The petitioning party shall further be directly responsible for the payment of any and all costs incurred by the sheriff, the sheriff's deputy or by any other person in serving said subpoena or subpoena duces tecum. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-228. Hearings. (a) General provisions. Public hearings shall be held in the hearing rooms of the commission, in any district courtroom, at such other place in Kansas as the commission may deem appropriate or at any place required by statute. All hearings before the commission shall be conducted by the commission, by a commissioner, by a hearing examiner or by any other person duly authorized by the commission to conduct the hearing. The provisions of these rules governing hearings before the commission shall be applicable to hearings conducted by a commissioner, hearing examiner or other person appointed by the commission to conduct a hearing.

(b) Convening of hearings. On the date and at the place and time stated in the notice of the hearing, the chairman or other person conducting the hearing shall call the docket by announcing the docket number and by reading the caption thereof into the record. Commission hearings shall be opened in a formal way on each day upon which commission business is transacted.

(c) Scope of hearing. The commissioner or other person presiding at the hearing may make a concise statement of the scope and the purpose of the hearing and the issues involved therein at the beginning of the hearing.

(d) Appearances. Attorneys for all parties shall enter their appearances by giving their names and addresses for the record.

(1) Except as otherwise provided in paragraph (2) of this subsection, any party may appear before the commission and be heard in person and in that party's own behalf; or that party may appear and be represented by an attorney who is a resident of Kansas and regularly admitted to practice in the courts of record of the state of Kansas; or that party may appear and be represented by any regularly admitted practicing attorney in the courts of record of another state of the United States, who has associated and personally appearing with that party as local counsel in the proceeding before the commission, an attorney who is a resident of Kansas and duly qualified to practice law therein. Said local counsel shall first enter local counsel's own appearance and then orally move for the admission of the nonresident attorney with whom local counsel is associated.

(continued)

(2) A corporation shall not be permitted to enter an appearance, except by its attorney.

(e) Preliminary matters. After the calling of the docket, the statement of the scope and purpose of the hearing, and the entries of the appearances of attorneys for the parties who meet the above requirements, the oath required of nonresident attorneys shall be administered to them by the person presiding at the hearing, and thereafter, an oral order admitting them as attorneys in the proceeding then pending shall be made by the person presiding at the hearing and they shall enter their appearances on the record. Thereafter, the following matters should be disposed of in the following order:

- (1) Petitions for intervention.
- (2) Any other pending petitions or motions.
- (3) Stipulations of the parties.
- (4) Opening statements of attorneys for the parties.

Parties may make written or oral stipulations in conformance with these rules, and stipulations of facts will be regarded as evidence at the hearing; however, such stipulations shall not be binding upon the commission. Opening statements, if any, should be made immediately prior to the introduction of testimony.

(f) Hearing room conduct. The conduct of attorneys during a hearing shall be the same as is required of attorneys by rules of the district courts of Kansas, so as to reflect respect for the dignity and authority of the applicable facts and the correct principles of law. Attorneys shall examine witnesses from a position at the counsel table, except when handling exhibits.

Smoking shall not be permitted on commission premises. The use of photographic equipment or recording devices shall not be prohibited during hearings, except that the person presiding at any such hearing may regulate the use of such equipment or devices so as to insure the orderly conduct of the proceedings. (Authorized by and implementing K.S.A. 7-104, K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-229. Use of prefiled testimony. (a) In lieu of the oral examination of a witness, the direct or redirect examination of such witness may be presented, or when required by the commission or by these rules, shall be presented in written, question-and-answer form. Prefiled testimony shall be filed 10 days prior to the hearing unless otherwise provided by the commission. For conservation division matters, an original and four copies of any prefiled testimony an applicant intends to offer in evidence, other than in rebuttal, shall be filed with the conservation division at least 20 days before the hearing; an original and four copies of any prefiled testimony an intervenor or protestant intends to offer in evidence, other than in rebuttal, shall be filed with the conservation division at least 10 days before the hearing. Presentation of prefiled testimony may be required by the commission in accordance with this rule, if it is deemed by the commission that doing so would be in the public interest and would be conducive to a fair and expeditious disposition of the proceeding. Any party may object to the use of prefiled testimony by a witness, and the objecting party shall have a right to be heard by the commission or the presiding officer at the hearing on the objection.

(b) All prefiled testimony shall be in typewritten form, double-spaced, on paper which is 8½ inches wide and 11 inches long. The lines on each page shall be numbered consecutively down the left side of the page, and the left-hand margin of each page shall be not less than 1¼ inches wide. At the hearing, after any such prefiled testimony has been properly identified and authenticated under oath by the witness presenting the same, upon motion, it may be incorporated into the record in the same way as if the questions had been asked of the witness and the answers had been given by the witness orally. Such prefiled testimony shall be subject to the same rules of evidence as if given orally and the witness presenting such prefiled testimony shall be subject to cross-examination. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended, E-82-1, Jan. 21, 1981; amended May 1, 1981; amended July 23, 1990.)

82-1-230. Hearings; evidence and procedure. (a) Rules of evidence. The rules of evidence as stated in article four of the Kansas code of civil procedure shall be applied by the commission at all of its hearings. However, the presiding officer may relax the rules of evidence when the presiding officer believes it will be in the public interest to do so and will aid in ascertaining the facts. When an objection is made to the admissibility of evidence, the presiding officer may rule upon the objection or may receive such evidence subject to a subsequent ruling upon the objection by the commission. The presiding officer may exclude inadmissible evidence on such person's own motion and may order cumulative evidence discontinued. All parties may note their exceptions on the record to any ruling or other action of the presiding officer. Such parties may file a petition for a hearing before the commission for review of the ruling or action or they may submit their objections to the commission by filing a brief.

(b) Order of procedure at hearings. At hearings upon applications, the applicants shall open and close. At hearings upon formal complaints, the complainant shall open and close. At hearings on investigations initiated by the commission, the staff counsel shall open and close. In hearings where several proceedings have been consolidated for hearing on a common record, the presiding officer shall designate the party who will open and close. The presiding officer also shall designate when each intervenor shall be heard. In all hearings, the presiding officer may direct departures from the stated order of procedure.

(c) Examination and cross-examination of witnesses.

(1) Subject to the provisions of K.A.R. 82-1-229, concerning the use of prepared testimony, each witness shall be examined and cross-examined orally and under oath in the order prescribed by the presiding officer. The direct examination of each witness shall be followed by cross-examination of the witness. Redirect examination, if any, shall be limited in scope to the testimony upon cross-examination. Recross-examination, if any, shall be limited in scope to the testimony upon redirect examination.

(2) No more than one attorney for each party shall examine or cross-examine a witness. The presiding officer may require that only one attorney may cross-examine a witness on behalf of all parties united in interest. To

facilitate the orderly and expeditious conduct of hearings, the presiding officer may appoint a member of the commission's legal staff to assist any party not represented by counsel in cross-examining witnesses and in presenting evidence.

(d) Clarifying questions. No "clarifying questions" may be asked of any witness or of any attorney by any attorney unless permission to do so is first granted by the presiding officer.

(e) Going off the record. All testimony shall be taken on the record unless permission to go off the record is first granted, upon request, by the presiding officer.

(f) Excluded evidence. If an objection to a question propounded to a witness is sustained by the presiding officer, the examining attorney may make a proffer of the excluded evidence. The presiding officer may add other statements to clearly show the character of the evidence, the form in which it was offered, the objection made, and the ruling made. Upon request, the excluded testimony or evidence shall be marked and preserved for the record upon appeal.

(g) Further evidence. At any stage of the hearing, or after the close of the testimony, the presiding officer may call for further evidence upon any issue, and may require such evidence to be presented by the party or parties concerned or by the staff counsel, either at the hearing or at a further hearing.

(h) "Late-filed" exhibits. The presiding officer may authorize any party to the proceeding to file specific documentary evidence as part of the record within a time to be fixed by the presiding officer. Exhibit numbers may be assigned in advance at the hearing to such items of documentary evidence.

(i) Administrative notice. In addition to those matters which are required or permitted to be judicially noticed by K.S.A. 60-409, the presiding officer may take administrative notice of commission files and records in deciding matters pending before it.

(j) Briefs. Any party desiring to submit a brief may be allowed to do so, if a request therefor is made of the presiding officer prior to closing the record. In addition, submission of briefs by the parties may be required by the presiding officer or the Commission. The period of time in which briefs and reply briefs are to be filed shall be fixed at the close of the hearing by the presiding officer. Briefs shall be served in the same manner and upon the same persons as required for exhibits by these rules. Proof of service of briefs shall be given to the commission by a certificate of service endorsed on the brief.

(k) Closing the record. A hearing shall be concluded and the matter shall be submitted to the commission when briefs have been submitted by all parties entitled to do so and oral arguments are completed. If no briefs are to be submitted and no oral arguments are to be made by the parties, a hearing shall be considered concluded and submitted to the commission when the presiding officer announces the record of exhibits and testimony is closed and that the matter is taken under advisement.

(l) Reopening the record. After the record of testimony has been closed by the person presiding at the hearing, any party may apply to reopen the record for good cause shown. However, no record shall be reopened for further

hearing except upon order of the commission. Any record of any hearing may be reopened by the commission on its own motion. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

82-1-231. Applications in rate cases. (a) Each electric, gas, telephone or water utility whose rates are under review by the commission at the request of the utility, or as a result of investigation, complaint or any other procedure, shall comply with this regulation and shall be prepared to establish, by appropriate schedules and competent testimony, all relevant facts and data pertaining to its business and operations which will assist the commission in arriving at a determination of rates that are fair, just and reasonable both to the utility and the public.

(b) Procedures for different classes of utilities.

(1) For filing purposes, each utility shall be classified according to K.A.R. 82-1-204(p):

(2) When proposed changes in tariffs will result in a major increase in its rates or charges, each class A electric, gas, water and telephone utility shall prepare and submit its application and schedules in conformity with subsection (c) of this regulation. Any rural electric cooperative distribution system providing service to less than 15,000 customers may elect to follow the procedures outlined in K.A.R. 82-1-231a. Electric, gas, water and telephone utilities, other than class A, may elect to follow the procedures outlined in K.A.R. 82-1-231b.

(3) Any utility which proposes a change in rates within 12 months after a commission order following a general rate proceeding and investigation may submit schedules which eliminate data that duplicates information provided in the original schedules if:

(A) the utility is willing to adopt all the regulatory procedures, principles and rate of return established by the commission in that order; and

(B) the utility receives prior approval from the commission.

(4) An application by a class A utility shall be construed to propose changes in tariffs which result in a major increase in rates or charges when:

(A) The proposed changes relate to a general increase in revenues for the purpose of obtaining an alleged fair rate of return;

(B) material changes in operations, facilities or cost of service occur subsequent to the test year employed in any major rate decision, except for proposals which are for the sole purpose of compensating for the increased production or purchase cost of a principal product; or

(C) the proposed changes will, in the opinion of the commission, materially affect the public interest.

(c) Class A utility rate proceedings: application and evidence.

(1) Each application by a class A utility which proposes a major increase in rates or charges shall be accompanied by schedules which will indicate to the commission the nature and extent of the proposed changes.

(2) Applications shall be based upon data submitted for a test year. "Test year" means any consecutive 12-month period selected for the purpose of determining or justifying

(continued)

fyng the rates. The test year selected by the applicant may be disapproved by the commission for cause.

(3) The original, nine mechanical copies, and one electronic copy of the application and supporting schedules shall be filed with the commission. The supporting schedules shall be organized by topical sections with page numbers for each schedule. Negative numbers shall be shown in parentheses. Amounts included in the application shall be cross-referenced between the appropriate summary schedule and supporting schedules as well as between the various sections. Referencing shall include allocation ratios. All items shall be self-explanatory or additional information, cross-references or explanatory footnotes shall be presented on the schedule.

(A) Original and Mechanical copies. The original and each mechanical application and schedule shall be bound together under one loose-leaf binder. If the bulk of the material would make such handling impractical, two or more volumes in loose-leaf form shall be filed. The size of print used in the application and schedules shall not be smaller than elite type reduced 25 percent. The application shall be assembled with index tabs for each section.

(B) Electronic copy. The electronic application and schedules shall be submitted on one of the following types of disks which have been formatted with MS-DOS or PC-DOS 2.0 or a later version, or Macintosh Operating System 6.0 or a later version:

- (i) 5.25" (DS/DD or DS/HD)
- (ii) 3.5" (DS/DD or DS/HD)

All electronic submissions of text shall be recorded in an ASCII format. Electronic submissions of schedules and other workpapers shall be recorded in a WKS, WKI, DBF, SYLK, XLS, or Wingz format. All formulas shall be imbedded in the schedule and all schedules must be linked where appropriate. Reports required by 82-1-231(c)(4)(A), (B), (M) and (P) are exempted from the electronic filing requirement. A waiver may be granted from all or any part of the electronic filing requirement.

(4) The form, order and titles of each section shall conform to the following requirements:

(A) Section 1: Application, letter of transmittal, and authorization. This section shall contain a copy of the application, a copy of the letter of transmittal, and the appropriate document or documents authorizing the filing of the application, if any.

(B) Section 2: General information and publicity. This section shall describe the means generally employed by the utility to acquaint the general public that would be affected by the proposed rate change with the nature and extent of the proposal. This section may include, but is not limited to statements concerning newspaper articles and advertisements, meetings with public officials, civic organizations and citizen groups, and shall include general information concerning the application which will be of interest to the public and suitable for publication. Such information shall include, when applicable:

- (i) The aggregate annual revenue increase which the application proposes;
- (ii) names of communities affected;
- (iii) the number and classification of customers to be affected;

(iv) the average, per customer increase sought in dollars and cents;

(v) a summary of the reasons for filing the application;

(vi) such other pertinent information which the applicant may desire to submit or which the commission may require; and

(vii) copies of any press releases issued by the applicant prior to or at the time of filing the application for a rate review which relate to that review.

(C) Section 3: Summary of rate base, operating income and rate of return. This section shall contain schedules which show the components of the test year rate base, operating revenues, expenses and income as well as the rate of return under the present and proposed tariff or tariffs. The schedules shall be presented as follows:

(i) The first schedule shall summarize, for each utility service for which the rate change is sought, the total Kansas and commission jurisdictional components of the rate base, operating revenues, expenses, net income and rate of return.

(ii) Supporting schedules shall show the unadjusted commission jurisdictional figures and shall further set out each adjustment to arrive at the total adjustments. When added to the unadjusted total, the adjusted commission jurisdictional figures shall correspond with the commission jurisdictional figures presented on the first schedule of this section.

(iii) Additional schedules not applicable to other sections of the application may be set out in this section.

(D) Section 4: Plant investments. This section shall contain the items of plant investment, presented in the following manner:

(i) The first schedule shall detail, by functional classification, unadjusted amounts, adjustments to these amounts and jurisdictional allocations.

(ii) Supplemental schedules, by primary account, shall set forth year-end plant investment for the three calendar years preceding the test year, for the test year and for the 12-month period preceding the test year. Additional schedules setting forth pertinent information related to the plant may be submitted under this section. "Primary account," as utilized in this regulation, shall mean the account classification provided in the uniform system of accounts prescribed by the commission for the utility.

(E) Section 5: Accumulated provision for depreciation, amortization and depletion. This section shall contain schedules which shall show, by functional classification, as of dates corresponding with the dates of plant investment data submitted under section 4, the balances of the reserve accounts in which the credits representing provisions for depreciation, amortization, depletion, any adjustments thereto and jurisdictional allocations are accumulated. Upon commission request, or when considered relevant by the utility, schedules may be submitted showing analysis of the activities of the reserve accounts relating to the plant in service, segregated by primary accounts, or other segregation as is required by the uniform system of accounts prescribed by the commission for that utility.

(F) Section 6: Working capital. This section shall set forth in detail each component of the working capital items the applicant proposes to submit as elements in the

composition of the rate base. This section shall be presented as follows:

(i) The first schedule shall contain the components included in working capital, adjustments thereto and jurisdictional allocations.

(ii) The method of calculation for each component of working capital and a complete explanation of any pro forma adjustments shall be included in supporting schedules.

(G) Section 7: Capital and cost of money. This section shall contain:

(i) A schedule indicating the amounts of the major components of the capital structures of the utility, including long term debt, preferred stock, and common equity, outstanding as of the beginning and at the end of the test year. This schedule shall contain the ratios of each component to the total capital including the percentage cost and the requested overall rate of return. When only a portion of the capital serves the utility operations involved in the proceeding, as would be the case in a multi-utility or multi-state operation, the schedule shall show an appropriate allocation of the capital items;

(ii) a schedule disclosing the cost of each issue of debt and preferred stock outstanding, with due allowance for premiums, discounts and issuance expense. Data relating to the other components of capital as may be appropriate shall also be included;

(iii) a schedule displaying historical interest coverage for at least the three calendar years preceding the test year, the test year and the 12-month period preceding the test year. The method used in the calculation shall be indicated and shall be consistent with the applicant's bond and indenture requirements; and

(iv) the consolidated capital structure, if the applicant is a part of a consolidated group or a division of another company.

(H) Section 8: Financial and operating data. This section shall contain, for each of the three calendar years immediately preceding the test year, the test year, and the 12-month period preceding the test year:

(i) A balance sheet by primary account;

(ii) comparative income and retained earnings statements. The primary account numbers shall be shown and dividends paid, by class of stock, shall be indicated;

(iii) operating revenue and expenses by primary accounts;

(iv) operating statistics appropriate to the type of utility, including kwh or mcf sales by rate schedules and customer consumption, power cost per kwh, and maintenance cost per subscriber. The statistics shall be presented in at least the same detail as is required in the annual reports to the commission; and

(v) annual payrolls by primary account.

(I) Section 9: Test year and pro forma income statements. The first schedule shall present an operating income statement depicting the unadjusted test year operations, pro forma test year operations and allocations to jurisdictions. Supporting schedules shall set forth a full and complete explanation of the purpose and rationale for the pro forma adjustments. Such pro forma adjustments may include:

(i) Adjustments to reflect the elimination or normalization of nonrecurring and unusual items; and

(ii) adjustments for known or determinable changes in revenue and expenses.

(J) Section 10: Depreciation and amortization. This section shall include the schedules indicating depreciation rates by primary account, depreciation expense for the test year, and amounts charged to operations, clearing accounts and construction. When items of amortization appear in the income statements, schedules showing the basis for those items shall also be included in this section or made available. If new depreciation rates are proposed, a copy of the depreciation study shall be provided or made available.

(K) Section 11: Taxes. This section shall contain the following information:

(i) The first schedule shall detail the various taxes chargeable to operations, allocated jurisdictionally. Appropriate supporting schedules for taxes other than income taxes shall be provided if pro forma adjustments are presented.

(ii) A schedule disclosing the calculation of taxable income shall be included.

(iii) A description of adjustments to arrive at taxable income, including method of computation, shall be provided.

(iv) A schedule shall be provided depicting the calculation of income taxes, the jurisdictional allocation of those taxes and a division of those taxes to reflect current and deferred taxes.

(v) A schedule shall also be included for deferred investment tax credits showing the annual charges, credits and the balance to that account for a period of not less than 10 years. Furthermore, those schedules shall show the accumulated investment tax credits by the pertinent effective rate or rates for the test year and the 12-month period preceding the test year.

(vi) A schedule shall be included for deferred income taxes showing the annual charges, credits and balance to the account for a period of not less than 10 years and for the test year and the year preceding the test year. For both the investment tax credits and deferred income tax schedules, the test year and the 12-month period preceding the test year balances shall be allocated to the jurisdictions.

(L) Section 12: Allocation ratios. This section shall contain complete detail for all ratios used in the allocations between jurisdictions, areas of operations, departments, classes of customers and other allocable items. In addition, this section shall include a narrative description of the rationale for the allocation ratio, the components included in the calculation of the ratio and their source, the allocation percentages applicable to jurisdictions or departments and what is being allocated by the ratio.

(M) Section 13: Annual report to stockholders and the U.S. securities and exchange commission. This section shall contain:

(i) The most recent annual report of the utility to its stockholders, and if the utility is a subsidiary of a parent corporation, the most recent annual report of the parent corporation to its stockholders; and

(ii) when applicable, a copy of the most recent form 10-K filed with the U.S. securities and exchange commission.

(continued)

(N and O) Sections 14 and 15: Additional evidence. These sections include all other schedules, exhibits and data deemed pertinent to the application which may not be properly included under the preceding sections. Such additional evidence may be submitted at the option of the applicant and shall be submitted upon the direction of the commission.

(P) Section 16: Financial Statements. This section shall include a copy of the financial statements for the most recent fiscal year. These financial statements shall have been audited by an independent certified public accountant and an opinion rendered thereupon.

(Q) Section 17: This section shall be applicable only to applications and schedules filed by or pertaining to the operations of gas or electric utilities. This section shall contain a summary schedule which provides, by general customer classification, the test year revenues utilizing the existing and proposed tariffs. The test year revenues under existing tariffs shall be adjusted when pro forma normalization or annualization adjustments are appropriate. Also, this section shall include a schedule detailing the following data for the test year, by tariff schedule:

- (i) The tariff number;
- (ii) a narrative description of that tariff number;
- (iii) the average number of customers served during the test year;
- (iv) the units sold;
- (v) the base revenue;
- (vi) the revenue from riders, fuel or purchased power clauses;
- (vii) the total revenue, utilizing the existing tariff. The total revenue shall be shown as adjusted, if appropriate;
- (viii) revenue per unit sold;
- (ix) the proposed tariff revenue;
- (x) the proposed revenue per unit;
- (xi) the dollar increase; and
- (xii) the percentage increase.

(R) Section 18: This section shall contain the proposed rate change schedules. All new language or figures shall be designated by underlining or in another appropriate manner. All deleted language or figures shall be designated in a different manner, such as italics. Upon request, and within the time limits determined by the commission, filing of the proposed rate schedule, or other materials required to be filed under this rule, separate from the filing of the application and schedules may be permitted by the commission.

(d) Revisions of applications and schedules. If the applicant desires to make revisions to its application and schedules, other than minor corrections and insertions which only require interlineation and which do not unduly prolong the hearing with respect to the application or schedules, the applicants shall file with the commission those revised schedules that are necessary to reflect the desired revisions, as follows:

(1) Each page of any such revised section or schedule shall bear the same section letter designation, schedule number, and page number as the original page with the word "Revised" and the date of the revision immediately below the original section, schedule, or page designation.

(2) The same number of copies of any revised sections, schedules or pages shall be filed as the number of copies originally required to be filed.

(3) A copy of each revised section, schedule or page shall also be served upon each party whose intervention has previously been permitted by the commission pursuant to K.S.A. 77-521 and K.A.R. 82-1-125.

(4) All revised sections, schedules and pages shall be filed in accordance with the provisions of K.A.R. 82-1-221, unless otherwise ordered by the commission for good cause shown.

(5) Substantial revisions of the schedules, including changing to a different test year, may constitute grounds for a continuance of a scheduled hearing to a later date to be granted by the commission.

(e) Prefiled testimony shall be required in all utility rate proceedings filed pursuant to subsection (c) of this regulation. The prefiled testimony shall be filed simultaneously with the filing of the application.

(f) Any data request issued by the technical staff shall be answered by the applicant within the time period stated on the data request. If the data request cannot be answered within the time period stated on the data request, applicant shall, prior to the due date, provide technical staff with a written explanation of the failure to comply.

(g) For good cause shown, any of the requirements of this regulation may be waived by the commission. (Authorized by K.S.A. 66-106; implementing K.S.A. 66-106 and 66-117, as amended by L. 1988, ch. 356, sec. 225; effective Jan. 1, 1966; amended Feb. 15, 1977; amended, E-78-31, Nov. 9, 1977; amended May 1, 1978; amended, E-82-1, Jan. 21, 1981; amended May 1, 1981; amended, T-83-43, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1987; amended May 1, 1988; amended July 23, 1990.)

82-1-231a. Applications in rate proceedings by rural electric distribution cooperative systems providing service to less than 15,000 customers. (a) In lieu of filing a rate case application pursuant to K.A.R. 82-1-231, any rural electric distribution cooperative with memberships of less than 15,000 may elect to prepare a less extensive application with schedules that are more appropriate to the operations of smaller utilities.

(b) Applications and evidence.

(1) The application and schedules shall be in the form and substance permitted by the commission and will include an electronic application as described in 82-1-231(c)(3). The application shall include:

(A) supporting schedules as required by the commission;

(B) a copy of the financial statements of the rural electric distribution cooperative for a test year. These financial statements shall have been audited by an independent certified public accountant and an opinion rendered thereupon.

(C) a copy of the monthly REA form seven for the test year; and

(D) a copy of the most recent tariffs with penciled-in proposed changes.

"Test year" means any historic consecutive 12-month period selected for the purpose of determining rates. The test year selected by the applicant may be disapproved by the commission for cause.

(2) A rate case application shall not be considered under this regulation unless:

(A) The commission has received written notice of the intent to file an application not less than 30 nor more than 90 days before the application filing date;

(B) the applicant has met with technical staff to inform the technical staff of the applicant's approximate revenue requirement, any proposed changes in the apportionment of the revenue requirement among rate classes, and any proposed rate design changes; and

(C) the applicant has held a public meeting, for which adequate notice was given, to inform its membership of its intent to file an application and to allow its membership to comment. The applicant's public meeting notice shall include a statement of applicant's approximate revenue requirement, any proposed changes in the apportionment of the revenue requirement among rate classes and any proposed rate design changes.

(3) Within 30 days of a third consecutive filing by an applicant under this regulation, a determination shall be made by the commission as to whether the filing may again be treated as an alternative filing under this regulation, or whether the filing warrants an extended investigation under K.A.R. 82-1-231.

(c) General Procedure.

(1) The technical staff shall meet with applicant within 10 days after the application is filed to discuss the technical staff's preliminary review of the application and the appropriateness of addressing the application under this regulation.

(2) Any data request issued by the technical staff shall be answered by the applicant within seven calendar days of issuance. If the data request cannot be answered within seven calendar days, the applicant shall provide the technical staff with a written explanation of the failure to comply. The technical staff may conduct a field audit to verify any information the technical staff considers essential to a rate proceeding.

(3) The technical staff shall complete the audit of the application and forward a written recommendation to the commission and to the applicant within 60 days after the application is filed.

(4) If the technical staff recommendation is to approve the application with modification or to deny the application, the applicant may submit written comments, which may include a request for hearing, to the commission within 5 days from receipt of technical staff's recommendation.

(5) The application shall be considered by the commission within 15 days from receipt of technical staff's recommendation. The application may be:

(A) Approved as filed;

(B) approved with modifications;

(C) suspended by the commission pending an order setting the matter for hearing and directing the technical staff to conduct a further investigation; or

(D) denied.

(6)(A) If the commission approves the application pursuant to subparagraph 5(A) or 5(B), an interim order seeking comment shall be issued within 25 days from receipt of technical staff's recommendation. The interim order shall be subject to a comment period of 90 days. The applicant shall notify its membership of the interim rates, interim

rate design, and the comment period within 20 days of the commission's issuance of the interim order.

(B) If at the close of the 90-day comment period, substantial comment has not been received, a final order making the temporary rates permanent shall be issued by the commission. If at the close of the 90-day comment period, substantial comment has been received, further investigation and hearing may be ordered by the commission.

(7) If the commission orders a further investigation and hearing under subparagraph 5(C) or 6(B), a hearing date and dates by which parties must file written testimony shall be specified by the commission.

(d) Consideration of an application under this regulation may be suspended and converted to an application subject to K.A.R. 82-1-231 at any time during the proceeding and for good cause. Such a conversion may be made on the motion of the technical staff or the commission.

(e) For good cause shown, any requirements of this rule may be waived by the commission. (Authorized by K.S.A. 66-106; implementing K.S.A. 66-106 and 66-117, as amended by L. 1988, ch. 356, sec. 225; effective May 1, 1988; amended July 23, 1990.)

82-1-231b. Applications in rate proceedings by electric, gas, water and telephone utilities other than class A. (a) In lieu of filing a rate case application pursuant to K.A.R. 82-1-231, electric, gas, water, and telephone utilities, other than class A, may elect to prepare a less extensive application with schedules that are more appropriate to the operations of smaller utilities.

(b) Applications and evidence.

(1) The application and schedules shall be in the form and substance permitted by the commission and will include an electronic application as described in 82-1-231(c)(3). The application shall include:

(A) Supporting schedules as required by the commission;

(B) a copy of the financial statements of the utility for a test year. These financial statements shall have been audited by an independent certified public accountant and an opinion rendered thereupon.

(C) a copy of the most recent tariffs with penciled-in proposed changes.

"Test year" means any historic consecutive 12-month period selected for the purpose of determining rates. The test year selected by the applicant may be disapproved by the commission for cause.

(2) A rate case application shall not be considered under this regulation unless:

(A) The commission has received written notice of the intent to file an application not less than 30 nor more than 90 days before the application filing date;

(B) the applicant has met with technical staff to inform the technical staff of the applicant's approximate revenue requirement, any proposed changes in the apportionment of the revenue requirement among rate classes, and any proposed rate design changes; and

(C) the applicant has held a public meeting, for which adequate notice was given, to inform its customers of its intent to file an application and to allow its customers to comment. The applicant's public meeting notice shall in-

(continued)

clude a statement of the applicant's approximate revenue requirement, any proposed changes in the apportionment of the revenue requirement among rate classes and any proposed rate design changes.

(3) Within 30 days of a third consecutive filing by an applicant under this regulation, a determination shall be made by the commission as to whether the filing may again be treated as an alternative filing under this regulation, or whether the filing warrants an extended investigation under K.A.R. 82-1-231.

(c) General Procedure.

(1) The applicant shall meet with technical staff after the application is filed to discuss the technical staff's preliminary review of the application and the appropriateness of addressing the application under this regulation.

(2) Any data request issued by the technical staff shall be answered by the applicant as expeditiously as possible. The technical staff may conduct a field audit to verify any information the technical staff considers essential to a rate proceeding.

(3) The technical staff shall complete the audit of the application and forward a written recommendation to the commission.

(4) A copy of the technical staff's recommendation shall be provided to the applicant. If the technical staff recommendation is to approve the application with modification or to deny the application, the applicant may submit written comments, which may include a request for hearing, to the commission.

(5) The application shall be considered by the commission. The application may be:

(A) Approved as filed;

(B) approved with modifications;

(C) suspended by the commission pending an order setting the matter for hearing and directing the technical staff to conduct a further investigation; or

(D) denied.

(6)(A) If the commission approves the application pursuant to subparagraph 5(A) or 5(B), an interim order seeking comment shall be issued. The interim order shall be subject to a comment period of 90 days. The applicant shall notify its customers of the interim rates, interim rate design, and the comment period within 20 days of the commission's issuance of the interim order.

(B) If at the close of the 90-day comment period, substantial comment has not been received, a final order making the temporary rates permanent may be issued by the commission. If at the close of the 90-day comment period, substantial comment has been received, further investigation and hearing may be ordered by the commission.

(7) If the commission orders a further investigation and hearing under subparagraph 5(C) or 6(B), a hearing date and dates by which parties must file written testimony shall be specified by the commission.

(d) Consideration of an application under this regulation may be suspended and converted to an application subject to K.A.R. 82-1-231 at any time during the proceeding and for good cause. Such a conversion may be made on the motion of the technical staff or the commission on its own initiative.

(e) For good cause shown, any requirements of this

rule may be waived by the commission. (Authorized by K.S.A. 66-106; implementing K.S.A. 66-106 and K.S.A. 1989 Supp. 66-117; effective July 23, 1990.)

82-1-232. Orders of the commission. Orders of the state corporation commission shall conform to the following rules: (a) Form and content. Each order of the commission shall contain the following:

(1) A caption which shall comply with the requirements of subsection (a)(1) of K.A.R. 82-1-219 except that the heading shall be "THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS" which shall be followed by a designation of the commissioners to whom the matter was submitted.

(2) A recitation of the appearances, whether by attorney or pro se, and a summary of jurisdictional facts including those pertaining to dates and places of hearings and notices thereof.

(3) A concise and specific statement of the relevant law and basic facts which persuade the commission in arriving at its decision.

(4) The official signature of the commission, as provided in this rule.

(5) The surnames of the commissioners who participated in the making of the order typed at the end of the order.

(6) The date of mailing to the parties shown below the secretary's signature.

(b) Orders issued without a hearing.

(1) Non-KAPA proceeding. When the commission renders an order or decision on any matter without holding a hearing thereon, any public utility, person or corporation affected by such order or decision and deeming it to be improper, unreasonable or contrary to law, may apply, by petition, for a hearing thereon before the commission. Such petition shall contain a statement of every ground of objection which the petitioner desires to urge against such decision or order. The petition for a hearing may be granted or denied by the commission, and if a hearing is granted it shall be subject to these rules. If a hearing is denied, such denial shall be construed as a denial of a petition for reconsideration on such matter for purposes of an application for judicial review of such order or decision.

(2) Orders issued in summary proceedings pursuant to the Kansas administrative procedure act. Any order issued in a summary proceeding shall disclose that any party may file a petition requesting a hearing within 15 days after service of an order.

(c) Interim Emergency orders. (1) Interim emergency orders may be issued by the commission upon its own initiative, or upon a request, when there has been a showing of good cause.

(2) An interim order may be issued by any commissioner and all parties affected by the order shall comply, except that as soon as possible after the order is issued, it shall be approved or revoked by a majority of the commission.

(3) Unless a different period of time is otherwise specified by statute, an interim order shall not be effective for a period longer than 30 days if said order is issued without a hearing being held on the merits of the issues determined by the order.

(d) Official signature of the commission. All orders, certificates, permissions, approvals, licenses, permits, warrants, subpoenas, or any process or instrument may be officially signed with the signature of the commission by subscribing thereto the signature of the executive director of the commission and affixing thereto the official seal of the commission. All orders or other instruments made and issued by the commission shall be in strict conformance with the action of the commission as shown by the official written minutes of the commission, signed by at least two commissioners, with the exception of orders suspending or cancelling the authority of a motor carrier for failure to maintain proof of insurance as required by K.S.A. 66-1,128. Orders suspending or cancelling the authority of a motor carrier or reinstating the carrier for providing proof of insurance shall require the signature of only one commissioner on the minutes, until signatures of the other two commissioners may be obtained.

(e) Filing, effective date. All orders of the commission shall be filed in the office of the commission in Topeka. Such orders shall take effect and be in force upon service thereof, as prescribed by rule 82-1-216, unless otherwise expressly provided in said order or by statute.

(f) Dating of orders. The date any order of the commission is mailed by the commission shall be shown on the order by the executive director below the official signature of the commission, except that orders which are mailed from the office of the commission's conservation division shall have the date of mailing shown on each order by the administrator of the conservation division. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-234a. Discovery. (a) Discovery shall be limited to matters that are clearly relevant to the proceeding involved. Discovery may be further limited by the commission or presiding officer based on the discovering party's interest and participation in the proceeding. This regulation shall not diminish, alter, or modify in any way the authority of the commission staff to request information in the performance of its duties.

(b) Responses to data requests submitted by commission staff shall be furnished within seven days of the date on which the information was requested, unless otherwise directed. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective May 1, 1985; amended July 23, 1990.)

82-1-235. Petitions for reconsideration; compliance with orders. Any party being aggrieved by any order or decision of the commission may file a petition for reconsideration before the commission. All petitions for reconsideration shall be filed pursuant to the appropriate statutory provisions relating thereto.

(a) If the petitioner relies on the ground that the commission, in making its determination, did not consider any of the evidence presented in the proceeding, the petition for reconsideration shall cite that portion of the transcript where such testimony appears, if the transcript is available on the date of the commission's order, and said application shall specify by number such exhibits and

the pertinent portion thereof which is alleged not to have been considered by the commission.

(b) Service. A party filing a petition for reconsideration shall serve a copy upon all parties to the proceeding in the manner prescribed by these rules for the filing and service of pleadings.

(c) Types of hearings for reconsideration. A petition for reconsideration shall specify the type of reconsideration requested, which shall be one of the following:

(1) General reconsideration of all issues of fact or law involved in the initial hearing and the commission's order;

(2) Specific reconsideration of issues of fact or law, limited to those issues of fact or law specified in the petition for reconsideration;

(3) Reconsideration for oral argument or legal authorities relating to legal issues and the commission's conclusions of law; or

(4) Reconsideration for submission of additional evidence which was either not available or not known to exist at the time of the hearing.

(d) Nature of additional evidence. If such petition is to reopen the case for further evidence, the nature and purpose of such evidence shall be briefly stated, and the same shall not be merely cumulative.

(e) Compliance with order. The filing of a petition for reconsideration or the granting of reconsideration shall not excuse any corporation or person from complying with and obeying any order or decision of the commission theretofore made, or operate in any way to stay or postpone the enforcement thereof, except in such cases and upon such terms as may be directed by order of the commission. Notwithstanding the foregoing provisions of this subsection, a stay of any of its orders may be granted by order of the commission pending the decision on reconsideration, the enforcement of which may be postponed on such terms and for such periods of time as may be prescribed by the commission.

(f) Order of procedure. The burden of going forward with the evidence shall rest upon the applicant or applicants who procured the reconsideration, and such applicant or applicants shall open and close.

(g) Evidence in original hearing. All the evidence, rules, regulations, instruments and other documents admitted or received in the original hearing or subsequent hearings shall, by operation of this rule, become a part of the record in the reconsideration, unless otherwise directed by the commission.

(h) Multiple petitions for reconsideration. Each party desiring reconsideration shall file a petition for reconsideration. Any party that files a petition for reconsideration shall rely solely upon its own application. An applicant may dismiss its petition for reconsideration at any time. All parties are entitled to cross-examine witnesses and be heard at the hearing where facts or issues are given reconsideration. Direct testimony may be introduced only by applicants. Rebuttal testimony may be introduced by any party. When two or more petitions for reconsideration are granted, they shall be consolidated for hearing and shall be heard on a common record. There shall be only one hearing for reconsideration, regardless of how many applications therefor may be granted. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704,

(continued)

66-106; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-237. Investigation and hearing. Upon the initiation of an investigation. Any public utility, common carrier or any other party under the commission's jurisdiction may be investigated and hearings may be ordered by the commission at any time, on its own motion when the commission believes the party under its jurisdiction is in violation of law or of any order of the commission. Such other investigations as are required or authorized by law may be instituted by the commission as they are deemed to be necessary. Evidence considered necessary or desirable in any formal proceeding, in addition to the evidence presented by the parties, may be secured and presented by the commission whenever it is deemed necessary. (Authorized by and implementing K.S.A. 1989 Supp. 55-604, K.S.A. 55-704, 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990.)

82-1-238. Transcripts. (a) Transcripts of all testimony and proceedings may be ordered and purchased from the commission if the reporter is employed by the commission. Otherwise transcripts may be purchased directly from the reporter. Corrections to the official transcript may be made only to make it conform to the evidence presented at the hearing. Claimed errors and suggested corrections may be offered by any party within 10 days after the transcript is filed with the commission, unless the presiding officer grants an extension. Suggested corrections shall be served in writing upon each party of record, the official reporter, and the presiding officer. The presiding officer shall then determine the manner in which the record must be changed, if at all. All parties shall be advised by the commission of any authorized corrections to the record.

(b) Whenever any order, pleading brief or other document filed with the commission makes reference to a portion of the transcript of any hearing before the commission, that citation to the transcript shall be made as follows: The citation shall begin with the last name of the witness or the volume, if there is more than one volume, and the abbreviation "Tr." The citation shall be concluded by a reference to the appropriate page number or numbers in the transcript volume. Citations to more than one volume of transcript or to more than one witness or speaker shall be separated by semicolons. (Authorized by and implementing K.S.A. 1989 supp. 55-604, K.S.A. 55-704, 66-106; effective Feb. 15, 1977; amended May 1, 1985; amended July 23, 1990.)

Judith McConnell
Executive Director

Doc. No. 009316

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. Wednesday, July 11, at the Holiday Inn Holidome, Versailles Rooms A and B, 605 Fairlawn Road, Topeka, to consider the adoption and revocation of several department regulations. If necessary, the public hearing will continue at 9 a.m. Thursday, July 12, at the same location. A workshop meeting on upcoming business and regulations will begin at 1:30 p.m. Wednesday, July 11, at the above 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 and the proposed revocations. 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 and revocations.

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

K.A.R. 115-2-1. Amount of fees. This permanent regulation would be amended to establish a fee for a landowner/tenant hunt-on-your-own-land deer permit at \$10 and to establish a special dark goose hunting permit at \$5.

Economic Impact Summary: Individuals applying for the hunt-on-your-own-land deer permit would pay \$10 while others would pay the full \$30 fee. In 1989, 25,883 landowner and tenant permits were issued. Due to the change, it is estimated that 23,295 landowners and tenants will apply for deer permits in 1990. Ten thousand would apply for the \$10 permit and 13,295 for the \$30 permit for a net gain in revenue to the department of \$160,605.

The dark goose permit was issued in prior years at no charge as a requirement to hunt dark geese in two special eastern Kansas zones. It is estimated that 1,200 permits would be issued at \$5 resulting in \$6,000 income for the department less \$1,800 in expenses for a net revenue of \$4,200.

Both permit fees represent a cost to a segment of the public if that public chooses to participate.

K.A.R. 115-4-9. Big game; possession of a salvaged carcass. This proposed permanent regulation continues provisions of K.A.R. 23-2-17, which is proposed for revocation. It provides for legal possession and use of salvaged big game through a tag system.

Economic Impact Summary: No impact is anticipated as the same basic system is continued.

K.A.R. 115-4-10. Big game; shooting hours. The proposed amendment to this permanent regulation would extend the shooting hours for deer, antelope and elk hunting from sundown to one-half hour after sundown. Shooting hours for turkey hunting are not changed.

Economic Impact Summary: Economic impact would be insignificant, but should provide for additional recreational opportunity and harvest.

K.A.R. 115-4-11. Big game permit; landowner and tenant application, proof of ownership or tenancy. This proposed permanent regulation requires that landowners and tenants applying for a landowner/tenant big game permit or a hunt-on-your-own-land permit would submit a legal description of at least 80 acres or a legal description of lands that would be hunted.

Economic Impact Summary: No economic impact is anticipated on the public or the department.

K.A.R. 115-7-3. Fish; taking of bait fish or minnows. This proposed permanent regulation continues provisions of K.A.R. 23-3-13, which is proposed for revocation. It provides for the taking of bait fish for noncommercial uses and establishes limits.

Economic Impact Summary: The same basic conditions would exist, thus no economic impact is anticipated.

K.A.R. 115-7-6. Fishing; bait. This proposed permanent regulation establishes legal baits for fishing use. All baits previously considered as legal are included.

Economic Impact Summary: No economic impact is anticipated.

K.A.R. 115-16-1. Cyanide gas gun permit; application and requirements. This proposed permanent regulation continues provisions of K.A.R. 23-6-7, which is proposed for revocation. It provides for use of cyanide gas guns under a permit issued by the department after approval by the extension specialist in wildlife damage control.

Economic Impact Summary: No economic impact is anticipated.

K.A.R. 115-16-2. Prairie dog control permit; application and requirements. This proposed permanent regulation establishes a permit requirement and procedures for use of poisonous gas or smoke to control prairie dogs. The same permit application and requirements are established as were previously followed under K.S.A. 32-158, which was repealed.

Economic Impact Summary: No economic impact is anticipated.

K.A.R. 115-16-3. Nuisance bird control permit; application, provisions and requirements. This proposed permanent regulation continues provisions of K.A.R. 23-15-1, which is proposed for revocation. It requires a permit for control using poisons or chemicals, other control methods would not require a permit. Nuisance bird species are listed and are expanded from K.A.R. 23-15-1.

Economic Impact Summary: No economic impact is anticipated as control abilities of K.A.R. 23-15-1 are basically continued.

K.A.R. 115-16-4. Big game control permit; application, requirements and provisions. This proposed permanent regulation requires that a permit be issued by the department whenever lethal methods of control are to be

used on big game. Legal possession and use of a big game carcass is authorized.

Economic Impact Summary: Minimal impact is anticipated as producers would be able to continue damage control efforts, but would be exposed to other alternative methods affording damage relief with long term benefits. The ability to use a big game carcass would be of benefit to some permittees.

K.A.R. 115-17-1. Commercial harvest of fish bait; legal species, harvest seasons, size restrictions, daily limits and possession limits. This proposed permanent regulation establishes legal species of crustaceans, mussels, amphibians, annelids and insects that may be harvested from the wild for commercial sale as fishing bait. Seasons, size restrictions and limits are addressed.

Economic Impact Summary: It is estimated that 100 individuals have been involved in commercial harvest of listed species for use as fish bait. Due to recodification, such activity is not legal. Adoption of the regulation would allow formerly legal activities to continue. Some restrictions are imposed; however, they are not anticipated to have a significant economic impact on harvesters.

K.A.R. 115-17-2. Commercial sale of fish bait. This proposed permanent regulation establishes legal species of wildlife that can be sold for fish bait. Certain species are prohibited. Live sales are restricted to those species native to or naturalized in Kansas, and in the case of annelids, to those species native to the continental United States.

Economic Impact Summary: It is estimated that 2,000 individuals and businesses are involved in fish bait sales and would be impacted by this regulation. The regulation covers most species that are currently sold for bait, so no economic impact is anticipated. Prohibition of several species may impact importers and distributors and may also impact a small number of retailers until sources of legal species are secured.

K.A.R. 115-17-3. Commercial fish bait permit; requirement, application, and general provisions. This proposed permanent regulation establishes a permit requirement to harvest, sell or purchase for resale fish bait, excluding annelids and insects. General permit authorities and requirements are established. The effective date of the regulation is January 1, 1991.

Economic Impact Summary: It is estimated that 2,000 individuals and businesses are involved in fish bait sales and would be impacted by the permit requirement. A fee for such permit will be established at a later date under a separate regulation (K.A.R. 115-2-1).

K.A.R. 115-17-4. Commercial harvest of fish bait; legal equipment, taking methods, and general provisions. This proposed permanent regulation establishes legal equipment and taking methods for harvest of wildlife species used for fish bait. Traditional equipment and methods are continued. A tagging requirement for traps and seines is included.

Economic Impact Summary: No economic impact is anticipated as traditional equipment and methods are continued. A slight impact may be noted due to the tagging requirement.

K.A.R. 115-17-5. Commercial harvest of fish bait; open areas. This proposed permanent regulation establishes the

(continued)

open areas for the commercial taking of wildlife listed in K.A.R. 115-17-1. All department lands and waters would be closed for commercial taking. Additional closed areas are established.

Economic Impact Summary: The open areas and closures are similar to those areas that were open or closed under former statute or by commercial harvest permit under current regulations.

K.A.R. 115-20-2. Certain wildlife; legal equipment, taking methods, possession and license requirement. This proposed permanent regulation establishes a list of wildlife that may be taken for personal use on a noncommercial basis. Legal taking methods, daily and possession limits, seasons and a hunting license exemption for the taking of invertebrates are included.

Economic Impact Summary: This regulation is prepared to closely parallel legal activities prior to recodification, thus the public will notice little or no change. No significant economic impact is anticipated.

K.A.R. 115-20-3. Exotic wildlife; possession, sale and requirements. This proposed permanent regulation defines exotic wildlife and authorizes their possession and sale subject to all federal and state laws and rules and regulations. It requires that exotic wildlife be confined or controlled at all times and prohibits the release of exotic wildlife onto the lands or into the waters of this state.

Economic Impact Summary: No economic impact is anticipated.

The following regulations are proposed for revocation:

K.A.R. 23-2-17. Big game; possession of a salvaged carcass. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in proposed regulation K.A.R. 115-4-9.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-3-9. Fishing; open season. This exempt regulation exists under the discontinued agency 23 number. Provisions for the open fishing season are now contained in K.A.R. 115-25-14.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-3-13. Taking of bait fish or minnows. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in proposed regulation K.A.R. 115-7-3.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-6-1. Furbearers; open season, possession periods, means and method of taking. This exempt regulation exists under the discontinued agency 23 number. Provisions of this regulation now exist under K.A.R. 115-5-1, 115-5-2 and 115-25-11.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-6-7. Cyanide gas or other poisonous gas, gun, bomb, other device; use in wildlife control. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in proposed regulation K.A.R. 115-16-1.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-8-11. Wildlife areas; use restrictions. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in K.A.R. 115-8-1, K.A.R. 115-8-2, and K.A.R. 115-8-20.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-15-1. Nuisance bird control permit. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in proposed regulation K.A.R. 115-16-3.

Economic Impact Summary: No economic impact will occur as a result of revocation.

Ron Hopkins
Chairman

Doc. No. 009335

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, 1500 S.W. Arrowhead Road, 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, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

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

Renoticed Application for Extension of Certificate of Convenience and Necessity:

The following application was originally noticed as an Application for Certificate of Convenience and Necessity and should have been noticed as an Extension of Certificate of Convenience and Necessity:

Highway Carrier Corporation) Docket No. 132,313 M
5320 N.E. 54th Ave.)
Altoona, IA 50009) MC ID No. 107035

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

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

Between all points and places in the state of Kansas.

Applications set for June 19, 1990

Application for Extension of Certificate of Convenience and Necessity:

Butler Bros., Inc.) Docket No. 18,668 M
2210 Simpson St.)
Winfield, KS 67156) MC ID No. 100045

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

Heavy and cumbersome commodities, building and construction materials, fencing materials, road supplies, and materials and machinery, including off-road machinery and cement,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Courier Management, Inc., dba) Docket No. 171,089 M
Go-45Fer Courier Service)
1123 E. Waterman)
Wichita, KS 67211) MC ID No. 137191

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd, P.O. Box 237, Topeka, KS 66612-1840

General commodities (except household goods, classes A and B explosives and commodities in bulk), restricted to packages or articles weighing not more than 70 pounds or not exceeding 48 inches in length or not exceeding 70 inches in length and girth combined),

Between points and places in Sedgwick, Butler, Harvey, Reno, Sumner, Cowley and Kingman counties, Kansas.

Also,

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

Application for Certificate of Convenience and Necessity:

Furney Charters, Inc., dba) Docket No. 134,624 M
Travelers Express Shuttle)
457 E. Poyntz)
Manhattan, KS 66502) MC ID No. 171090

Applicant's Attorney: Joseph Weiler, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

Passengers and their baggage in shuttle service, charter service and special operations,

Between points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

John E. Mace and) Docket No. 171,092 M
Joyce L. Morris, dba)
Heartland Auto Parts)
Route 4, Box 47A)
McPherson, KS 67460) MC ID No. 138051

Applicant's Attorney: None

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

Between points and places in McPherson, Rice, Reno, Russell, Barton, Stafford, Pratt, Kingman, Ellsworth, Lincoln, Mitchell, Cloud, Ottawa, Saline, Harvey, Sedgwick, Butler, Marion, Dickinson, Clay, Riley, Geary, Morris,

Chase, Greenwood, Lyon, Coffey, Osage, Wabaunsee, Pottawatomie and Shawnee counties, Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Ed Racette & Son, Inc.) Docket No. 60,130 M
6021 N. Broadway)
Wichita, KS 67219) MC ID No. 100617

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Phil Williams and) Docket No. 171,091 M
Donald Williams, dba)
Phil's Auto and Tow)
602 N. Mulberry)
Louisburg, KS 66053) MC ID No. 137992

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles,

Between points and places in Linn, Miami, Franklin, Johnson and Wyandotte counties, Kansas.

Application for Certificate of Convenience and Necessity:

David A. Rolland, dba) Docket No. 171,084 M
Rolland Trucking)
210 N. Louisa)
Box 121)
Williamsburg, KS 66095) MC ID No. 137193

Applicant's Attorney: None

Grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, hay, seed and salt,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Lyle Emery, dba) Docket No. 170,566 M
Shorty's Standard)
520-22 Main)
Stockton, KS 67669) MC ID No. 137753

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles,

Between all points and places in the state of Kansas.

Alfonzo A. Maxwell
Administrator
Transportation Division

Doc. No. 009336

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

(Editors' Note: Portions of the following bills were line-item vetoed by the Governor. The Governor's Message concerning the vetoes immediately follows each bill.)

(Published in the Kansas Register, June 7, 1990.)

SENATE BILL No. 653

AN ACT concerning certain claims against the state; making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.

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

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

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458 and amendments thereto, to the following claimants:

Table listing claimants and amounts: Albers, Bob, d/b/a Dug Out Ranch, 1624 E. Cloud, Salina, KS 67401 \$416.99; Alstrom, Max E., Route 2, Box 77, Oberlin, KS 67749 49.90; Anderson, Gary, Route 2, Box 83, Plainville, KS 67663 908.62; Auld, Glenn A., Route 1, Box 37, Eskridge, KS 66423 52.10; Bar C Ranch, Route 1, Box 25, Sylvan Grove, KS 67481 32.08; Barnes, Thomas, Box 293, McCracken, KS 67556 36.92; Beach Farms, Route 2, Box 61, Scott City, KS 67871 515.29; Beall, Danny, Box 277, Severy, KS 67137 135.14; Belden, Gale, Route 1, Box 60, Burr Oak, KS 66936 18.00; Bergmeier, Clarence, Longford, KS 67458 188.30; Bixenman, Bill, Box 192, Grinnell, KS 67738 162.95; Bliss, Cyril, 500 W. 3rd, Atwood, KS 67730 47.37; Bohannon, Reece, Crestwood Valley Road, Arkansas City, KS 67005 213.84; Bohm Farm and Ranch, North First Street, Osborne, KS 67473 906.84; Bohn, Lucille, Box 111, Eskridge, KS 66423 57.60; Bolz, Junior, Hoyt, KS 66440 17.45; Boswell, Larry, Route 1, Peck, KS 67120 40.00; Brink, Jack, Route 2, Howard, KS 67349 55.29; Brownlee, Robert, Route 1, Harveyville, KS 66431 427.68; Broyles, Kenneth, Delia, KS 66418 18.00; Budde, Frank, Route 4, Newton, KS 67114 28.34; Bunyan, Greg, Fowler, KS 67844 54.63; Burwell, Earl M., Route 1, Abilene, KS 67410 15.25; Bussen, N. J., Star Route, Box 28, Monument, KS 67747 77.18; Caley, Homer K., DVM, 410 Shelle Road, Manhattan, KS 66502 89.83; Cartmill, Marcheta, Route 1, Box 30, Gove, KS 67736 18.00; Charbonneau, Ernest, Route 2, Box 190, Clyde, KS 66938 123.71; City of Waverly, Box 308, Waverly, KS 66871 35.16; Cizerle, Tom, Route 3, Girard, KS 66743 24.60; Clemence, Jon, Route 1, Box 202, Abilene, KS 67410 41.10; Cline, John A., Route 1, Box 675, Havensville, KS 66432 12.94; Coffeyville Country Club, Inc., Box 265, Coffeyville, KS 67337 129.76; Comp, Jon D., Route 1, Box 122, White City, KS 66872 30.98; Conrad, Albert E., Route 1, Box 115 A, Parker, KS 66072 42.64; Courtney, Robert E., Route 2, Box 71, McLouth, KS 66054 301.95; Cox, Lewis Nolen, Route 2, Box 237, Mound City, KS 66056 75.53; Criss, Kenneth R., Melvern, KS 66510 242.55; Dan-D-Glenn Farms, Route 1, Box 40, Olsburg, KS 66520 106.00; Davies, Clint, Route 2, Box 37, Reading, KS 66868 281.46; Deel, Delton, Route 1, Osawatimie, KS 66064 7.11; Demoret, Lawrence, Route 1, Box 103, Jetmore, KS 67854 171.27; DeMoss, Kenneth W., Route 1, Box 222, Latham, KS 67072 108.75; Denny, Charles A., 11 La Hacunda Drive, Colby, KS 67701 265.91; Dillon, Ralph E., Route 2, Box 25, Hope, KS 67451 249.58

Table listing claimants and amounts: Doran, James V., Box 335, St. John, KS 67576 661.22; Dowler, Robert W., Route 3, Box 124, Winfield, KS 67156 84.00; Dwerlkotte, Bernard, Route 1, Box 36, Marysville, KS 66508 317.10; Edmiston, Dale, Box 382, Americus, KS 66835 83.34; Fabrizio Farm Account, c/o Carroll Fabrizio, Route 2, Box 30, Wakeeney, KS 67672 260.96; Fabrizio, Paul M., Route 2, Box 14 E, Wakeeney, KS 67672 117.73; Faidley, Lon, Box 97, Solomon, KS 67480 16.79; Fisher, Keith, Route 1, Box 39, Belpre, KS 67519 49.24; Flaming, Kenneth, 2430 County Club Road, El Dorado, KS 67042 461.14; Fleske, Walter W., 1031 W. 4th, Larned, KS 67550 47.70; Fluker, J. Robert, Box 3489, Lawrence, KS 66046-0489 15.69; Foltz, Gary, Route 3, Abilene, KS 67410 280.86; Fretterick, William L., Route 1, Humboldt, KS 66748 16.57; Gasche, Dan, Route 1, Box 173, Hartford, KS 66854 29.00; Gasper, Kenneth, Box 131, Tipton, KS 67485 339.87; Gleason, Maurice L., Route 1, Maple Hill, KS 66507 35.82; Gordon, Dale A., Route 1, Atlanta, KS 67008 137.31; Graber, Gilbert, Route 2, Pretty Prairie, KS 67570 213.74; Griffin, Lyle, R. R., Box 111A, Tribune, KS 67879 8.98; Grosdidier, Norbert, Route 1, Eudora, KS 66025 76.85; Haberman, Francis, 3418 Meadowlark, Great Bend, KS 67530 16.35; Hageman, Paul, Route 1, Box 87, Isabel, KS 67065 88.40; Hall, Eugene W., Route 1, Box 22, Garfield, KS 67529 78.50; Hammes, Calen, Route 1, Box 18, Seneca, KS 66538 101.38; Haney, Paul W., Route 1, Box 49, Richmond, KS 66080 39.89; Hairs, Leonard, North Star Route, Dodge City, KS 67801 67.50; Harms, Ronald E., North Star Route, Dodge City, KS 67801 740.82; Haslouer, Bill, Route 1, Hope, KS 67451 291.36; Haverkamp, Cletus, Route 3, Box 68, Seneca, KS 66538 108.09; Henry, Daniel J., Route 3, Seneca, KS 66538 50.23; Hermreck, Leonard, Box 142, Williamsburg, KS 66095 141.57; Hinshaw, Doug, Route 2, Box 78, Ensign, KS 67841 17.45; Hogard, Mrs. Ray, 509 Parklane, Pratt, KS 67124 95.33; Horton, C. Dean, Route 1, Box 419, Americus, KS 66835 29.00; Houlton, Billy R., Route 1, Hazelton, KS 67061 156.22; Howell, Jan, Box 432, Idaho Springs, CO 80452 75.31; Hug, Keith, Route 2, Box 230, Mayetta, KS 66509 163.15; Hunsicker, Ben F., Box 124, Morland, KS 67650 22.95; Irey, Marvin, 4222 California, Topeka, KS 66605 207.80; Irons Feed Lot Inc., HCR 1, Box 181, Minneola, KS 67865 41.10; J & G Inc., Jon M. Ramsey, Pres., Route 1, Box 118, Scott City, KS 67871 41.65; James, Lon, Route 5, Clay Center, KS 67432 671.42; Jensen, Arthur, 18435 S. 169 Highway, Olathe, KS 66062 135.23; Johnson, Mrs. Albert R., 6465 E. Magnolia, Salina, KS 67401 82.90; Juhnke, Leonard J., Route 1, 125th St. North, Sedgwick, KS 67135 46.60; Kaff, Lee W., Route 1, Box 175, Carbondale, KS 66414 170.97; Kansas State University, Controller's Office, Anderson Hall, Rm. # 212, Manhattan, KS 66502 88.40; Karlin, Wilfric, HC 39, Box 92, Hays, KS 67601 819.92; Kernohan, Max, Route 1, Box 44, Zenda, KS 67159 60.35; Kline, Raymond, 3852 W. State Street, Salina, KS 67401 48.14; Knepp, Billie G., Route 2, Iola, KS 66749 84.00; Knowles, Steve, Route 1, Box 139, Kirwin, KS 67644 135.15; Koch, Rock, Route 1, Box 96, Axtell, KS 66403 50.78; Kohl, James, Route 3, Ellis, KS 67637 332.84; Krohn, Myron, Box 28, Blaine, KS 66410 47.70; Kuttler, J. V. and Sons, Box 430, Tribune, KS 67879 45.39; Larsen, Larry D., c/o Larsen Farms, 40 Inverness Drive East, Suite 150, Englewood, CO 80112 55.95; The Lazy "G" Ranch, Inc., 500 West Texas, Suite 1190, Midland, TX 79701 153.85; Leeberg, Harold, Route 1, Box 66, Reading, KS 66868 3.04; Leslie, M. V. or Brett, Route 1, Box 65, Nashville, KS 67112 81.80; Lewellen, Joe, Route 1, Cassoday, KS 66842 39.23; Lindhorst, Craig, P. O. Box 182, Marysville, KS 66508 146.03; Luckert, Frank, Route 2, Norton, KS 67654 121.07; Luthi, Harold, Box 65, Madison, KS 66860 318.58; Lyon, Lynn C., Route 1, Box 73, Emporia, KS 66801 16.90; Lyon, Melvin L., 214 1/2 South Main, Smith Center, KS 66967 46.60; Malir, Robert C., Jr., Box L, 2520 Avenue E., Wilson, KS 67490 12.50; Marcoux Ranch, c/o Marc Marcoux, Route 1, Box 170, Centralia, KS 66415 30.21; Marrs, Roy, Box 130, Fowler, KS 67844 264.92; Martin, Gerald W., Route 1, Box 118, Garden Plain, KS 67050 73.00; Mayer, Harlan W., 313 Sycamore, Goodland, KS 67735 45.50; McCall, Keith H., Route 2, Box 83, St. Francis, KS 67756 18.00; McHenry, Robert E., Jr., 5900 E. 91st St. S., Derby, KS 67037 200.18; Melvin Gengler Farms, Inc., Route 1, Beloit, KS 67420 120.30; Metzgen Bros. Dairy, Route 1, 21321 W. 55th So., Viola, KS 67149 81.36; Meyer, A. W., Route 2, Box 177, Herington, KS 67449 17.67; Meyer, Fred H., Box 294, Alma, KS 66407 246.11; M. Meyer & Son Nursery, Inc., 5439 South Hydraulic, Wichita, KS 67216 89.50; Miller, Larry L., Box 9, Route 1, Agra, KS 67621 12.72; Mills, Larry R., Route 1, Box 195, Elk City, KS 67344 49.57; Minihan, Francis, Blaine, KS 66549 464.80; Moore, James L., Route 1, Box 65, Goodland, KS 67735 123.05; Mounkes, Gary W. or Sarah, Box 62, Reading, KS 66868 73.77

Moyer Ranch, Inc., 901 Knox Lane, Manhattan, KS 66502	24.93
Murphy, John Kevin, Route 1, Hope, KS 67451	17.23
Nelson, Jim, Route 2, Box 180, Jewell, KS 66949	48.36
Nelson, Lawrence Delos, 328 E. Grand, Haysville, KS 67060	16.46
Nelson, Vernon, 10657 So. Muir Rd., Falun, KS 67442	73.00
Neu, Charles William, Denton, KS 66017	95.11
Newell, Dale & Marc, Route 1, Wakefield, KS 67487	153.65
Niles, Irving R., Route 2, Lyndon, KS 66431	264.63
Noll, Kenneth W., Box 144, Winchester, KS 66097	41.10
Nolte, Ruby A., Route 2, Box 184, Hiawatha, KS 66434	15.25
Otte, John E., Route 1, Box 103, Canton, KS 67428	479.36
Overwald, Elmer, Route 1, Box 24, Hanover, KS 66945	12.50
Peters, Melvin, Route 3, Box 178, Newton, KS 67114	134.71
Peterson Farm, Route 2, Wamego, KS 66547	32.30
Peterson, Kenneth, Route 1, Box 59, Sylvan Grove, KS 67481	162.36
Petitjean, Charles R., Route 2, Box 96, St. Francis, KS 67756	7.00
Pio, Karen S., Route 1, Box 32, Allen, KS 66833	17.89
Place, Steve, 504 N. Topeka, El Dorado, KS 67042	174.93
Powe, Robert L., Route 1, Box 30, Piedmont, KS 67122	15.80
Price, Howard, Price Farms, 29 Crestview Dr., Salina, KS 67402	40.00
Pulliam, Duane W., Route 2, Box 12, Freeport, KS 67049	115.46
Raine, Linda S. or Bill, Route 8, Box 51, Topeka, KS 66613	8.10
Reed, Chester D., Route 1, Peru, KS 67360	76.41
Reed, Larry, Route 1, Madison, KS 66860	41.10
Reid, Wayne or Marie, Harveyville, KS 66431	104.02
Rempel, Lloyd, Route 2, Box 248, Hillsboro, KS 67063	16.90
Rethman, Rupert R., Route 1, Box 100, Seneca, KS 66538	63.65
Robbins, Richard W., Jr., Belvidere, KS 67015	2,810.91
Rutland, Guy R., Route 1, Box 41, Independence, KS 67301	52.65
Schadel, Leonard, Healy, KS 67850	40.11
Scheid, Lloyd, Whiting, KS 66552	40.00
Schmidt, Kenneth, Route 2, Box 66, Montezuma, KS 67867	273.14
Schmits, E. Alvin, Route 2, Seneca, KS 66538	8.10
Schmitz, Stanley, Route 1, Seneca, KS 66538	18.00
Schneider, Marvin, Route 1, Box 72, Olmitz, KS 67564	32.41
Schrader, Dwight L., Route 1, Box 20, Alta Vista, KS 66834	350.16
Schrag, Merle J., Route 3, Box 69, Burrton, KS 67020	79.38
Schultz Bros. Ranch, Route 1, Box 49, Alma, KS 66401	49.13
Scott, Ben, 1105 Adams, Fredonia, KS 66736	32.74
Sedan Country Club, Box 101, Sedan, KS 67361	198.69
Seiwert, Joe, Route 2, Pretty Prairie, KS 67570	95.44
Sellers, Robert, Route 1, Box 60, Florence, KS 66851	43.85
Shaw, Donald, Route 2, Box 153, Selden, KS 67757	58.37
Sites, Donald E., Box 201, Grinnell, KS 67738	32.96
Smith, F. B., Route 1, Box 5, Highland, KS 66035	49.35
Smith, John D., Route 1, Box 75, Pleasanton, KS 66075	13.27
Smith, Leonard E., Sr., Route 1, Box 67, Olmitz, KS 67564	189.98
Snay, Max, Route 1, Box 15, Plevna, KS 67568	157.81
Sollner, Charles J., Box 214, Longford, KS 67458	7.00
Sonkabbob, Inc., Lawrence Jones, Pres., 513 N. Madison, Anthony, KS 67003	95.00
Standley, Frank, Route 1, Box 54, Courtland, KS 66939	131.63
Stoneback, I. J., Route 6, Box 202, Lawrence, KS 66046	13.60
Stoppel, Alvin, 403 E. Carson, Box 51, Sublette, KS 67877	316.40
Stucky, Gordon, Route 3, Box 131, Newton, KS 67114	528.76
Sutcliffe, Inc., Box 825, 117 South Grant, Chanute, KS 66720	5.46
Swaim, Richard L., Jr., Route 2, Silver Lake, KS 66539	132.29
Thompson, Andy, Route 1, Box 116, Courtland, KS 66939	11.84
Torneden, Marvin L. &/or Marvel, Route 1, Box 104, Linwood, KS 66052	43.41
Ubel, Donald, 9505 Harvest Road, Manhattan, KS 66502	36.26
Uhrich, Lawrence, Route 1, Box 232, McClouth, KS 66054	63.76
Ukele, Stephen or Lee, Route 3, Sabetha, KS 66534	18.55
United Bridge Co., Inc., Box 14986, Lenexa, KS 66215	465.30
Veverka, Ernest L., Route 1, Box 7, Luray, KS 67649	12.50
Visser Farms, Inc., 9640 N. 60th, Riley, KS 66531	169.39
Vondra Bros., c/o Frank Vondra, Route 2, Box 138, Geneseo, KS 67444	73.44
Walle, Joe, Double J Farms, 6959 W. Santana, Culver, KS 67484	439.26
Weber, Eldon, Route 2, Herington, KS 67449	7.00
Weixelman, Paul L., Sr., Box 158, Ozawie, KS 66070	178.50
White, Marlin M., Route 1, Box 271, Melvern, KS 66510	61.12
Wiens, Walter, Route 1, Inman, KS 67346	7.00
Wiggers, Virgil, Route 1, Box 162, Moundridge, KS 67107	7.55
Wilson, Donald, Route 2, Box 26, Alta Vista, KS 66834	419.17
Winkel, Cecil, Box 143, Glen Elder, KS 67446	270.76
Winkler, Albert L., Route 1, Corning, KS 66417	18.00
Winn, George E., Box 291, Hardtner, KS 67057	10.30
Wolters, Albert T., 7316 N. Wyandotte, Kansas City, MO 64118	29.00
Wolters Farms, Inc., Route 2, Box 162, Atwood, KS 67730	199.78
Wolf, Stanley, Route 1, Box 45, Milton, KS 67106	128.55
Wurm, Allen and Rex, Route 1, Box 64, Oberlin, KS 67749	297.20
Wyman, Laverne, Route 1, Box 38, Brownell, KS 67521	74.54
Young, Marvin D., Route 1, Box 122, Quenemo, KS 66528	7.00
Ziedler Corporation, 2504 Enterprise, Box 552, El Dorado, KS 67042	188.00
Zimmerman, Ywain, Route 2, Box 102, Sterling, KS 67579	112.92
Zweygardt, Willard, Route 2, Box 51, St. Francis, KS 67756	150.97
Total	329,998.32

Sec. 3. (a) The Kansas state penitentiary is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement for loss of or damage to the claimants' personal property which was in the custody and control of personnel of Kansas state penitentiary, to the following claimants:

Gregory A. Chism, # 44140, c/o Kansas state penitentiary	\$188.00
Peondre Walker, # 31901, c/o Kansas state penitentiary	17.99
C. L. Saylor, 832 Grand Ct., Topeka, KS 66606	50.00
Darwin G. Damewood, # 46150, c/o Kansas state penitentiary	25.00
Carl W. Pederson, # 35748, c/o Kansas state penitentiary	35.00
Thomas P. Lamb, # 17636, c/o Kansas state penitentiary	1,000.00
Kenneth W. Blomeyer, Jr., 2311 West 70th Terrace, Mission Hills, KS 66208	150.00
Nordell Glover, # 44102, c/o Kansas state penitentiary	40.00
David R. Brown, # 25231, c/o Kansas state penitentiary	17.45
Maurice Harris, # 38060, c/o Kansas state penitentiary	200.00
Timothy Lee Newfield, # 34231, c/o Kansas state penitentiary	100.00
David Garcia Alejos, # 32358, c/o Kansas state penitentiary	55.00
William G. Dennis, # 34198, c/o Kansas state penitentiary	399.15
Micheal Keller, # 49025, c/o Kansas state penitentiary	29.44
Total	\$2,307.03

(b) The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for consultation services the invoice for which was submitted in an untimely manner, to the following claimant:

Derrick J. Desouza, M.D., P.A., 2201 South Fourth St, Leavenworth, KS 66048	\$150.00
---	----------

(c) The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for medical services invoices for which were submitted in an untimely manner, to the following claimant:

Kansas University Internal Medicine Foundation, 4038 B Bldg., 39th and Rainbow, Kansas City, KS 66103	\$12,349.00
---	-------------

(d) The Kansas state penitentiary is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for construction costs necessitated by a change order in the original construction contract funds for which were not available because accounts for payment of such costs had lapsed, to the following claimant:

American States Insurance Company, c/o Everett Fritz, Bond Claims Supervisor, PO Box 1636, Indianapolis, Indiana 46206-1636	\$24,869.00
---	-------------

Sec. 4. The state industrial reformatory is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement for loss of or damage to the claimants' personal property which was in the custody and control of personnel of the state industrial reformatory, to the following claimants:

Keith D. Littlejohn, # 30304, Box 546, Norton, KS 67854	25.00
Theodore F. Wittman, # 17927, Box 546, Norton, KS 67854	64.99
Roger Patterson, # 30581, P.O. Box 1568, Hutchinson, KS 67504-1568	60.62
Total	\$149.62

Sec. 5. The Norton corrections facility is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement for loss of or damages to claimants' personal property, to the following claimants:

John E. Stalder, 1120 R. Street, Beaver City, Nebraska 68926, c/o James H. Dodson, Attorney at Law, Box 27, Beaver City, Nebraska 68926	\$100.00
Allen J. Heckerman, 702 N. Grant, Norton, KS 67854	546.14
Kenneth E. Beaman, Jr., # 35983, P.O. Box 1568, Hutchinson, KS 67504-1568	119.56
Total	\$765.70

Sec. 6. The Hutchinson correctional work facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement for loss of or damage to claimant's personal property, to the following claimants:

John Folkerts, # 35150, P.O. Box 107, Ellsworth, KS 67439-0107	\$40.00
John T. Koch, 307 N. Meridian, Valley Center, KS 67147	1,014.90
Total	\$1,054.90

(continued)

Sec. 7. (a) The department of corrections is hereby authorized and directed to pay the following amounts from the operating expenditures for the Forbes correctional facility account of the state general fund for reimbursement for property losses sustained by claimant when transferred within the department of corrections system, to the following claimant:

Nancy Lynne Thatcher, 4616 Melody Lane, Kansas City, KS 66106 . . . \$150.00

(b) The department of corrections is hereby authorized and directed to pay the following amounts from the honor camps other operating expenditures account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:

Michael Leroy Mullins, # 45569, Forbes Correctional Facility, PO Box 2247, Topeka, KS 66601, c/o Patrick C. Smith, Attorney at Law, 1321 S. Topeka Avenue, Topeka, KS 66601, Box 1677 \$30,048.48

Sec. 8. (a) The state reception and diagnostic center is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for personal injuries sustained while in the performance of a work detail, to the following claimant:

James L. Cole, 2349 Bellview, Apt. D, Topeka, KS 66605, c/o Mark Works, Attorney at Law, 118 S.E. 7th, Topeka, KS 66603 \$10,089.30

Sec. 9. (a) The Kansas correctional institution at Lansing is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for medical services the invoices for which were submitted in an untimely manner, to the following claimant:

A.K. Tayiem, M.D., 1201 North 2nd, Atchison, KS 66002 \$1,500.52

Sec. 10. (a) The Winfield correctional facility is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement for loss of or damage to personal property, to the following claimant:

Michael D. Scott, # 45768, Route 1, P.O. Box 653, Winfield, KS 67156 \$118.00

Sec. 11. (a) The department of revenue is hereby authorized and directed to pay the following amounts from the sales tax refund fund for sales tax paid for materials for a tax exempt project, to the following claimants:

Watkins, Inc., 711 W. Second Street, Wichita, KS 67203	\$2,499.74
Twin Valley Schools—USD # 240, PO Box 38, Bennington, KS 67422	423.27
Landoll Corporation, 1700 May Street, Marysville, KS 66508	7,754.55
Collision Specialists, 8923 W. Kellogg, Wichita, KS 67209	2,434.86
Backup Recovery Services, Inc., 1620 N.W. Gage Blvd, Topeka, KS 66618	1,296.64
Becker Homes—Corner Stop, 729 First Avenue East, Horton, KS 66439	292.27
Republic County Hospital, c/o Connie Elliot, 24th and G, Belleville, KS 66935	598.19
Herndon School, USD 317, c/o Henry R. Potts, Superintendent, 300 Radnor Avenue, Herndon, KS 67739	1,664.95
Judge McGreevey's Food Emporium & Club, Inc., c/o Maurice J. Pfeifer, President, 601 Main, Hays, KS 67601	3,338.71
Unified School District # 353, Ronald L. Fagan, Superintendent, 221 S. Washington, Wellington, KS 67152	350.93
Circle USD # 375, East Highway 254, PO Box 8, Towanda, KS 67144	366.12
Atchison Hospital, 1300 N. 2nd Street, Atchison, KS 66002	1,839.50
City of Stafford, Box 280, 112 W. Broadway, Stafford, KS 67578	537.75
Continental Extrusion Corporation, c/o Edward Lee Lum, Assistant controller, 2 Endo Blvd., Garden City, New York 11530	3,570.42
B.M.D. Machine Shop, c/o Bert I. Chastain, 240 Metcalf Road, El Dorado, KS 67042	2,060.03
Nance Manufacturing, Inc., 2636 S. Sheridan, Wichita, KS 67217	6,601.05
Colby Public Schools, USD 315, 210 South Range, Colby, KS 67701	1,382.29
Volume Shoe Corporation, c/o Anthony L. Higgins, 3231 East 6th Street, PO Box 3540, Topeka, KS 66601-3540	92,005.94
Sunglo Feeds, Inc., c/o James Hamilton, President, Box 789, Hesston, KS 67062	2,947.63
Kinney Shoe Corporation, 233 Broadway, New York, New York 10279, c/o George Francis, Attorney at Law, 5501 LBJ Freeway # 815, Dallas, Texas 75240	51,780.62
Kennedy and Coe, Certified Public Accountants, United Building, P.O. Box 1100, Salina, KS 67402-1100	14,823.26
Golf Courses of America, Inc., Fourth Financial Center, Wichita, KS 67202, c/o Calvin L. Wiebe, Attorney at Law, 151 N. Main, Suite 800, Wichita, KS 67202	11,479.90
Super Stop, Inc., 5313 S. Topeka, Topeka, KS 66609	8,475.85
T.J. Dobson, Inc., 1707 Ridge Road, Leavenworth, KS 66048	524.58

Unified School District # 328, P.O. Box 109, Lorraine, KS 67459	214.42
Memorial Hospital, Inc., 1000 Hospital Drive, McPherson, KS 67460	895.15
Big Lakes Development Center, Inc., 1500 Hayes Drive, Manhattan, KS 66502	1,800.34
Midway Sales and Distributing, Inc., 218 Branner Street, Topeka, KS 66601	8,886.00
Western Beverage, Inc., 811 East Wyatt Earp, Dodge City, KS 67801	3,520.85
Total	\$234,365.81

(b) The department of revenue is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for motor vehicle tax paid, to the following claimant:

Christina D. Reynolds, 20800 Homestead Rd, Apt. 13B, Cupertino, CA 95014-0410 \$250.00

(c) The department of revenue is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for reimbursement of travel expenses, to the following claimant:

Max L. Smith, 725 Red Barn, Wichita, KS 67212 \$386.81

Sec. 12. (a) The university of Kansas medical center is hereby authorized and directed to pay the following amount from the operating expenditures (including official hospitality) account of the state general fund for reimbursement for damages caused to claimant's truck by paint overspray, to the following claimant:

David Sams, 1150 S. 110th Street, Edwardsville, KS 66111, c/o Scott I. Asner, Attorney at Law, 2111 E. Crossroads, # 202, Olathe, KS 66062 \$1,233.31

(b) The university of Kansas medical center is hereby authorized and directed to pay the following amount from the hospital revenue fund for reimbursement for loss of wedding rings while a patient at the medical center, to the following claimant:

Madeline & Kendred Brooks, 1141 Rowland, Kansas City, KS 66104 \$1,500.00

Sec. 13. The department of social and rehabilitation services is hereby authorized and directed to pay the following amounts from the social services clearing fund for services rendered and purchases made; invoices for which were either untimely filed or misplaced, to the following claimants:

Menninger Return to Work Center, 700 Jackson, 9th Floor, Topeka, KS 66603	\$956.16
Rehabilitation Institute, 3011 Baltimore, Kansas City, MO 64108	1,205.00
Wilbeck Real Estate Partnership, 418 North Poplar, Hutchinson, KS 67305	564.16
Data General Corporation, c/o James Sibley, PO Box 70853, Chicago, IL 60673	1,125.00
Menninger, Box 829, Topeka, KS 66601-0829	1,192.50
Total	\$5,042.82

Sec. 14. (a) The department of wildlife and parks is hereby authorized and directed to pay the following amounts from the nongame wildlife improvement fund for refund of donations made thereto due to errors in completing the Kansas income tax return, to the following claimants:

William L.E. Beetem, 510 S. Calhoun, PO Box 984, Junction City, KS 66441	\$34.00
Brian White, 560 W. 8th, Hoisington, KS 67544	128.77
Robert J. and Mary K. Cox, Box 484, Madison, KS 66860	60.00
Total	\$222.77

(b) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund for work done on a boat ramp and parking lot the invoice for which was untimely filed, to the following claimant:

Miami County Highway Department, PO Box 445, Paola, KS 66071-0445 \$2,591.25

~~(c) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund for reimbursement for damages to crops caused by flooding from the Cheyenne Bottoms Wildlife Refuge Area, to the following claimant: Nathan Ochs, 3226 Meadowlark, Crest Bend, KS 67530 \$18,800.00~~

Sec. 15. The secretary of state is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment of expenses incurred in the determination of a contested election, to the following claimant:

Rice County Clerk, Rice County Courthouse, 101 W. Commercial, Lyons, KS 67554, by Scott Bush, County Attorney, Rice County Courthouse, 101 W. Commercial, Lyons, KS 67554 \$420.14

Sec. 16. (a) The department of administration is hereby authorized and directed to pay the following amount from the motor pool service fund for services rendered and purchases made invoices for which were submitted in an untimely manner, to the following claimant:

Ed Bozarth Chevrolet, 3731 SW Topeka, Topeka, KS 66609 \$1,095.22

(b) The department of administration is hereby authorized and directed to pay the following amount from the cancelled warrants payment fund for payment of an expired warrant, to the following claimant:

James P. & Elizabeth L. O'Conner, 2300 West 85th Terrace, Leawood, KS 66206 \$855.00

Sec. 17. There is appropriated from the state general fund the following amount for payment of the final settlement of a claim of wrongful incarceration, to the following claimant:

Clarence Jackson, 1021 S. Elmwood, E. Apt., Waukegan, IL 60085, c/o Rebecca S. Rice, Attorney-at-Law, 5425 S.W. 7th, P.O. Box 4287, Topeka, KS 66604 \$250,000.00

Sec. 18. The Kansas state university is hereby authorized and directed to pay the following amount from the other operating expenditures account of the state general fund for payment for services rendered and materials purchased necessitated by construction contract change orders, to the following claimant:

Ziegler Corporation, 2504 Enterprise, El Dorado, KS 67042, c/o Charles R. Svoboda, Attorney at Law, 8900 Ward Parkway, Kansas City, MO 64114 \$6,967.40

Sec. 19. The Pittsburg state university is hereby authorized and directed to pay the following amount from the restricted fees fund for reimbursement for instructional materials purchases vouchers for which were submitted in an untimely manner, to the following claimant:

Collen Gray, 610 Village Drive, Pittsburg, KS 66762 \$319.07

Sec. 20. The Kansas department of transportation is hereby authorized and directed to pay the following amount from the claims account of the state highway fund for damage to trees of claimant caused by the application of brush killer on the highway back slope fronting claimant's property, to the following claimant:

Bil and Karen Hawks, Route 1, Box 12D, Coffeyville, KS 67337, c/o Roger L. Gossard, Attorney at Law, 111 West 8th, PO Box 483, Coffeyville, KS 67337 \$18,901.42

Sec. 21. The Kansas dental board is hereby authorized and directed to pay the following amount from the dental board fee fund for reimbursement of attorney fees incurred during a disciplinary proceeding brought against a licensee of the board, to the following claimant:

Paul D. Wagner, 2501 Canterbury Rd., Hays, KS 67601 \$472.50

Sec. 22. The Kansas state school for the visually handicapped is hereby authorized and directed to pay the following amounts from the other operating expenditures account of the state general fund for reimbursement of educational expenses incurred for which vouchers were filed in an untimely manner, to the following claimants:

James Cooper, 7523 N.W. Hampton Road, Parkville, MO 64079 \$236.00
Janet Sue Reynolds, 3908 Oakland, Kansas City, KS 66102 315.40
Total \$551.40

Sec. 23. The university of Kansas is hereby authorized and directed to pay the following amount from the general fees fund for reimbursement of the claimant, a minor, for personal injury incurred by claimant on Hayworth day care playground, to the following claimant:

Letitia M. Karim, c/o Mr. and Mrs. M. M. Karim, 161 Pinecone Drive, Lawrence, KS 66046 \$222.00

Sec. 24. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 25. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas
Office of the Governor

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill 653 with my signature approving the bill, except for the item enumerated below.

That portion of Section 14(c) which reads as follows has been line-item vetoed:

“(c) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund for reimbursement for damages to crops caused by flooding from the Cheyenne Bottoms Wildlife Refuge Area, to the following claimant:
Nathan Ochs, 3326 Meadowlark,
Great Bend, KS 67530 \$18,800.00”

The damage in this case occurred in 1981 and had been considered and rejected by the Legislature in 1982. The claimant could have pursued the matter in court, as other claimants chose to do. To allow the claimant to prevail at this late date will set a dangerous precedent allowing the reconsideration of many long denied claims.

Dated May 18, 1990.

Mike Hayden
Governor

(Published in the Kansas Register, June 7, 1990.)

House Substitute for SENATE BILL No. 793

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1990, June 30, 1991, and June 30, 1992; authorizing certain transfers and fees; imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; repealing section 53 of 1990 House Bill No. 2729.

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

Section 1. (a) For the fiscal years ending June 30, 1990, June 30, 1991, and June 30, 1992, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements, and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 1990.

Sec. 2.

DEPARTMENT OF REVENUE

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages	\$100,000	\$100,000
Other operating expenditures		\$7,620
Total		\$107,620

(b) On the effective date of this act, the expenditure limitation established by section 8(d) of 1990 Senate Bill No. 558, on the division of vehicles operating fund is hereby increased from \$23,712,192 to \$23,731,358.

(c) On July 1, 1990, the expenditure limitation established by

(continued)

section 3(b) of 1990 Senate Bill No. 450 on the division of vehicles operating fund is hereby increased from \$23,222,280 to \$23,348,820.

(d) On July 1, 1990, the expenditure limitation established by section 3(b) of 1990 Senate Bill No. 450 on the salaries and wages account of the division of vehicles operating fund is hereby increased from \$13,813,049 to \$13,826,594.

(e) On July 1, 1990, and quarterly thereafter, the director of accounts and reports shall transfer \$36,427 from the state highway fund to the division of vehicles operating fund for the purpose of financing the cost of operating and general expenses of the division of vehicles and related operations of the department of revenue.

(f) Expenditures may be made by the above agency for fiscal year 1991 from the aid to counties for maintaining and updating reappraised valuations account of the state general fund for program creation and modification to the KSCAMA software system and mainframe computer software: Provided, That expenditures for program creation and modification to the KSCAMA software system and mainframe computer software from the aid to counties for maintaining and updating reappraised valuations account of the state general fund shall not exceed \$444,000 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

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

	Fiscal Year 1990	Fiscal Year 1991
Local report fee fund.....		No limit

Provided, That all moneys received for fees assessed for reports to counties or cities regarding local taxes as authorized by K.S.A. 1989 Supp. 12-189, as amended by section 1 of 1990 House Bill No. 2637, 12-1694, as amended by section 2 of 1990 House Bill No. 2637, and 12-1698, as amended by section 3 of 1990 House Bill No. 2637.

Sec. 3.

STATE BOARD OF TAX APPEALS

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

	Fiscal Year 1990	Fiscal Year 1991
Operating expenditures	\$20,000	\$6,685

Sec. 4.

KANSAS REAL ESTATE COMMISSION

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

	Fiscal Year 1990	Fiscal Year 1991
Appraiser fee fund		\$39,157

(b) On July 1, 1990, the director of accounts and reports shall transfer \$25,000 from the real estate fee fund of the Kansas real estate commission to the appraiser fee fund of the Kansas real estate commission for the purpose of financing initial cost of operations of the real estate appraiser board established by 1990 Senate Bill No. 755.

(c) On January 2, 1991, or as soon thereafter as moneys in excess of \$39,157 are available in the appraiser fee fund, the director of accounts and reports shall transfer from the appraiser fee fund to the real estate fee fund an amount of not more than \$25,000 for the purpose of repaying the real estate fee fund for financing initial cost of operations of the real estate appraiser board.

(d) On July 1, 1990, the position limitation established by section 22 of 1990 House Bill No. 2616 for the Kansas real estate commission is hereby increased from 13.0 to 14.0.

Sec. 5.

DEPARTMENT OF REVENUE — HOMESTEAD PROPERTY TAX REFUNDS

(a) On the effective date of this act, of the \$7,290,000 appropriated for the above agency for the fiscal year ending June 30, 1990,

by section 2(a) of 1990 Senate Bill No. 442 from the state general fund in the homestead tax refunds account and of the amount of moneys transferred from the homestead property tax refunds pursuant to section 5 of 1989 Senate Bill No. 24 account of the state general fund to the homestead tax refunds account of the state general fund of the above agency by section 2(b) of 1990 Senate Bill No. 442, the sum of \$8,787,000 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 House Bill No. 2625 on the homestead property tax refunds pursuant to K.S.A. 79-4520 fund is hereby decreased from \$6,305,000 to \$6,000,000.

(c) On July 1, 1990, the amount of \$630,500 authorized by section 2(c) of 1990 House Bill No. 2625 to be transferred by the director of accounts and reports on July 15, 1990, and August 15, 1990, from the Kansas economic development research and development account of the state economic development initiatives fund of the department of commerce to the homestead property tax refunds pursuant to K.S.A. 79-4520 fund of the department of revenue — homestead property tax refunds is hereby decreased to \$478,000, on each such date.

Sec. 6.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established by section 13(a) of 1990 House Bill No. 2729 on the board of nursing fee fund is hereby increased from \$659,122 to \$675,687.

(b) On July 1, 1990, the expenditure limitation established by section 14(a) of 1990 House Bill No. 2616 on the board of nursing fee fund is hereby increased from \$678,384 to \$682,584.

Sec. 7.

KANSAS PAROLE BOARD

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

	Fiscal Year 1990	Fiscal Year 1991
Parole from adult correctional institutions		\$9,605

Sec. 8.

DEPARTMENT OF EDUCATION

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages		\$36,016
Other operating expenditures		8,500
State school equalization aid		7,979,313
Fort Leavenworth school district		24,178
Special education services aid	\$2,400,200	4,078,585
Total	\$2,400,200	\$12,126,602

(b) On the effective date of this act, the expenditure limitation established by section 22(d) of 1990 Senate Bill No. 558 on the state operations account of the job training partnership act fund — federal is hereby increased from \$68,948 to \$71,641.

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

	Fiscal Year 1990	Fiscal Year 1991
Truck driver training fund		No limit
School district ad valorem tax reduction fund		No limit

(d) On July 1, 1990, the position limitation established by section 3 of 1990 Senate Bill No. 448 for the department of education is hereby increased from 191.0 to 192.0.

Sec. 9.

ATTORNEY GENERAL

(a) On July 1, 1990, of the \$2,485,885 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 8(a) of 1990 Senate Bill No. 451 from the state general fund in the operating expenditures account, the sum of \$41,075 is hereby lapsed.

(b) On July 1, 1990, the position limitation established by section 12 of 1990 Senate Bill No. 451 for the attorney general is hereby decreased from 71.3 to 70.3.

Sec. 10.

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages	\$15,747	\$14,333
Other operating expenditures	15,716	
Total	\$31,463	\$14,333

Sec. 11.

STATE BOARD OF AGRICULTURE

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

	Fiscal Year 1990	Fiscal Year 1991
Other operating expenditures (including official hospitality)		\$52,559

(b) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 Senate Bill No. 452 on the dairy division fee fund is hereby increased from \$85,749 to \$159,794.

(c) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 Senate Bill No. 452 on the water appropriation certification fund is hereby increased from \$322,340 to \$374,816.

(d) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 Senate Bill No. 452 on the pesticide use and endangered species — federal fund is hereby increased from \$4,500 to \$28,625.

(e) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 Senate Bill No. 452 on the pesticide use and groundwater protection — federal fund is hereby increased from \$28,727 to \$102,710.

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

	Fiscal Year 1990	Fiscal Year 1991
Agriculture statistics fund		No limit
Seed dealer registration fund		No limit
Oil overcharge — agricultural energy conservation fund		No limit

(g) On July 1, 1990, the position limitation established by section 10 of 1990 Senate Bill No. 452 for the state board of agriculture is hereby increased from 324.5 to 325.5.

(h) On July 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$90,000 from the energy grants management fund of the state corporation commission to the oil overcharge — agricultural energy conservation fund of the state board of agriculture for the purpose of promoting agricultural energy consumption efficiency.

Sec. 12.

YOUTH CENTER AT TOPEKA

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

	Fiscal Year 1990	Fiscal Year 1991
Other operating expenditures		\$205,730

Sec. 13.

STATE HISTORICAL SOCIETY

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

	Fiscal Year 1990	Fiscal Year 1991
Museum security personnel contract and security equipment maintenance		\$197,500

(b) On July 1, 1990, of the \$892,498 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 6(a) of 1990 Senate Bill No. 453 from the state general fund in the other operating expenditures account, the sum of \$174,500 is hereby lapsed.

(c) Any unencumbered balance in excess of \$100 as of June 30,

1990, in the operating expenditures for an archeological inventory survey of the Rice county region relating to the Tobias historic site account of the state general fund is hereby reappropriated for fiscal year 1991.

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

	Fiscal Year 1990	Fiscal Year 1991
State historical society facilities fund		\$10,000
Heritage trust fund		No limit

Sec. 14.

KANSAS BOARD OF BARBERING

(a) On July 1, 1990, the expenditure limitation established by section 5(a) of 1990 House Bill No. 2616 on the barber examiner fee fund is hereby increased from \$83,668 to \$84,828.

Sec. 15.

STATE FIRE MARSHAL

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages	\$6,241	
Fire safety and prevention		\$39,169

(b) On July 1, 1990, the position limitation established by section 14 of 1990 House Bill No. 2615 for the state fire marshal is hereby increased from 38.0 to 39.0.

Sec. 16.

JUDICIAL COUNCIL

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

	Fiscal Year 1990	Fiscal Year 1991
Operating expenditures		\$8,296

Sec. 17.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

	Fiscal Year 1990	Fiscal Year 1991
State operations		\$243,760

(b) On July 1, 1990, the position limitation established by section 5 of 1990 Senate Bill No. 449 for the state board of indigents' defense services is hereby increased from 73.5 to 75.5.

Sec. 18.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

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

	Fiscal Year 1990	Fiscal Year 1991
Other operating expenditures		\$359,060

(b) On July 1, 1990, of the \$5,766,440 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 6(a) of 1990 House Bill No. 2615 from the state general fund in the salaries and wages account, the sum of \$203,775 is hereby lapsed.

(c) On July 1, 1990, the position limitation established by section 14 of 1990 House Bill No. 2615 for the attorney general — Kansas bureau of investigation is hereby increased from 189.5 to 190.5.

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

	Fiscal Year 1990	Fiscal Year 1991
DNA laboratory fee fund		No limit

Provided, That expenditures may be made from this fund for operating expenditures directly or indirectly related to DNA forensic laboratory tests and related

(continued)

activities conducted by the Kansas bureau of investigation: *Provided further*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees for DNA forensic laboratory tests and related activities: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting DNA forensic laboratory tests and other related activities: *And provided further*, That all fees received for such DNA forensic laboratory tests and related activities shall be deposited in the state treasury and credited to this fund.

Sec. 19.

DEPARTMENT OF ADMINISTRATION

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

	Fiscal Year 1990	Fiscal Year 1991
Accounting and reporting services — salaries and wages		\$126,712
Accounting and reporting services — other operating expenditures		22,000
Purchasing — salaries and wages		21,804
Purchasing — other operating expenditures		1,325
Total		\$172,841

(b) On July 1, 1990, the position limitation established by section 9 of 1990 House Bill No. 2638 for the department of administration is hereby increased from 936.0 to 941.0.

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

	Fiscal Year 1990	Fiscal Year 1991
Children and families fund	No limit	No limit
Purchase and renovate Victory Life property fund	No limit	No limit

Provided, That expenditures may be made from this fund in accordance with agreements entered into by the secretary of administration to provide bond financing for the capital improvement project to purchase and renovate the Victory Life property, which is more particularly described as Lots 32, 34, 36, 38, 40, 42, 44, 46 and 48 in the 300 block of Southwest Eighth Street in the City of Topeka, Kansas; including the improvements thereon: *Provided further*, That, if, in the judgment of the secretary of administration a satisfactory agreement for the purchase of the property cannot be negotiated, the secretary may proceed to acquire the property by exercising the power of eminent domain: *Provided, however*, That no bonds shall be issued for such capital improvement project unless such project has been approved for the department of administration for the purposes of subsection (b) of K.S.A. 1989 Supp. 74-8905 and amendments thereto by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(d) On July 1, 1990, the expenditure limitation established by section 6(b) of 1990 House Bill No. 2638 on the motor pool service depreciation reserve fund is hereby increased from \$3,090,893 to \$3,131,918.

Sec. 20.

INSURANCE DEPARTMENT

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

	Fiscal Year 1990	Fiscal Year 1991
Operating expenditures		\$22,773

(b) On July 1, 1990, the position limitation established by section 12 of 1990 Senate Bill No. 451 for the insurance department is hereby increased from 153.2 to 154.2.

Sec. 21.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established by section 64(a) of chapter 32 of the 1989 Session Laws

of Kansas on the administration account of the state highway fund is hereby decreased from \$14,340,793 to \$14,149,840.

(b) On the effective date of this act, the expenditure limitation established by section 64(b) of chapter 32 of the 1989 Session Laws of Kansas on the planning and development account of the state highway fund is hereby decreased from \$4,321,277 to \$4,223,778.

(c) On the effective date of this act, the expenditure limitation established by the state finance council on the engineering and design account of the state highway fund is hereby decreased from \$12,549,060 to \$12,467,491.

(d) On the effective date of this act, the expenditure limitation established by section 64(d) of chapter 32 of the 1989 Session Laws of Kansas on the operations account of the state highway fund is hereby decreased from \$119,755,590 to \$119,194,897.

(e) On the effective date of this act, the expenditure limitation established by section 2(a) of chapter 10 of the 1989 Session Laws of Kansas on the aviation account of the state highway fund is hereby decreased from \$275,885 to \$275,459.

(f) On July 1, 1990, the expenditure limitation established by section 2(a) of 1990 House Bill No. 2614 on the operations account of the state highway fund is hereby increased from \$124,816,633 to \$127,536,303.

(g) On July 1, 1990, the position limitation established by section 3 of 1990 House Bill No. 2614 for the department of transportation is hereby increased from 3,282.0 to 3,293.0.

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

	Fiscal Year 1990	Fiscal Year 1991
Highway special permit fund		No limit

Sec. 22.

DEPARTMENT OF HEALTH AND ENVIRONMENT

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages		\$228,222
Other operating expenditures		496,280
Aid to local units — adolescent health promotion		75,000

Provided, That expenditures shall be made from this account for grants to one or more maternity hospitals or homes, which are licensed under K.S.A. 65-501 through 65-526 and amendments thereto, for which the licensee is a not-for-profit organization, which provide services to pregnant, unmarried minors and which is not receiving provider payments from the department of social and rehabilitation services: *Provided further*, That each such grant shall be for operating expenditures and shall not be used for any capital improvements: *And provided further*, That each such grant shall be matched on a \$1 for \$1 basis with nonstate funds or in-kind contributions, or both.

Genetic services	50,000
Total	\$849,502

(b) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the federal EPA 205(g) construction grant program administration fund is hereby increased from \$282,951 to \$577,078.

(c) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the federal EPA 106 water pollution control fund is hereby decreased from \$734,106 to \$653,432.

(d) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the water supply fund — federal is hereby decreased from \$631,776 to \$509,869.

(e) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the federal EPA underground injection control fund is hereby decreased from \$157,701 to \$141,360.

(f) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the

federal EPA national groundwater strategy fund is hereby decreased from \$75,205 to \$0.

(g) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the EPA — pre-NPL existing sites fund is hereby increased from \$500,000 to \$569,720.

(h) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the underground storage tank fund — federal is hereby decreased from \$158,487 to \$143,203.

(i) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the EPA — core support fund is hereby decreased from \$306,511 to \$252,075.

(j) On the effective date of this act, the expenditure limitation established by section 33(b) of 1990 House Bill No. 2729 on the AIDS project — education and risk reduction — federal fund is hereby increased from \$713,706 to \$715,121.

(k) On July 1, 1990, the expenditure limitation established by section 5(b) of 1990 House Bill No. 2625 on the AIDS project — education and risk reduction — federal fund is hereby decreased from \$1,014,705 to \$820,924.

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

	Fiscal Year 1990	Fiscal Year 1991
Waste tire management fund		\$0
Pollution abatement gift fund	No limit	No limit

Provided, That the secretary of health and environment is hereby authorized to receive from APTUS Incorporated of Coffeyville, Kansas, an amount not to exceed \$250,000: *Provided further*, That such moneys shall be deposited in the state treasury and credited to this fund: *And provided further*, That expenditures from this fund shall be made only for permit review purposes: *And provided further*, That the unexpended balance in such fund on June 30, 1992, may be refunded to APTUS Incorporated of Coffeyville, Kansas.

(m) On July 1, 1990, the position limitation established by section 7 of 1990 House Bill No. 2625 for the department of health and environment is hereby increased from 712.2 to 723.2.

(n) On July 1, 1990, the expenditure limitation established by section 5(b) of 1990 House Bill No. 2625 on the title XIX fund is hereby increased from \$2,562,614 to \$3,061,378.

(o) On July 1, 1990, the expenditure limitation established by section 5(b) of 1990 House Bill No. 2625 on the medicare fund — federal is hereby increased from \$697,195 to \$804,306.

(p) On July 1, 1990, the expenditure limitation established by section 5(b) of 1990 House Bill No. 2625 on the health facilities review fund is hereby increased from \$167,751 to \$181,086.

Sec. 23.

DEPARTMENT OF HUMAN RESOURCES

(a) On July 1, 1990, the expenditure limitation established by section 3(b) of 1990 House Bill No. 2625 on the workmen's compensation fee fund is hereby increased from \$2,708,308 to \$2,781,682: *Provided*, That, if 1990 Substitute for House Bill No. 3069 is enacted, an amount of not to exceed \$483,433 may be expended for additional operating expenditures during fiscal year 1991 from the workmen's compensation fee fund: *Provided further*, That such amount for additional operating expenditures shall be in addition to any expenditure limitation imposed upon the workmen's compensation fee fund for fiscal year 1991.

(b) On July 1, 1990, the position limitation established by section 7 of 1990 House Bill No. 2625 for the department of human resources is hereby increased from 902.0 to 904.0: *Provided*, That 5.0 full-time and regular part-time positions equated to full-time are hereby authorized for the department of human resources for purposes of implementing 1990 Substitute for House Bill No. 3069: *Provided further*, That such positions shall be in addition to any position limitation imposed on the department of human resources for fiscal year 1991: *Provided, however*, That such positions are authorized only if 1990 Substitute for House Bill No. 3069 is enacted.

Sec. 24.

TOPEKA STATE HOSPITAL

(a) On July 1, 1990, of the \$12,184,634 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 7(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$128,801 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 7(b) of 1990 House Bill No. 3120 on the title XIX fund is hereby increased from \$5,371,129 to \$5,469,077.

(c) On July 1, 1990, the amount of \$5,371,129 authorized by section 7(c) of 1990 House Bill No. 3120, to be transferred by the director of accounts and reports from the institutional receipts from title XIX — federal fund of the department of social and rehabilitation services to the title XIX fund of Topeka state hospital is hereby increased to \$5,469,077.

Sec. 25.

OSAWATOMIE STATE HOSPITAL

(a) On July 1, 1990, of the \$15,685,123 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 4(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$85,368 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 4(b) of 1990 House Bill No. 3120 on the title XIX fund is hereby increased from \$3,087,124 to \$3,162,149.

(c) On July 1, 1990, the amount of \$3,087,124 authorized by section 4(c) of 1990 House Bill No. 3120, to be transferred by the director of accounts and reports from the institutional receipts from title XIX — federal fund of the department of social and rehabilitation services to the title XIX fund of Osawatomie state hospital is hereby increased to \$3,162,149.

Sec. 26.

LARNED STATE HOSPITAL

(a) On July 1, 1990, of the \$24,238,612 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 3(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$33,532 is hereby lapsed.

(b) On July 1, 1990, the expenditure limitation established by section 3(b) of 1990 House Bill No. 3120 on the title XIX fund is hereby increased from \$4,075,377 to \$4,101,836.

(c) On July 1, 1990, the amount of \$4,075,377 authorized by section 3(c) of 1990 House Bill No. 3120, to be transferred by the director of accounts and reports from the institutional receipts from title XIX — federal fund of the department of social and rehabilitation services to the title XIX fund of Larned state hospital is hereby increased to \$4,101,836.

Sec. 27.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year and for the capital improvement project specified, the following:

	Fiscal Year 1990	Fiscal Year 1991
Repair and rehabilitation project	\$24,310	

(b) On the effective date of this act, any unencumbered balance in the replace electrical board account of the state institutions building fund is hereby lapsed.

Sec. 28.

DEPARTMENT OF COMMERCE

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

	Fiscal Year 1990	Fiscal Year 1991
State operations (including official hospitality)		\$30,816
Salaries and wages	\$19,270	

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

(continued)

	Fiscal Year 1990	Fiscal Year 1991
Coal commission contribution fund.....	No limit	No limit
Kansas tourist attraction matching grant development fund.....	\$0	No limit
Housing assistance program — federal fund.....	No limit	No limit
HUD emergency shelter grants — federal fund.....	No limit	No limit
Oil overcharge — waste reduction, recycling and market development fund.....	\$0	\$46,923

(c) On the effective date of this act, the position limitation established by section 27(g) of chapter 32 of the 1989 Session Laws of Kansas for the department of commerce is hereby increased from 110.0 to 111.0.

(d) On July 1, 1990, the position limitation established by section 9 of 1990 Senate Bill No. 450 for the department of commerce is hereby increased from 111.0 to 114.0.

(e) On the effective date of this act, the expenditure limitation established by section 11(c) of 1990 Senate Bill No. 558 on the state economic development initiatives fund is hereby decreased from \$4,544,335 to \$3,049,605.

(f) On the effective date of this act, the expenditure limitation established by section 11(d) of 1990 Senate Bill No. 558 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$4,544,335 to \$3,049,605.

(g) On the effective date of this act, the expenditure limitation established by section 11(e) of 1990 Senate Bill No. 558 on the Kansas partnership program subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby decreased from \$2,328,560 to \$814,560.

(h) On the effective date of this act, the expenditure limitation established by section 11(g) of 1990 Senate Bill No. 558 on the state operations subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$377,275 to \$396,545.

(i) On July 1, 1990, the expenditure limitation established by section 6(b) of 1990 Senate Bill No. 450 on the state economic development initiatives fund is hereby increased from \$6,552,630 to \$7,126,367.

(j) On July 1, 1990, the expenditure limitation established by section 6(b) of 1990 Senate Bill No. 450 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$6,552,630 to \$7,126,367.

(k) On July 1, 1990, the expenditure limitation established by section 6(b) of 1990 Senate Bill No. 450 on the state operations subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$1,452,630 to \$1,581,367.

(l) In addition to the purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund as authorized by section 6(b) of 1990 Senate Bill No. 450 for the fiscal year ending June 30, 1991, expenditures may be made from the Kansas partnership program — FY 1990 subaccount: *Provided, however*, That expenditures from such subaccount during fiscal year 1991 shall not exceed the unencumbered balance in such subaccount on June 30, 1990: *And provided further*, That expenditures from such subaccount shall be in addition to any expenditure limitation imposed on the state economic development initiatives fund or any account thereof.

(m) On the effective date of this act, of the \$4,344,587 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 6(a) of chapter 14 of the 1989 Session Laws of Kansas from the state general fund in the other operating expenditures (including official hospitality) account, the sum of \$19,270 is hereby lapsed.

(n) In addition to the purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund as authorized by section 6(b) of 1990 Senate Bill No. 450 for the fiscal year ending June 30, 1991, expenditures may be made for the following purpose, subject to the expenditure limitation prescribed therefor:

Community planning and action grants.....	\$445,000
---	-----------

(o) On July 1, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$46,923 from the energy grants management fund of the state corporation

commission to the oil overcharge — waste reduction, recycling and market development fund of the department of commerce.

Sec. 29.

STATE CONSERVATION COMMISSION

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

	Fiscal Year 1990	Fiscal Year 1991
Operating expenditures.....		\$3,300

Sec. 30.

KANSAS WATER OFFICE

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

	Fiscal Year 1990	Fiscal Year 1991
Water resources operating expenditures.....		\$5,000
Geographic information system.....		200,000
Total.....		\$205,000

(b) On July 1, 1990, the expenditure limitation established by section 8(b) of 1990 Senate Bill No. 452 on the state water plan fund is hereby increased from \$252,250 to \$552,250.

Sec. 31.

KANSAS, INC.

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

	Fiscal Year 1990	Fiscal Year 1991
Information network of Kansas fund.....	No limit	No limit

Provided, That expenditures from this fund shall not be considered as part of the private sector match required by section 3 of 1990 Senate Bill No. 652 or K.S.A. 1989 Supp. 74-8009 and amendments thereto.

(b) There is appropriated for the above agency from the state general fund for the fiscal year specified, the following:

	Fiscal Year 1990	Fiscal Year 1991
Kansas, Inc.....		\$1,429

Sec. 32.

ADJUTANT GENERAL

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

	Fiscal Year 1990	Fiscal Year 1991
Emergency preparedness operations and administration.....		\$3,939
Emergency preparedness training grants.....		5,000
<i>Provided</i> , That expenditures may be made from this account only if federal matching funds are available therefor: <i>Provided further</i> , That any unencumbered balance in excess of \$100 as of June 30, 1990, is hereby reappropriated for fiscal year 1991.		
Total.....		\$8,939

(b) On the effective date of this act, the expenditure limitation established by section 39(b) of 1990 House Bill No. 2729 on the military fees fund is hereby increased from \$3,928,130 to \$4,055,451.

(c) On the effective date of this act, the expenditure limitation established by section 39(a) of 1990 House Bill No. 2729 on the state operations account of the emergency preparedness — federal fund matching — administration fund is hereby increased from \$206,969 to \$210,907.

(d) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 House Bill No. 2615 on the military fees fund is hereby increased from \$4,111,651 to \$4,177,405.

Sec. 33.

DEPARTMENT OF CORRECTIONS

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

	Fiscal Year 1990	Fiscal Year 1991
Honor camps — other operating expenditures	\$37,548	
Federal drug abuse program	4,125	\$2,185
Community services — salaries and wages		169,500
Community services — other operating expenditures	37,375	124,875
Inmate medical and mental health	772,203	
Operating expenditures for the Forbes correctional facility	42,000	
Operating expenditures for the Topeka correctional facility — west		248,813
Honor camps — game bird capital improvements	45,801	
Total	\$939,052	\$545,383

(b) On the effective date of this act, of the \$1,069,679 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 2(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the operating expenditures for the Forbes correctional facility account, the sum of \$342,360 is hereby lapsed.

(c) On the effective date of this act, of the \$1,060,140 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 2(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the honor camps — salaries and wages account, the sum of \$7,500 is hereby lapsed.

(d) On July 1, 1990, of the \$1,720,227 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of 1990 Substitute for House Bill No. 2624 from the state general fund in the operating expenditures for the Topeka correctional facility — west account, the sum of \$144,570 is hereby lapsed.

(e) On July 1, 1990, the expenditure limitation established by section 2(a) of 1990 Substitute for House Bill No. 2624 on the reapportioned balance in the operating expenditures for the Osawatomie correctional facility account of the state general fund is hereby increased from \$117,851 to \$320,760.

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

	Fiscal Year 1990	Fiscal Year 1991
Adult basic education program — federal fund		No limit
Chapter I — federal fund		\$86,697
Chapter II — federal fund		No limit

(g) On July 1, 1990, the director of accounts and reports shall transfer all moneys in the title I — federal fund to the chapter I — federal fund. On July 1, 1990, all liabilities of the title I — federal fund are hereby transferred to and imposed on the chapter I — federal fund. On July 1, 1990, the title I — federal fund is hereby abolished.

(h) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 Substitute for House Bill No. 2624 on the drug abuse fund — federal is hereby increased from \$24,195 to \$30,911.

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

	Fiscal Year 1990	Fiscal Year 1991
Purchase, renovate and equip building for the Wichita work release center fund	No limit	No limit

Provided, That expenditures may be made from this fund in accordance with agreements entered into by the secretary of corrections to provide bond financing over a period of not more than 15 years for a capital improvement project to purchase, renovate and equip a building for the Wichita work release center in an amount of not more than \$1,498,720 plus all amounts required for costs of bond issuance, costs of interest on the bonds during such project and required reserves for the payment of principal and interest on the bonds: *Provided further*, That such project is hereby approved for the department of corrections for the purposes of subsection (b) of K.S.A. 1989 Supp. 74-8905 and amendments thereto: *And provided further*, That the above agency is hereby authorized to negotiate and enter into contracts for such project: *And provided further*, That such contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739 to 75-3741, inclusive, and amendments thereto: *And pro-*

vided further, That the above agency shall make expenditures for a groundwater contamination analysis of the site of the building to be purchased for the Wichita work release center: *And provided further*, That the property shall not be purchased until the secretary of administration has reviewed the groundwater contamination analysis report conducted by an independent agency and consulted thereon with the secretary of corrections, secretary of health and environment and the joint committee on state building construction: *And provided further*, That the property shall not be purchased unless the secretary of administration approves the purchase after such consultations.

(j) On July 1, 1990, the position limitation established by section 10 of 1990 Substitute for House Bill No. 2624 for the department of corrections is hereby increased from 582.3 to 588.3.

(k) No moneys appropriated to the department of corrections or to any other state agency, as defined by K.S.A. 75-3701 and amendments thereto, shall be expended for the lease of the property at building no. 321, Forbes Field, Topeka air industrial park, Topeka, Kansas, nor shall any other funds of any agency of state government be utilized for such purpose. It is the intent of this subsection to invoke and exercise the termination for fiscal necessity clause of the lease entered into by the department of corrections for the property described in this subsection.

Sec. 34.

KANSAS STATE PENITENTIARY

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

	Fiscal Year 1990	Fiscal Year 1991
Other operating expenditures		\$85,000

(b) Expenditures may be made by the above agency for fiscal year 1990 and fiscal year 1991 from the other operating expenditures account of the state general fund for malpractice insurance: *Provided*, That such expenditures for malpractice insurance shall not be greater than the amount obtained by multiplying \$5,000 by the approved number of positions equated to full-time for individuals employed as physician specialists, physician assistants and dentists.

Sec. 35.

STATE INDUSTRIAL REFORMATORY

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

	Fiscal Year 1990	Fiscal Year 1991
Other operating expenditures	\$184,000	

(b) On the effective date of this act, of the \$11,047,421 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 5(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$100,000 is hereby lapsed.

(c) Expenditures may be made by the above agency for fiscal year 1990 and fiscal year 1991 from the other operating expenditures account of the state general fund for malpractice insurance: *Provided*, That such expenditures for malpractice insurance shall not be greater than the amount obtained by multiplying \$5,000 by the approved number of positions equated to full-time for individuals employed as physician specialists, physician assistants and dentists.

Sec. 36.

STATE RECEPTION AND DIAGNOSTIC CENTER

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages	\$101,922	

Sec. 37.

NORTON CORRECTIONAL FACILITY

(a) On the effective date of this act, of the \$5,657,027 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 11(a) of chapter 12 of the 1989 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$425,000 is hereby lapsed.

(continued)

Sec. 38.

DEPARTMENT OF WILDLIFE AND PARKS

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

	Fiscal Year 1990	Fiscal Year 1991
Salaries and wages	\$3,570	\$44,872
Lovewell state park storm damage repairs and replacements	185,000	
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 1990, is hereby reappropriated for fiscal year 1991.</i>		
Total	\$188,570	\$44,872

(b) On the effective date of this act, of the \$180,935 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 9(a) of chapter 24 of the 1989 Session Laws of Kansas from the state general fund in the dam and beach repair — Crawford state park account, the sum of \$35,000 is hereby lapsed.

(c) On the effective date of this act, of the \$181,346 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 9(a) of chapter 24 of the 1989 Session Laws of Kansas from the state general fund in the replace sewer main — Cheney state park account, the sum of \$92,000 is hereby lapsed.

(d) On the effective date of this act, of the \$73,180 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 9(a) of chapter 24 of the 1989 Session Laws of Kansas from the state general fund in the enclose shelters — Pomona and El Dorado state parks account, the sum of \$53,000 is hereby lapsed.

(e) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1990, by section 9(a) of chapter 24 of the 1989 Session Laws of Kansas from the state general fund in the state parks FY 1988 capital improvements account, the sum of \$5,000 is hereby lapsed.

(f) In addition to the purposes for which expenditures may be made by the above agency from the land and water conservation fund — state for the fiscal year ending June 30, 1990, moneys may be expended by the above agency from the land and water conservation fund — state during fiscal year 1990 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Replace sewer main — Cheney state park	\$92,000
--	----------

(g) On the effective date of this act, the expenditure limitation established by section 9(b) of chapter 24 of the 1989 Session Laws of Kansas for the clean lakes fund — federal is hereby increased from \$150,000 to \$245,325.

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

	Fiscal Year 1990	Fiscal Year 1991
Renovation of Cheyenne bottoms — federal fund	\$1,627,000	

(i) In addition to the purposes for which expenditures may be made from the wildlife fee fund for the fiscal year ending June 30, 1990, moneys may be expended by the above agency from the wildlife fee fund during fiscal year 1990, for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Dam and beach repair — Crawford lake	\$35,000
--	----------

(j) In addition to the purposes for which expenditures may be made by the above agency from the wildlife fee fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the dam and beach repair — Crawford lake account. *Provided, however,* That expenditures from such account shall not exceed the amount of the unencumbered balance in such account on June 30, 1990: *Provided further,* That expenditures from such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 1991.

(k) On July 1, 1990, the expenditure limitation established by section 9(b) of 1990 Senate Bill No. 452 on the wildlife fee fund is hereby increased from \$13,506,534 to \$13,578,314.

(l) On July 1, 1990, the expenditure limitation established by section 9(b) of 1990 Senate Bill No. 452 on the salaries and wages and other operating expenditures account of the wildlife fee fund is hereby increased from \$13,505,034 to \$13,576,814.

(m) On the effective date of this act, the position limitation established by the state finance council for the department of wildlife and parks is hereby increased from 413.0 to 414.0.

(n) On July 1, 1990, the expenditure limitation established by section 9(b) of 1990 Senate Bill No. 452 on the parks fee fund is hereby increased from \$2,678,112 to \$2,680,212.

(o) On July 1, 1990, the expenditure limitation established by section 9(b) of 1990 Senate Bill No. 452 on the state operations account of the parks fee fund is hereby increased from \$2,678,112 to \$2,680,212.

(p) On July 1, 1990, the position limitation established by section 10 of 1990 Senate Bill No. 452 for the department of wildlife and parks is hereby increased from 416.0 to 417.0.

(q) On July 1, 1990, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 4(a) of 1990 Senate Bill No. 443 from the state general fund in the Hillsdale state park account, is hereby lapsed.

(r) In addition to the purposes for which expenditures may be made by the above agency from the economic development initiatives grant fund for the fiscal year ending June 30, 1991, moneys may be expended by the above agency from the economic development initiatives grant fund during fiscal year 1991, for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Hillsdale state park development	\$500,000
--	-----------

(s) On March 15, 1991, and on the 15th day of each month thereafter during the fiscal year ending June 30, 1991, the director of accounts and reports shall transfer \$125,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development initiatives grant fund of the department of wildlife and parks.

Sec. 39.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) On the effective date of this act, the \$312,638 appropriated for the above agency for the fiscal year ending June 30, 1990, by section 30(c) of 1990 House Bill No. 2729 from the state general fund in the operating expenditures account is hereby lapsed.

(b) On July 1, 1990, of the \$13,516,615 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 8(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$442,894 is hereby lapsed.

(c) On July 1, 1990, the expenditure limitation established by section 8(a) of 1990 House Bill No. 3120 on the reappropriated balance in the operating expenditures account of the state general fund is hereby increased from \$417,636 to \$752,755.

(d) On July 1, 1990, the expenditure limitation established by section 8(b) of 1990 House Bill No. 3120 on the title XIX fund is hereby increased from \$15,920,493 to \$15,985,511.

(e) On July 1, 1990, the amount of \$15,920,493 authorized by section 8(c) of 1990 House Bill No. 3120, to be transferred by the director of accounts and reports from the institutional receipts from title XIX — federal fund of the department of social and rehabilitation services to the title XIX fund of Winfield state hospital and training center is hereby increased to \$15,985,511.

Sec. 40.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) On July 1, 1990, of the \$7,969,632 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 5(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$44,138 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established by section 27(a) of 1990 House Bill No. 2729 on the Parsons state hospital training center fee fund is hereby increased from \$599,598 to \$661,754.

Sec. 41.

KANSAS STATE UNIVERSITY

(a) In addition to the purposes for which expenditures may be made by the above agency from the agronomy-experimental field crop sales account of the restricted fees fund for the fiscal year ending

June 30, 1990, moneys may be expended by the above agency from the agronomy-experimental field crop sales account of the restricted fees fund during fiscal year 1990 for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Replace storage barn in Harvey county, Kansas \$30,000

(b) In addition to the purposes for which expenditures may be made from the plan, construct and equip plant science building — phase II — federal fund, as prescribed by section 10(b) of chapter 27 of the 1989 Session Laws of Kansas, moneys may be expended from such fund for removal of existing greenhouses and foundations.

Sec. 42.

UNIVERSITY OF KANSAS

(a) The university of Kansas is hereby authorized to make expenditures from the press publications account of the restricted fees fund for debt service for financing a portion of the cost of the capital improvement project for university press offices in an amount of not more than the total of \$250,000 plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds. Such capital improvement project is hereby approved for the university of Kansas for the purposes of subsection (b) of K.S.A. 1989 Supp. 74-8905 and amendments thereto.

Sec. 43.

STATE BOARD OF REGENTS

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

Table with 2 columns: Fiscal Year 1990, Fiscal Year 1991. Row: Teachers scholarship program fund. Values: No limit.

(b) On August 15, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$253,500 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the teachers scholarship program fund of the state board of regents.

Sec. 44.

WICHITA STATE UNIVERSITY

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

Table with 2 columns: Fiscal Year 1990, Fiscal Year 1991. Row: Operating expenditures for utilities. Values: \$200,000.

(b) On July 1, 1990, the position limitation established by section 12(b) of 1990 Senate Bill No. 454 on the unclassified service for Wichita state university is hereby increased from 1,011.3 to 1,046.3.

Sec. 45.

KANSAS NEUROLOGICAL INSTITUTE

(a) On July 1, 1990, of the \$10,790,874 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 2(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$23,205 is hereby lapsed.

Sec. 46.

RAINBOW MENTAL HEALTH FACILITY

(a) On July 1, 1990, of the \$2,663,718 appropriated for the above agency for the fiscal year ending June 30, 1991, by section 6(a) of 1990 House Bill No. 3120 from the state general fund in the operating expenditures account, the sum of \$13,327 is hereby lapsed.

Sec. 47.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established by section 18(a) of 1990 House Bill No. 2729 on the securities act fee fund is hereby decreased from \$1,255,847 to \$1,227,620.

Sec. 48.

LEGISLATURE

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

Table with 2 columns: Fiscal Year 1990, Fiscal Year 1991. Row: Operations (including official hospitality). Values: 0704,070.

Sec. 49.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, the expenditure limitation established by section 19(b) of 1990 Senate Bill No. 558 on the operating expenditures account of the medical scholarship repayment fund is hereby increased from \$1,435,000 to \$2,435,000.

Sec. 50.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

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

Table with 2 columns: Fiscal Year 1990, Fiscal Year 1991. Row: Agricultural value added processing center hard red spring wheat special projects fund. Values: \$35,000.

Provided, That all expenditures from this fund shall be matched on a \$1 for \$1 basis by expenditures by the Kansas wheat commission from the Kansas wheat commission fund.

(b) On July 15, 1990, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$35,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the agricultural value added processing center hard red spring wheat special projects fund of the Kansas technology enterprise corporation.

Sec. 51.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On July 1, 1990, the position limitation established by section 12(c) of 1990 Senate Bill No. 454 for the university of Kansas medical center is hereby increased from 4,745.1 to 4,749.1.

Sec. 52.

STATE BOARD OF HEALING ARTS

(a) On July 1, 1990, the director of accounts and reports shall transfer \$4,200 from the healing arts fee fund of the state board of healing arts to the board of nursing fee fund of the board of nursing for the purpose of financing the purchase of a computer disk pack.

Sec. 53.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 1990, the expenditure limitation established by section 2(b) of 1990 House Bill No. 2638 on the administrative expenses account of the Kansas public employees retirement fund is hereby increased from \$3,361,259 to \$3,400,665.

(b) On July 1, 1990, the position limitation established by section 9 of 1990 House Bill No. 2638 for the Kansas public employees retirement system is hereby increased from 65.0 to 66.0.

Sec. 54.

KANSAS RACING COMMISSION

(a) On the effective date of this act, the director of accounts and reports shall transfer \$100,000 from the state racing fund of the Kansas racing commission to the racing reimbursable expense fund of the Kansas racing commission for the purpose of paying ongoing expenditures chargeable to the racing reimbursable expense fund, but for which reimbursements have not been received.

Sec. 55.

KANSAS PUBLIC BROADCASTING COMMISSION

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

Table with 2 columns: Fiscal Year 1990, Fiscal Year 1991. Row: Operating grant for KSWK television station at Lakin. Values: \$100,000.

Sec. 56.

SECRETARY OF STATE

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

(continued)

	Fiscal Year 1990	Fiscal Year 1991
Operating expenditures		\$63,940
Additional operating expenditures relating to Senate Con- current Resolution No. 1648		1,336,659
Provided, That expenditures may be made from this account only if Senate Concurrent Resolution No. 1648 is adopted. Provided further, That expenditures from this account shall not exceed \$77,816 except upon ap- proval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.		
Total		\$1,400,599

Sec. 57.

KANSAS PUBLIC DISCLOSURE COMMISSION

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

	Fiscal Year 1990	Fiscal Year 1991
Additional operating expenditures for 1990 Senate Sub- stitute for Substitute for House Bill No. 3065		\$10,000
Provided, That expenditures may be made from this account only upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75- 3711c and amendments thereto.		

Sec. 58.

STATE CORPORATION COMMISSION

(a) On July 1, 1990, the expenditure limitation established by section 5(a) of 1990 House Bill No. 2638 on the public service regulation fund is hereby increased from \$4,710,466 to \$4,876,461.

(b) On July 1, 1990, the expenditure limitation established by section 5(a) of 1990 House Bill No. 2638 on the conservation fee fund is hereby increased from \$3,934,341 to \$3,937,341.

Sec. 59. *Appeals to exceed position limitations.* The limitations imposed by this act on the full-time equivalent number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriation act of the 1989 regular session of the legislature or in any other appropriation act of the 1990 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 60. *Appeals to exceed expenditure limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amount specified in this act.

Sec. 61. Any state institutions building fund appropriation heretofore appropriated to any institution named in this or any other appropriation act of the 1990 regular session of the legislature and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 62. Any Kansas educational building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1990 regular session of the legislature, and having an unencumbered balance as of June 30, 1990, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1991, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 63. *Savings.* Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or any other appropriation act of the 1990 regular session of the legislature, is hereby reappropriated for the same use and purpose as the same was heretofore appropriated.

Sec. 64. Any transfers of money during the fiscal year ending June 30, 1991, from any special revenue fund of any state agency named in this act or in any other appropriation act of the 1990 regular session of the legislature to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 1991.

Sec. 65. On the effective date of this act, section 53 of 1990 House Bill No. 2729 is hereby repealed.

Sec. 66. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

Message to the Senate of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill 793 with my signature, approving the bill, except for the items enumerated below.

Section 8(a) that reads as follows has been line-item vetoed:

	Fiscal Year 1990
"Special education services aid	\$2,400,299"

I find it necessary to veto the additional special education services aid appropriation for FY 1990. This additional appropriation was made based on revised estimates presented to the Legislature in late April. The expenses to local school districts have already been incurred and financed at the local level. As school district general fund budgets and the corresponding property tax mill levies were established in the early fall of 1989, additional appropriations will not lower property taxes.

The previous appropriations for special education aid in FY 1990 total \$113,644,563. This represents a 12 percent increase above FY 1989. I believe that this amount of aid represents adequate funding for the program. For these reasons I am line-item vetoing the appropriation for special education aid for FY 1990 contained in House Substitute for Senate Bill No. 793.

The following portion of Section 19(a) has been line-item vetoed:

	Fiscal Year 1990	Fiscal Year 1991
Accounting and reporting services— salaries and wages		\$126,712
Accounting and reporting services— other operating expenditures		23,000"

The \$149,712 for the Division of Accounts and Reports in the Department of Administration was appropriated by the Legislature as the fiscal effect of 1990 HB 2836. The bill was one I originally recommended as a cost saving measure by relieving the Division of the current responsibility to audit all vouchers prior to payment. However, the Legislature amended that portion of the bill to return it to current law and included funding to add four accountants to the pre-audit staff, two of which were a restoration of positions deleted from my original budget recommendations. I veto this appropriation because, instead of saving tax dollars, as I originally intended, it will add more dollars and positions to state government.

Section 48 that reads as follows has been line-item vetoed:

"(a) There is appropriated for the above agency from the state general fund for the fiscal year specified, the following:

Fiscal Year
1991

Operations (including official hospitality) \$754,676"

This section appropriates funds for computerization of the legislative redistricting process. This amount would finance major improvements in the computer hardware and software used for the redistricting process and would finance two new positions. Although such an improvement may be desirable, it is inconsistent for the Legislature to reduce arbitrarily the budgets of important state agencies such as the institutions under the control of the Board of Regents while at the same time financing a major enrichment in its budget. Therefore, I veto this section.

Section 56(a) that reads as follows has been line-item vetoed:

"Additional operating expenditures relating to Senate Concurrent Resolution No. 1648 \$1,336,659
Provided, That expenditures may be made from this account only if Senate Concurrent Resolution No. 1648 is adopted: *Provided further*, That expendi-

tures from this account shall not exceed \$77,816 except upon the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto."

This appropriation was to fund the costs which would be incurred by the Office of the Secretary of State in association with the publication notices and reimbursement to counties in the instance of a special election with the passage of Senate Concurrent Resolution No. 1648. I am vetoing this line-item because Senate Concurrent Resolution No. 1648, which would have presented a new property tax classification schedule for the approval of voters, did not pass during the 1990 Legislative Session and died in the House Committee on Taxation. Thus, no appropriation with regard to this failed resolution is necessary.

Dated May 18, 1990.

Mike Hayden
Governor

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
1-9-5	Amended	V. 9, p. 837
1-9-19a	Amended	V. 9, p. 10
1-16-8	Amended	V. 9, p. 379
1-16-18	Amended	V. 9, p. 379
1-16-18a	Amended	V. 9, p. 838
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		
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
4-13-15	Amended	V. 9, p. 578
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

Reg. No.	Action	Register
9-13-4	New	V. 9, p. 1624
9-17-1		
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		
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		
16-7-1	through	
16-7-9	New	V. 8, p. 1326, 1327
16-7-1		
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		
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

(continued)

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with columns: Reg. No., Action, Register. Lists regulations 23-1-8 through 23-18-4 with their respective actions and register references.

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Table with columns: Reg. No., Action, Register. Lists regulation 25-4-1 with its action and register reference.

AGENCY 26: DEPARTMENT ON AGING

Table with columns: Reg. No., Action, Register. Lists regulations 26-8-1 through 26-9-4 with their actions and register references.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with columns: Reg. No., Action, Register. Lists regulations 28-4-113 through 28-4-412 with their actions and register references.

Table with columns: Reg. No., Action, Register. Lists regulations 28-4-413 through 28-51-108 with their actions and register references.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with columns: Reg. No., Action, Register. Lists regulations 30-4-35 through 30-5-81 with their actions and register references.

Table with columns: Register, Action, Register. Lists register references and actions for regulations 30-5-81 through 30-10-29.

30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-46-10	Amended	V. 8, p. 1666
30-46-17	Amended	V. 8, p. 1666
30-51-1 through 30-51-5	Revoked	V. 9, p. 198

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
33-1-4 through 33-1-17	Revoked	V. 8, p. 1525
33-1-19	Revoked	V. 8, p. 1525
33-1-21	Revoked	V. 9, p. 167
33-2-4	Revoked	V. 8, p. 1733
33-3-2	Revoked	V. 9, p. 386
33-3-3	Revoked	V. 8, p. 1733
33-3-4	Revoked	V. 9, p. 386
33-4-5	Revoked	V. 8, p. 1525
33-4-7 through 33-4-10	Revoked	V. 8, p. 1525

AGENCY 36: DEPARTMENT OF TRANSPORTATION

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

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-35	Amended	V. 9, p. 303
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-38	New	V. 8, p. 455
40-4-39	New	V. 9, p. 303
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-11	Amended	V. 9, p. 304
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516
40-7-22 through 40-7-25	New	V. 9, p. 304
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-7-114	New	V. 9, p. 577
44-8-115	New	V. 9, p. 577
44-8-116	New	V. 9, p. 577
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 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 9, p. 706

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 9, p. 704

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 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-5-3	Amended	V. 9, p. 625
67-5-4	Amended	V. 9, p. 625

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 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-26	Amended	V. 9, p. 625

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

(continued)

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. 9, p. 835
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
102-1-13	Amended	V. 9, p. 624
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
111-3-20	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. 697
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

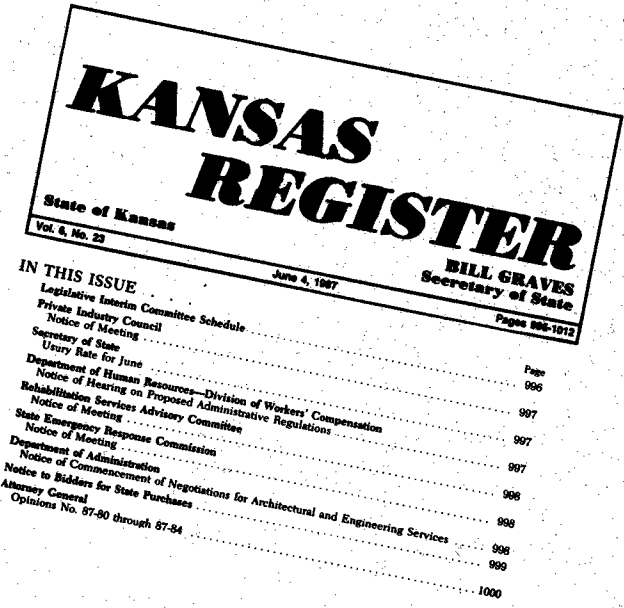
111-4-22 through										
111-4-40	Revoked	V. 7, p. 206, 207		111-4-196 through				111-9-25 through		
111-4-41	Revoked	V. 7, p. 1435		111-4-203	New	V. 9, p. 32-34		111-9-30	New	
111-4-42	Revoked	V. 7, p. 1435		111-4-201	Amended	V. 9, p. 232		111-10-1 through	V. 9, p. 699, 700	
111-4-43	Revoked	V. 7, p. 207		111-4-205	New	V. 9, p. 504		111-10-9	New	
111-4-44	Revoked	V. 7, P. 1435		111-4-206	New	V. 9, p. 504		111-10-7	Amended	
111-4-46 through				111-4-207	New	V. 9, p. 504			V. 8, p. 136-138	
111-4-64	Revoked	V. 7, p. 207		111-4-208	New	V. 9, p. 504			V. 8, p. 301	
111-4-66 through				111-4-209	New	V. 9, p. 698		AGENCY 112: KANSAS RACING COMMISSION		
111-4-77	New	V. 7, p. 207-209		111-4-210	New	V. 9, p. 698		Reg. No.	Action	Register
111-4-77	New	V. 7, p. 207-209		111-4-211	New	V. 9, p. 699		112-3-16	Amended	V. 9, p. 153
111-4-77	New	V. 7, p. 207-209		111-4-212	New	V. 9, p. 699		112-3-19	Amended	V. 9, p. 153
111-4-77	New	V. 7, p. 207-209		111-4-213 through				112-4-1 through		
111-4-71	Revoked	V. 9, p. 31		111-4-220	New	V. 9, p. 728, 729		112-4-14	New	V. 8, p. 255-257
111-4-71a	Revoked	V. 9, p. 31		111-5-1 through				112-4-1	Amended	V. 8, p. 1244
111-4-71b	Revoked	V. 9, p. 31		111-5-23	New	V. 7, p. 209-213		112-4-1	Amended	V. 8, p. 1288
111-4-72	Revoked	V. 9, p. 31		111-5-1 through				112-4-3	Amended	V. 8, p. 1245
111-4-73	Revoked	V. 9, p. 31		111-5-8	Revoked	V. 9, p. 34		112-4-3	Amended	V. 8, p. 1288
111-4-73a	Revoked	V. 8, p. 134		111-5-9	Revoked	V. 9, p. 34		112-4-4	Amended	V. 8, p. 1245
111-4-74	Revoked	V. 9, p. 31		111-5-9 through				112-4-4	Amended	V. 8, p. 1288
111-4-75	Revoked	V. 9, p. 31		111-5-15	Amended	V. 8, p. 210, 211		112-4-5	Amended	V. 8, p. 1246
111-4-76	Revoked	V. 9, p. 31		111-5-11	Amended	V. 9, p. 505		112-4-5	Amended	V. 8, p. 1288
111-4-77	Revoked	V. 9, p. 31		111-5-17	Amended	V. 8, p. 211		112-4-8	Amended	V. 8, p. 1246
111-4-77a	Revoked	V. 9, p. 32		111-5-19	Amended	V. 8, p. 212		112-4-8	Amended	V. 8, p. 1288
111-4-77b	Revoked	V. 9, p. 32		111-5-20	Revoked	V. 8, p. 212		112-4-10	Amended	V. 8, p. 1246
111-4-78 through				111-5-21	Revoked	V. 9, p. 34		112-4-10	Amended	V. 8, p. 1288
111-4-82	Revoked	V. 8, p. 13		111-5-22	Revoked	V. 9, p. 34		112-4-11	Amended	V. 8, p. 1246
111-4-82a	Revoked	V. 8, p. 13		111-5-23	Revoked	V. 9, p. 34		112-4-11	Amended	V. 8, p. 1289
111-4-83 through				111-6-1 through				112-4-14a	New	V. 8, p. 1214
111-4-87	Revoked	V. 8, p. 13		111-6-15	New	V. 7, p. 213-217		112-4-14a	New	V. 8, p. 1289
111-4-88 through				111-6-1	Amended	V. 8, p. 212		112-4-15	New	V. 8, p. 724
111-4-91	Revoked	V. 8, p. 210		111-6-3	Amended	V. 9, p. 200		112-4-16	New	V. 8, p. 258
111-4-92 through				111-6-6	Amended	V. 9, p. 200		112-4-17	New	V. 8, p. 258
111-4-95	Revoked	V. 8, p. 299		111-6-12	Amended	V. 8, p. 212		112-4-18	New	V. 8, p. 258
111-4-96 through				111-6-13	Amended	V. 8, p. 299		112-4-19	Amended	V. 8, p. 1214
111-4-114	New	V. 7, p. 1606-1610		111-6-16	Revoked	V. 8, p. 212		112-4-19	Amended	V. 8, p. 1289
111-4-96 through				111-6-17	New	V. 8, p. 212		112-4-20	Amended	V. 8, p. 1246
111-4-99	Revoked	V. 8, p. 1667		111-7-1 through				112-4-22	Amended	V. 8, p. 1246
111-4-99a	Revoked	V. 8, p. 1667		111-7-10	New	V. 7, p. 1192, 1193		112-4-22	Amended	V. 8, p. 1289
111-4-99b	Revoked	V. 8, p. 1667		111-7-11	Amended	V. 8, p. 212		112-5-1 through		
111-4-100	Amended	V. 8, p. 1396		111-7-12	Amended	V. 9, p. 505		112-5-9	New	V. 8, p. 258-260
111-4-101	Amended	V. 8, p. 1328		111-7-11	New	V. 7, p. 1610		112-5-1	Amended	V. 9, p. 153
111-4-102	Amended	V. 8, p. 1396		111-7-12 through				112-5-2	Amended	V. 9, p. 154
111-4-104	Amended	V. 8, p. 1396		111-7-32	New	V. 7, p. 1610		112-5-3	Amended	V. 9, p. 154
111-4-105	Amended	V. 8, p. 1396		111-7-32	New	V. 7, p. 1224		112-5-8	Amended	V. 9, p. 155
111-4-107	Amended	V. 8, p. 1397		111-7-12 through				112-5-9	Amended	V. 9, p. 155
111-4-115 through				111-7-32	New	V. 7, p. 1194-1196		112-6-1 through		
111-4-118	Revoked	V. 8, p. 1667		111-7-32a	Revoked	V. 7, p. 1436, 1437		112-6-8	New	V. 8, p. 261-263
111-4-118a	Revoked	V. 8, p. 1667		111-7-32b	Revoked			112-6-6	Amended	V. 9, p. 155
111-4-119 through				111-7-33	Revoked	V. 9, p. 34		112-7-2 through		
111-4-125	Revoked	V. 8, p. 1667		111-7-43	Revoked	V. 9, p. 34		112-7-2	New	V. 8, p. 593, 594
111-4-126 through				111-7-33	Revoked	V. 8, p. 1330		112-7-2	New	V. 8, p. 641-648
111-4-129	Revoked	V. 8, p. 1667, 1668		111-7-33a	New	V. 7, p. 1197, 1198		112-7-22 through		
111-4-130 through				111-7-34	Revoked	V. 7, p. 1437		112-7-22	New	V. 8, p. 641-648
111-4-137	Revoked	V. 9, p. 32		111-7-37a	Revoked	V. 8, p. 1330		112-8-2 through		
111-4-138 through				111-7-34 through				112-8-12	New	V. 8, p. 263-267
111-4-152	Revoked	V. 8, p. 1668		111-7-42	Revoked	V. 9, p. 34, 35		112-8-3	New	V. 8, p. 596
111-4-153 through				111-7-43	Revoked	V. 8, p. 212		112-8-3	New	V. 8, p. 725
111-4-160	New	V. 8, p. 970, 971		111-8-1	New	V. 7, p. 1633		112-8-9	New	V. 8, p. 596
111-4-160	Amended	V. 8, p. 1329		111-8-2	New	V. 7, p. 1633		112-8-9	New	V. 8, p. 725
111-4-161 through				111-8-3	Amended	V. 9, p. 505		112-9-2 through		
111-4-176	Revoked	V. 8, p. 1668, 1669		111-8-4	New	V. 7, p. 1714		112-9-38	New	V. 8, p. 726-737
111-4-177 through				111-8-4a	New	V. 7, p. 1995		112-9-5	Amended	V. 9, p. 155
111-4-180	New	V. 8, p. 1086, 1087		111-8-5 through				112-9-7	Amended	V. 9, p. 156
111-4-181 through				111-8-13	New	V. 7, p. 1634		112-9-7	Amended	V. 9, p. 156
111-4-184	New	V. 8, p. 1329		111-9-1 through				112-9-8	Amended	V. 9, p. 156
111-4-185 through				111-9-12	New	V. 7, p. 1714-1716		112-9-11	Amended	V. 9, p. 156
111-4-196	New	V. 8, p. 1518-1520		111-9-13 through				112-9-13	Amended	V. 9, p. 156
				111-9-18	New	V. 8, p. 300, 301		112-9-18	Amended	V. 9, p. 157

(continued)

112-9-39			112-12-4	Amended	V. 9, p. 164	115-8-4		
through			112-13-2	New	V. 8, p. 596	through		
112-9-41	New	V. 8, p. 1289	112-13-2	New	V. 8, p. 267	115-8-16	New	V. 8, p. 1521-1523
112-10-2			112-13-3	New	V. 8, p. 598	115-8-9	New	V. 9, p. 169
through			112-13-3	New	V. 8, p. 740	115-8-21	New	V. 9, p. 169
112-10-12	New	V. 8, p. 598	112-14-2			115-8-18	New	V. 8, p. 1523
112-10-2			through			115-8-20	New	V. 8, p. 1523
through			112-14-10	New	V. 8, p. 1162-1164	115-9-1		
112-10-12	New	V. 8, p. 737-740	112-14-2			through	New	V. 8, p. 1631
112-10-4	Amended	V. 9, p. 160	through			115-9-4	New	V. 8, p. 1524
112-10-32			112-14-10	New	V. 8, p. 1184, 1185	115-9-5	New	V. 8, p. 1161
through						115-9-6	New	V. 8, p. 1161
112-10-37	New	V. 8, p. 1246-1248	AGENCY 115: DEPARTMENT OF			115-9-6	New	V. 8, p. 1185
112-10-32			WILDLIFE AND PARKS			115-10-1		
through			Reg. No.	Action	Register	through		
112-10-37	Amended	V. 8, p. 1289	115-1-1	New	V. 8, p. 1629	115-10-8	New	V. 9, p. 391, 392
112-11-1			115-2-1	New	V. 8, p. 1520	115-11-1	New	V. 8, p. 1524
through			115-2-2	New	V. 8, p. 1733	115-11-2	New	V. 8, p. 1524
112-11-19	New	V. 8, p. 594, 595	115-2-3	New	V. 8, p. 1733	115-12-1	New	V. 8, p. 1734
112-11-1			115-3-1	New	V. 8, p. 1160	115-15-1	New	V. 8, p. 1357
through			115-3-1	New	V. 8, p. 1185	115-15-2	New	V. 8, p. 1357
112-11-19	New	V. 8, p. 648-653	115-3-2	Amended	V. 8, p. 1733	115-15-3	New	V. 8, p. 1358
112-11-2	Amended	V. 9, p. 160	115-3-2	Amended	V. 9, p. 35	115-18-1		
112-11-3	Amended	V. 9, p. 161	115-4-1	New	V. 8, p. 1733	through		
112-11-6	Amended	V. 9, p. 161	115-4-3	New	V. 9, p. 386	115-18-5	New	V. 8, p. 1359, 1360
112-11-7	Amended	V. 9, p. 161	115-4-5	New	V. 9, p. 387	115-18-7	New	V. 8, p. 1361
112-11-9	Amended	V. 9, p. 161	115-4-6	New	V. 9, p. 388	115-30-1	New	V. 8, p. 1361
112-11-10	Amended	V. 9, p. 161	115-4-7	New	V. 9, p. 390	AGENCY 116: STATE FAIR BOARD		
112-11-12	Amended	V. 9, p. 162	115-4-8	New	V. 8, p. 1356	Reg. No.	Action	Register
112-11-14	Amended	V. 9, p. 162	115-4-8	New	V. 8, p. 1477	116-1-1	New	V. 8, p. 1191
112-11-15	Amended	V. 9, p. 162	115-4-10	New	V. 8, p. 1357	116-1-1	New	V. 8, p. 1326
112-11-20	Amended	V. 9, p. 162	115-4-10	New	V. 8, p. 1477	116-1-2	New	V. 8, p. 1191
112-11-21	New	V. 8, p. 595	115-5-1	New	V. 9, p. 167	116-1-2	New	V. 8, p. 1326
112-11-21	New	V. 8, p. 653	115-5-2	New	V. 9, p. 168	116-2-1	New	V. 8, p. 1191
112-12-2			115-6-1	New	V. 9, p. 168	116-2-1	New	V. 8, p. 1326
through			115-7-1	New	V. 8, p. 1630			
112-12-13	New	V. 8, p. 1007	115-7-2	New	V. 8, p. 1630			
112-12-2			115-7-4	New	V. 8, p. 1631			
through			115-7-5	New	V. 8, p. 1631			
112-12-13	New	V. 8, p. 1123-1126	115-8-1	New	V. 8, p. 1521			
112-12-2	Amended	V. 9, p. 164	115-8-2	New	V. 9, p. 391			
			115-8-3	New	V. 8, p. 1161			

NOW AVAILABLE . . .

CUSTOM-MADE
LOOSELEAF BINDERS
for the
KANSAS REGISTER



We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

Kansas Register binders . . . \$18.00 each includes shipping and handling.

CLIP AND MAIL

Dear Secretary Graves: Please send _____ *Kansas Register* binders.
(Quantity)

Price: \$18.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

Shipping is by
U.P.S. Delivery Service;
STREET ADDRESS
IS NECESSARY.

Mail order, with payment, to: *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

KANSAS REGISTER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594

Second Class
postage paid
at
Topeka, Kansas

**Use this form (or a copy of it) to enter a
SUBSCRIPTION**

_____ One-year subscriptions @ \$60.00 ea.
(Kansas residents must include
\$3.15 state and local sales tax)

Total Enclosed _____
(Make checks payable to Kansas Register)

SEND TO: _____
(Please, no
more than
4 address
lines.) _____

Zip code must be included

This space for Register office
use only, please

Code _____ Rec. No. _____
Expires _____ Entered By _____

Mail order, with payment, to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594

**Use this form (or a copy of it) for
CHANGE OF ADDRESS**

Remove your mailing label (above) and affix it here:

Indicate change or correction of name or
address here:

Mail to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594