

KANSAS REGISTER



State of Kansas

**BILL GRAVES
Secretary of State**

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July 26, 1990

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State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet at 9:30 a.m. Tuesday, July 31, at the Eisenhower Visitors Center in Abilene. For further information, contact Deana Novak at (316) 662-6611.

Deana K. Novak
Administrative Officer

State of Kansas

Employee Award Board

Notice of Meeting

The Employee Award Board will meet at 1 p.m. Tuesday, July 31, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett
Chairperson

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 30 through August 12:

Date	Room	Time	Committee	Agenda
July 30	514-S	10:00 a.m.	Special Committee on Insurance	30th: Public hearings and possible action on HB 3012—Rate Regulation. 31st: Public hearings and possible action on SB 445—Group Eligibility.
July 31	514-S	9:00 a.m.		
July 30	123-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda unavailable.
July 31	123-S	9:00 a.m.		
July 31			Special Committee on Legislative, Judicial and Congressional Apportionment	Cancelled
August 2	531-N	9:00 a.m.	Health Care Stabilization Fund Oversight Committee	Review preliminary report of Wakely & Associates, Inc., actuary to the committee.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 009517

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Secretary of State
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Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas
State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 19,000 cubic yard detention dam, Site D-73 in Jackson County, will be received by the Delaware Watershed Joint District No. 10 at the district office, 125 W. 4th, Holton 66436, until 2 p.m. August 17 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the district office, (913) 364-4309.

Kenneth F. Kern
Executive Director

Doc. No. 009503

State of Kansas
Kansas Water Office

Notice of Hearing

The Kansas Water Office will conduct a public hearing at 10 a.m. Tuesday, August 28, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka, on proposed municipal water conservation plan guidelines. This 30-day notice period constitutes a public comment period.

All interested parties may submit written comments prior to the hearing to the director of the Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612-1215. All interested parties will be given a reasonable opportunity at the hearing to present their views orally in regard to the adoption of the proposed guidelines. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments will be considered by the directors of the Kansas Water Office and the Kansas Water Authority as the basis for revisions to the proposed guidelines.

Municipal water conservation plan guidelines were issued in 1986 to assist municipal water users in preparing water conservation plans. These municipal water users include: (1) applicants for permits to appropriate water after January 1, 1989; (2) applicants for a contract for the sale of water from state-owned conservation water supply storage (the Water Marketing Program); (3) members of a water assurance district; and (4) applicants for a water transfer.

The proposed guidelines represent a revision of the previous guidelines and are intended to simplify the process of preparing a water conservation plan and to provide an example of a model municipal water conservation plan for water utilities. Copies of the proposed guidelines are available from the Kansas Water Office.

Joseph F. Harkins
Director

Doc. No. 009518

State of Kansas
State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 62,000 cubic yard detention dam, Site 117 in Shawnee County, will be received by the Wakarusa Watershed Joint District No. 35 at the district office, 304 Maple, Overbrook 66524, until 2 p.m. August 23 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the district office in Overbrook, (913) 665-7231 or (913) 842-9196.

Kenneth F. Kern
Executive Director

Doc. No. 009502

State of Kansas
Department of Revenue

Request for Proposals
Office Facility Space

The Department of Revenue will accept proposals for leased facilities for three commercial driver license (CDL) examining stations to be located in the Kansas City, Kansas, Wichita and Topeka vicinities.

Preliminary space requirements include an office area of approximately 3,000 square feet, a three-acre paved parking lot for commercial vehicle testing and parking, and accessibility to either an interstate or four lane highway. The office area should be primarily an open area with a conference room of approximately 15' x 15'. The state will construct any other necessary office areas with Herman Miller portable partitions. The office must be accessible to the handicapped and comply with the State Handicapped Accessibility Standards found in K.S.A. 58-1301 *et seq.*, as amended.

The space is needed by October 1, and the Department of Revenue would be willing to lease the Kansas City and Wichita locations for three-year periods. The Topeka facility would be temporary for approximately 18 months.

Proposals should include a description and map of the site location, floor plan of the building and proposed lease terms. Photographs of the parking and basic control skills testing area are optional but preferred.

Five copies of the proposals should be submitted to the Department of Revenue, Division of Vehicles, Attention: Sandra Dexter, Chief Examiner, Docking State Office Building, 1st Floor, Topeka 66626-0001, no later than 4 p.m. Friday, August 3. Questions relating to the office space requirements should be directed to Sandra Dexter at (913) 296-4954.

Ed C. Rolfs
Secretary of Revenue

Doc. No. 009531

State of Kansas

University of Kansas

Notice to Bidders

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

Monday, August 6, 1990

RFQ 91 0098

Cargo-type van

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

Doc. No. 009526

State of Kansas

Department of Administration

Division of Architectural Services

Notice of Commencement
of Negotiations
for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering consultant services for the Kansas Department of Wildlife and Parks. Services will include project recommendations for the construction of a water transport system to move surface waters from Milford Reservoir, transversing Milford Dam, downstream to the Milford Hatchery. Working with Department of Wildlife and Parks personnel, the selected engineering firm will provide project recommendations that will include complete design plans, cost estimates (including construction administration costs) and final contract documents.

Project design must meet permit and operational requirements of the U.S. Army Corps of Engineers, the Kansas State Board of Agriculture, Division of Water Resources, and the Kansas Department of Wildlife and Parks.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before August 10. An SF 255 form should be submitted with letters of interest.

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

Doc. No. 009505

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), as amended by 1990 Senate Bill No. 554, records of the Division of Accounts and Reports show the unobligated balance in the petroleum storage tank release trust fund is \$3,288,774.84 as of June 30, 1990.

Shelby Smith
Secretary of Administration

Doc. No. 009534

State of Kansas

Board of Education

Notice of Hearing

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, August 14, in Room 121 of the State Education Building, 120 E. 10th, Topeka, to consider the proposed Kansas state plan for school food service state administration expense (SAE) funds for fiscal year 1991.

SAE funds are federal funds made available to states for meeting expenses incurred when administering, supervising and providing technical assistance for child nutrition programs. The annual state plan is part of a SAE management system, which monitors each state's accountability of the funds and the U.S. Department of Agriculture's control over the funds.

Part I of the plan describes the anticipated costs and budget needs. Part II describes the activities for the utilization of state and federal funds. Justification is provided for the following major responsibilities of administering the child nutrition programs: technical assistance; program monitoring; claims processing/federal reporting; policy development/implementation; professional development (training); program administration, planning, and supervision; and program audits. The plan does not include program objectives.

A copy of the plan may be obtained by contacting the secretary of the State Board of Education, State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

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

Dr. Lee Droegemueller
Commissioner of Education

Doc. No. 009524

State of Kansas
Department of Administration
Division of Purchases

Notice to Bidders

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

Monday, August 6, 1990

27281

Kansas State University and other state agencies—
Veterinary (animal) pharmaceuticals

27370

Kansas State University—Snow removal service

27453 (Supp)

University of Kansas and Statewide—Bacteriologicals

84715

Kansas State University—Dorm furniture

84746

Kansas State University—Service/mass spectrometer

84771

Kansas State School for the Deaf—Furnish all labor
and materials to retrofit boiler

Tuesday, August 7, 1990

26712

Fort Hays State University—Electric and electronic
typewriter maintenance

27292

University of Kansas Medical Center—Cleaning
compounds and janitorial supplies

27333

Emporia State University—Electric and electronic
typewriter maintenance

27700

University of Kansas—Dishwashing supplies

27950 (Supp)

University of Kansas—Laboratory services

26288

Kansas Correctional Industries—Denim and twill
fabric, Hutchinson

Wednesday, August 8, 1990

84737

University of Kansas—Radios

84751

Department of Health and Environment—GC/Mass
spectrometer

84752

Kansas State University—Refrigerated trailer

84791

Emporia State University—Band uniforms

Thursday, August 9, 1990

27297

Department of Transportation—Aggregate

27859

Kansas State University—Fertilizer

Friday, August 10, 1990

27690

University of Kansas Medical Center—Pharmacy
labels

28289

Statewide—Mainframe terminals for law enforcement
network

84786

University of Kansas Medical Center—HPLC system

Wednesday, August 15, 1990

A-6371 (Revised)

Department of Wildlife and Parks—Spillway repair,
Washington State Fishing Lake

Thursday, August 16, 1990

A-6433

Larned State Hospital—Replace electrical
transformers, Activity Therapy Building

Monday, August 20, 1990

28017

Department of Corrections—Lease of farmland,
Norton

Monday, August 27, 1990

84795

Department of Health and Environment—
Groundwater drilling services, Colby

Friday, August 31, 1990

28069

Department of Transportation—Automobile liability
insurance

Request for Proposals

Wednesday, August 8, 1990

28278

Rest area cleaning services for the Department of
Transportation, various locations

Tuesday, August 14, 1990

28290

Work comp exclusive care providers for the
Department of Administration, Division of Personnel
Services

Friday, August 17, 1990

28292

Special education needs assessment for the
Department of Corrections

Nicholas B. Roach
Director of Purchases

Doc. No. 009528

State of Kansas

State Employees Health Care
Commission

Notice of Meeting

The Kansas State Employees Health Care Commission will conduct meetings on August 2 and August 17 at 9 a.m. in Room 123-S, State Capitol, Topeka. For further information, contact Dave Charay at (913) 296-7483.

Shelby Smith
Chairman

Doc. No. 008504

State of Kansas

Department of Transportation

Notice to Consulting Engineers

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

The Traffic Engineering Assistance Program has been developed to enable the Department of Transportation, utilizing 402 safety funds, to assist local political subdivisions requesting assistance, in solving traffic engineering operational and safety improvement type problems when they do not have the traffic engineering expertise available.

In order for the state to realize the highest possible benefit of funds allocated to highway safety, traffic engineering services provided to local governmental units can better be served by reviewing isolated problems or a spot analysis rather than comprehensive traffic studies. Traffic expertise can best be provided to local agencies on an individual project or spot analysis basis utilizing reputable consulting firms with expertise in planning, traffic and transportation engineering activities capable of analyzing the problem and developing a recommendation.

Consultants selected are to provide services for the Federal Fiscal Years 1991, 1992 and 1993 for three areas at a maximum of about \$35,000 per area per year. Area One will be bounded by the First and Fourth KDOT Districts; Area Two by the Second and Fifth KDOT Districts; and Area Three by the Third and Sixth KDOT Districts. Each area will be a separate project under the Traffic Engineering Assistance Program.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by August 2, 1990.

It is the policy of KDOT to use the following criteria as the basis for selection of engineering consulting firms:

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

Horace B. Edwards
Secretary of Transportation

Doc. No. 009496

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. August 16, 1990, and then will be publicly opened:

District One—Northeast

Brown—159-7 K-3620-01—U.S. 159, from the south city limits then north to the east junction of U.S. 73 and K-20 in Horton, .8 miles, grading and surfacing. (State Funds)

Jefferson—24-44 K-2844-01—U.S. 24, Buck Creek bridge 11, 3.1 miles east of U.S. 59, bridge replacement. (Federal Funds)

Johnson—69-46 K-4272-01—U.S. 69, 103rd Street overpass 132, .5 mile north of I-435, bridge repainting. (State Funds)

Johnson—435-46 K-4312-01—I-435, northbound from Midland Drive, north 2.7 miles, rout and seal cracks. (State Funds)

Johnson—435-46 K-4329-01—I-435, from the Kansas-Missouri state line, west 2.7 miles, pavement grinding. (State Funds)

Nemaha—66 C-1784-01—County road, 2.3 miles south and .1 mile west of Sabetha, then west, 0.1 mile, bridge replacement. (Federal Funds)

Nemaha—66 C-2096-01—County road, from Seneca, north .1 mile, bridge replacement. (Federal Funds)

Nemaha—66 C-2097-01—County road, 4.4 miles west and 2.2 miles north of Centralia, then north 0.1 mile, bridge replacement. (Federal Funds)

Pottawatomie—24-75 K-4256-01—U.S. 24, Vermillion River bridge 8, 2.8 miles east of K-99, bridge painting. (State Funds)

Pottawatomie/Riley—24-75 K-4364-01—U.S. 24, from Ratione Street, Water Works in Manhattan southeast to end of 4 lane/2 lane, 4.8 miles, patching. (State Funds)

Shawnee—24-89 K-4258-01—U.S. 24, Union Pacific Railroad bridge 73, 6.2 miles east of Silver Lake, bridge painting. (State Funds)

Shawnee—89 C-2492-01—County road, 2.7 miles north of Rossville, then north .4 mile, grading and bridge. (Federal Funds)

Wabaunsee—70-99 K-4277-01—I-70, Paw Paw Creek bridge 12, (south lane) .2 mile east of K-185, bridge painting. (State Funds)

Wabaunsee—99-99 K-2093-01—K-99, west Branch Mill Creek bridge 56, 4.9 miles south of I-70, bridge painting. (State Funds)

Wyandotte—32-105 K-3432-01—K-32, Matoon Creek drainage bridge 97, .5 mile northeast of the west junction of I-70, bridge replacement. (Federal Funds)

Wyandotte—70-105 K-4278-01—I-70, west junction of I-70 and K-32, bridge 96 north lane and bridge 167 south lane, bridge painting. (State Funds)

Wyandotte—169-105 K-3444-01—U.S. 169, St. Louis and San Francisco Railroad/Turkey Creek bridges 70, 181 south of I-35 intersection, bridge painting. (State Funds)

Wyandotte—635-105 K-4343-01—I-635, northbound from Shawnee Drive to Metropolitan Avenue and northbound Kansas River bridge north .3 mile, 1.7 miles, texturing and grooving. (State Funds)

District Two—Northcentral

Chase—177-9 M-1579-01—K-177, Cottonwood River bridge 50, .1 mile north of Main Street in Cottonwood Falls, bridge repair. (State Funds)

Cloud—24-15 K-4253-01—U.S. 24, West Pipe Creek bridge 12, .9 mile east of U.S. 81, bridge overlay. (State Funds)

Dickinson—43-21 K-3622-01—K-43, Atchison, Topeka and Santa Fe Railway west and north to South Street in Enterprise, .2 mile, intersection improvement. (State Funds)

Dickinson—43-21 X-1449-02—K-43, Atchison, Topeka and Santa Fe Railway crossing of K-43 north of Enterprise, grading and surfacing. (Federal Funds)

Dickinson—43-21 X-1518-02—K-43, Atchison, Topeka and Santa Fe Railway crossing of K-43 (5th Street) in Enterprise, grading and surfacing. (Federal Funds)

Geary—40B-31 K-4265-01—U.S. 40 Business, Smoky Hill River bridge 37, 1.3 miles east of U.S. 77 Business, bridge painting. (State Funds)

Geary—57-31 K-4267-01—K-57, Dry Creek drainage bridge 65, 6.2 miles southeast of I-70, bridge painting. (State Funds)

Geary—77-31 K-4282-01—U.S. 77, Madison Creek bridge 45, 7 miles north of K-57, bridge overlay. (State Funds)

Marion—256-57 K-4085-01—K-256 and Freeborn Street in Marion, traffic signal. (State Funds)

Morris—4-64 K-4247-01—K-4, Level Creek bridge 13, 10 miles north of K-149, bridge overlay. (State Funds)

Ottawa—106-72 K-4286-01—K-106, Lindsey Creek bridge 32, .2 mile west of U.S. 81, bridge painting. (State Funds)

Saline—70-85 K-4274-01, I-70, Saline River bridge 66, 1.5 miles east of the K-143 Spur, bridge painting. (State Funds)

Washington—15-101 K-4013-01—K-15, Mill Creek bridge 26, 2.6 miles north of the west junction of U.S. 36, bridge painting. (State Funds)

District Three—Northwest

Norton—283-69 K-3604-01—U.S. 283, Prairie Dog Creek bridge 19, 1.3 miles south of U.S. 36, bridge replacement. (Federal Funds)

District Four—Southeast

Coffey—75-16 K-2613-01—U.S. 75, Rock Creek bridge 19, at Neosho Street, bridge replacement. (Federal Funds)

Franklin—35-30 M-1584-01—I-35, bridges 19 and 20 over the Atchison, Topeka and Santa Fe Railway at Ottawa, slide repair. (State Funds)

Montgomery—63 C-2391-01—County road, 5.5 miles north of Tyro, then north, 1.5 miles, grading and bridge. (Federal Funds)

District Five—Southcentral

Barber—160-4 K-4290-01—U.S. 160, Little Sand Creek drainage bridge 17, 10.2 miles east of U.S. 281, bridge repair. (State Funds)

Butler—8 C-2353-01—County road, from Latham, then north, 8.5 miles, surfacing. (Federal Funds)

Harvey—50-40 K-3218-01—U.S. 50, Meridian road, east to the west junction of I-135, 2.6 miles, grading, surfacing and bridge. (State Funds)

Pawnee—183-73 K-4299-01—U.S. 183, Sawmill Creek drainage bridge 16, 9 miles north and bridge 17, 10 miles north of U.S. 36, bridge repair. (State Funds)

Sedgwick—87 U-1246-01—119th Street west at Cowskin Creek in Wichita, .3 mile, bridge replacement. (Federal Funds)

Sumner—96 C-1697-01—County road, from Caldwell, then south, 0.2 mile, bridge replacement. (Federal Funds)

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

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

Plans and specifications for the projects may be examined at the office of the respective county clerks or at the Department of Transportation district offices responsible for the work.

Horace B. Edwards
Secretary of Transportation

Doc. No. 009497

State of Kansas

Attorney General

Opinion No. 90-81

Statutes; Administrative Rules and Regulations and Procedure—Statutory Construction—Uniform Determination of Death Act. Pat Johnson, Executive Administrator, Kansas State Board of Nursing, Topeka, July 13, 1990.

The determination of human death is a medical diagnosis which must be made by a physician in accordance with accepted medical standards. The degree to which a physician may rely on information not gained through personal observation when making the determination of death is governed by the applicable medical standard. Cited herein: K.S.A. 22a-231; 65-1113; 65-2412; 65-3215; 77-202 (Weeks, 1977); 77-205. MWS

Opinion No. 90-82

Taxation—Property Valuation, Equalizing Assessments, Appraisers and Assessment of Property—Change in Appraised Valuation, 1990 Senate Bill No. 332. Leigh Hood, Ford County Attorney, Dodge City, July 13, 1990.

The one year partial moratorium on increasing property valuations under 1990 Senate Bill No. 332 does not violate the uniform and equal provisions of article 11, section 1 of the Kansas Constitution. Cited herein: K.S.A. 79-1476; 1990 Senate Bill No. 332, § 5; Kan. Const., art. 11, § 1. JLM

Opinion No. 90-83

Public Health—Milk, Cream and Dairy Products—Establishment of Fees for Statewide System of Milk Inspection and Regulatory Services. Kenneth M. Wilke, Chief Counsel, State Board of Agriculture, Topeka, July 13, 1990.

Section 5(b) of 1990 S.B. 419 amending K.S.A. 65-745 evidences a clear legislative intent to establish a minimum milk inspection fee on package grade A pasteurized milk or grade A milk products imported into Kansas and sold at retail to final consumers, making language to the contrary surplusage. Cited herein: K.S.A. 65-745; 65-746, both as amended by 1990 Senate Bill No. 419. GE

Robert T. Stephan
Attorney General

Doc. No. 009506

State of Kansas

Wichita State University

Notice to Bidders

Sealed bids for the following will be received by The Wichita State University, Office of Purchasing, 1845 N. Fairmount, Campus Box 12, Morrison Hall, Room 021, Wichita 67208-1595, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (316) 689-3080 for additional information.

Thursday, August 9, 1990

910019-HF

Data acquisition system

Gary D. Link
Director of Purchasing

Doc. No. 009509

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 W.O. Byfield Excavating Co. (W.O.B.), Andover, to install and operate a metal plating tanks sludge dryer to be located on The Boeing Co. property at 3801 S. Oliver, Wichita.

Written materials, including the permit application and information relating to the application submitted by W.O.B., 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 August 24 by contacting David Butler, KDHE, 1919 Amidon, Wichita, (316) 838-1071. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L.C. Hinthier, 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, KDHE, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before August 24.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009510

State of Kansas

Department of Health
and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a national pollutant discharge elimination system permit for the Blue Township Sewer District located in Pottawatomie County. The NPDES permit for Blue Township was placed on Public Notice No. KS-90-35 dated June 6 through July 6, 1990. Public response to this notice was significant; therefore, a public hearing has been scheduled in conformance with state regulation 28-16-61.

The hearing has been scheduled for 7 p.m. Monday, August 27, in Green Valley School, 3770 Green Valley Road, Manhattan. The Secretary of Health and Environment will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009520

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, 28-16-83 through 28-16-98, 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 publicly owned treatment works for the applicant described below. The tentative determinations for permit content are based on preliminary staff review applying the appropriate standards, regulations and limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit to discharge subject to certain limitations and special conditions.

Name and Address	POTW	Type of Discharge
General Electric Company GE Aircraft Engine Maintenance Center P.O. Box 797 Strother Field Arkansas City, KS 67005	Strother Field Industrial Park WWTP	Process wastewater

Kansas Permit No. P-WA17-1001

Description of Facility: This facility performs chemical etching and milling on aluminum parts and cleaning of steel parts.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Forbes Field, Topeka 66620. All comments received prior to August 24 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-PT-90-7) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determination. 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 limitations and special conditions, comments received, and other information are on file and may be inspected at the Division of Environment 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. 009521

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 J.H. Shears' and Sons, Inc. (JHSS), Hutchinson, to install and operate an asphalt concrete mixing plant to be initially located at Section 4, T24S, R55W, Reno County.

Written materials, including the permit application and information relating to the application submitted by JHSS, 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 August 24 by contacting David Butler, KDHE, 1919 Amidon, Wichita, (316) 838-1071. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L.C. Hinthier, 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, KDHE, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before August 24.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009511

**State of Kansas
Department of Health
and Environment**

**Notice Concerning Kansas
Water Pollution Control Permits**

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

Name and Address of Applicant	Waterway	Type of Discharge
Nelson Quarries Inc. Stokes Quarry Attn: Ken Nelson P.O. Box 124 LaHarpe, KS 66751 Allen County, Kansas	Neosho River via Elm Creek via unnamed tributary	Mine pit dewatering on rare occasions. Facility is to retain 10 year 24 hour rain event without discharge.
Kansas Permit No. I-NE30-P001		Fed. Permit No. KS-0082686

Description of Facility: This facility is engaged in a limestone crushing operation with occasional washing. Wash water is recycled from the quarry pit and is discharged to settling ponds. All wastewater is recycled. The facility can contain a 10 year 24 hour rain event without a discharge. This is an existing facility and the previous limitations are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Williams Natural Gas Company Berryton Facility P.O. Box 3288 Tulsa, OK 74101 Attn: Barry Pierce Shawnee County, Kansas	Kansas River via Shunga Creek via Deer Creek	Hydrostatic test water
Kansas Permit No. I-KS91-PO01		Fed. Permit No. KS-0087050

Description of Facility: Natural Gas Pipeline hydrostatic test water discharge. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Williams Natural Gas Company Baxter Springs Facility P.O. Box 3288 Tulsa, OK 74101 Attn: Barry Pierce Cherokee County, Kansas	Neosho River and Verdigris River	Hydrostatic test water
Kansas Permit No. I-NE06-PO01		Fed. Permit No. KS-0087017

Description of Facility: Natural Gas Pipeline hydrostatic test water discharge. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Phillips Pipeline Company Paola Terminal	Marais des Cygnes River via unnamed tributary	Stormwater from surface and subsurface drainage.

12 B1 Phillips Bldg. Bartlesville, OK 74004 Attn: Dan Hunter Miami County, Kansas	controlled tank dike drainage, and drainage from floor and basin drains
Kansas Permit No. I-MC33-PO04	Fed. Permit No. KS-0028371

Description of Facility: Oil-water separator treats surface, sub-surface, and tank dike drainage. The separator effluent and stormwater combine in an oil separation pond where oil is skimmed and routed to a slop tank. This is an existing facility and the previous limits are continued. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Panhandle Eastern Pipeline Company Olpe 200 Line 1221 McKinney Houston, TX 77010-2070 Miami County, Kansas	Marais des Cygnes River via Bull Creek	Hydrostatic test water
Kansas Permit No. I-MC33-PO09		Fed. Permit No. KS-0086991

Description of Facility: Natural Gas Pipeline hydrostatic test water discharge. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Shawnee County MSD #15 c/o Shawnee County Commissioners Shawnee County Courthouse Topeka, KS 66603 Shawnee County, Kansas	Kansas River via Soldier Creek via unnamed tributary in Menokin-Jennings Area	Secondary wastewater treatment facility
Kansas Permit No. M-KS72-OO19		Fed. Permit No. KS-0085341

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

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk P.O. Box 489 Louisburg, KS 66053 Miami County, Kansas	Marais des Cygnes River via unnamed tributary	Secondary wastewater treatment facility
Kansas Permit No. M-MC20-OO01		Fed. Permit No. KS-0024856

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

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to August 24 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-63/69) 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 regulations 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. 009522

State of Kansas

Department of Health
and Environment

Notice Concerning Kansas
Water Pollution Control Permits

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

Name and Address of Applicant	Legal Description	Receiving Water
Callicrate Cattle Co. P.O. Box 602 St. Francis, KS 67756	SE/4 Section 19 and SW/4 Section 20, Township 4S, Range 40W, Cheyenne County, KS	Upper Republican River Basin

Federal Permit No. KS-0087041 Kansas Permit No. A-URCN-C002
The feedlot has capacity for approximately 10,000 cattle and a contributing drainage area of approximately 105 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 42.2 acre-feet.
Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Flint Hills Beef Feeders, Inc. P.O. Box 61 Potwin, KS 67123	W/2 Section 22, Township 24S, Range 4E, Butler County, Kansas	Walnut River Basin

Federal Permit No. KS-0048968 Kansas Permit No. A-WABU-C004
The existing facility has the capacity for approximately 15,000 cattle and a contributing drainage area of approximately 170 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 75 acre feet.
Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
ID Feeders Route 1, Box 9 Ingalls, KS 67853	NW/4 Section 31, Township 25S, Range 28W, Gray County, Kansas	Upper Arkansas River

Federal Permit No. KS-0115258 Kansas Permit No. A-UAGY-C007
The feedlot has capacity for approximately 6,000 cattle and a contributing drainage area of approximately 78 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 27.5 acre-feet.
Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Keating Feedlot, Inc. Route 2 Frankfort, KS 66427	SE/4 Section 26, Township 3S, Range 8E, Marshall County, Kansas	Big Blue River Basin

Federal Permit No. KS-0080365 Kansas Permit No. A-BBMS-C001
The feedlot has capacity for approximately 3,000 cattle and a contributing drainage area of approximately 39 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 16.25 acre-feet.
Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Nigh Corporation c/o Bill Nigh, Pres. Route 1 Moline, KS 67353	NW/4 Section 32, Township 30S, Range 10E, Elk County, Kansas	Verdigris River Basin

Federal Permit No. KS-0080497 Kansas Permit No. A-VEEK-H001
The feedlot has capacity for approximately 3,500 swine and a contributing drainage area of approximately 22 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 10.3 acre-feet.
Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Old Dodge Feed Yard, Inc. P.O. Box 35 Dodge City, KS 67801	SW/4 Section 28 and NW/4 Section 33, Township 26S, Range 24W, Ford County, Kansas	Upper Arkansas River

Federal Permit No. KS-0115266 Kansas Permit No. A-UAFO-C004
The feedlot has capacity for approximately 9,000 cattle and a contributing drainage area of approximately 80 acres. This is a change of ownership of an existing facility. Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 29.5 acre-feet.
Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
John P. Perrier Perrier Feed Yard 1900 LaMesa Dodge City, KS 67801	S/2 Section 25, Township 28S, Range 26W, Ford County, Kansas	Cimarron River Basin

Federal Permit No. KS-0115711 Kansas Permit No. A-CIFO-C002
The feedlot has capacity for approximately 4,000 cattle with expansion planned for an additional 2,000 cattle and a contributing drainage area of approximately 30 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 11 acre-feet.
Compliance Schedule: None, existing controls 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 August 25 will be considered in the formulation of final determinations regard-

(continued)

ing this public notice. Please refer to the appropriate application number (KS-AG-90-61/67) and name of applicant as listed when preparing comments.

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

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

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009523

**State of Kansas
State Grain Inspection Department**

**Notice of Hearing
on Proposed
Administrative Regulations**

The Kansas State Grain Inspection Department will conduct a public hearing regarding adoption of amended K.A.R. 25-4-1 and K.A.R. 25-4-4 as permanent regulations at 10 a.m. Monday, August 27, in the conference room of the Kansas State Grain Inspection Department, 700 Jackson, Suite 800, Topeka. The permanent regulations, if adopted, will become effective 45 days after publication in the *Kansas Register*.

The department proposes to increase the fees of both K.A.R. 25-4-1 and K.A.R. 25-4-4 to cover the cost of the services provided. New additions to K.A.R. 25-4-1 will be for new services to provide aflatoxin analysis, waxy corn determination and bleaching of grain to determine damaged kernels.

The department is deleting fees for testing hopper scales, as this service was transferred to the State Board of Agriculture under H.B. 2677, effective July 1, 1990.

All interested parties may submit written comments during the 30-day notice period prior to the hearing to the Director, Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601-1918. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations during the hearing.

Copies of the full text of the regulations and economic impact statement may be obtained by contacting the director of Kansas State Grain Inspection Department at the address above, (913) 296-3451.

T.D. Wilson
Director

Doc. No. 009519

State of Kansas

**Board of Agriculture
Division of Weights and Measures**

**Notice of Hearing
on Proposed
Administrative Regulations**

A public hearing will be conducted at 1:30 p.m. Tuesday, August 28, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of a proposed temporary and permanent rule and regulation of the Kansas State Board of Agriculture. The proposed permanent regulation would become effective 45 days after its publication in the *Kansas Register* unless a specified date is contained in the regulation. The proposed temporary regulation will become effective as soon as possible.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. In addition, the period of at least 30 days notice constitutes a public comment period for the purpose of receiving public comments on the proposed rule and regulation.

Written comments and requests for copies of the regulation and the complete economic impact statement should be sent to Kenneth M. Wilke, Chief Counsel, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before the time of the hearing. For persons interested in presenting testimony at the hearing, prior notice to the board office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulation is as follows:

99-26-1. Sets fees for resting and proving weights and measures at \$30 per hour and sets corresponding fees for grain hopper scales at \$40 per hour.

Regarding the proposed amendment of K.A.R. 99-26-1, there will be approximately \$56,343 additional revenue generated for the state weights and measures laboratory. There will be no fiscal or economic impact on other governmental agencies, individuals, private businesses or the general public except for the increased fees charged for tests requested by those people or entities who wish to have grain hopper scales or other weighing or measuring devices tested by the state sealer or the state weights and measures laboratory.

Copies of this regulation and the complete fiscal impact statement may be obtained by contacting Kenneth M. Wilke, Chief Counsel, at the address above, (913) 296-3848.

Sam Brownback
Secretary of Agriculture

Doc. No. 009527

State of Kansas

**Office of Judicial Administration
Court of Appeals Docket**

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Tuesday, July 31, 1990

Before Elliott, P.J.; Larson, J.; and Jack L. Burr,
District Judge, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
63,642	Donald M. Hargrove and Velma F. Hargrove, Appellees, v. The Jackson Farmer's Inc., Appellant, and Farmland Ind., Inc.	Philip C. Lacey Charles D. Kugler Larry G. Pepperdine Charles O. Thomas John E. Joslin	Atchison
64,746	Montgomery Ward & Co., Inc., Appellant, v. Ronald Scroggins, Appellee.	Steven R. McConnell Denise Adams	Wyandotte

10:30 a.m.

64,631	City of Emporia, Appellee, v. Nina West, <i>et al.</i> , Appellants.	Dale W. Bell Jeffrey A. Chanay	Lyon
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Summary Calendar—No Oral Argument

64,597	Gary Sammons, Appellant, v. State of Kansas, Appellee.	Lisa Nathansen Attorney General Nick A. Tomasic	Wyandotte
64,451	Donald Lee Wright, Appellant, v. State of Kansas, Appellee.	Thomas Jacquinet Attorney General Nanette Kimmerly-Weber	Allen
64,448	State of Kansas, Appellee, v. Gary R. McBride, Appellant.	James K. Craig Attorney General Jessica R. Kunen	Labette

Before Elliott, P.J.; Jack L. Burr, District Judge, assigned;
and William D. Clement, District Judge, assigned.

1:30 p.m.

64,863	Michael Thomas Brigham, Appellee, v. Janice Lynn Brigham, Appellant.	Charles H. Apt David N. Sutton	Allen
64,729	Dale E. Shade, <i>et al.</i> , Appellants, v. Wheatcraft Ind., Inc., <i>et al.</i> , Appellees.	Glenn R. Braun Dennis R. Davidson Jerry E. Driscoll	Russell

(continued)

2:30 p.m.

64,786	In the Matter of the Estate of Claude W. Riley, deceased, Appellant, v. James Riley, Appellee.	Tom R. Smith Keen K. Brantley	Lane
64,764	First National Bank of Medicine Lodge, Appellant, v. Family Medicine Clinic of Medicine Lodge, <i>et al.</i> , Appellees.	Robert W. Christensen Myrlen Bell William B. Sorensen, Jr. Robert H. Gale, Jr. Alan C. Goering	Barber

Summary Calendar—No Oral Argument

64,230	State of Kansas, Appellee, v. Michael J. Munsterman, Appellant.	Frank E. Kohl Attorney General E. Roger Horsky	Leavenworth
64,420	State of Kansas, Appellee, v. Harry E. Grady, Appellant.	Rodney Symmonds Attorney General Steven R. Zinn	Lyon

Wednesday, August 1, 1990

Before Larson, P.J., Jack L. Burr, District Judge, assigned;
and William D. Clement, District Judge, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,572	Jo Saille Carmichael and Joe W. Carmichael, Appellants, v. Wheat Collingwood, <i>et al.</i> , Appellees.	Scott I. Asner Michael Doering Craig Shultz Lawrence L. Ferree	Johnson
64,380	State of Kansas, Appellee, v. David M. Delaney, Appellant.	Richard Guinn Attorney General James F. Vano	Johnson

10:30 a.m.

64,435	J.C. Woodall, Appellant, v. Mike Hill, <i>et al.</i> , Appellees.	Roger Falk Timothy Henry Debra Byrd Wagner Attorney General	Sedgwick
64,383	State of Kansas, Appellee, v. Glen L. Anderson, Appellant.	Debra Byrd Wagner Attorney General Lucille Marino	Sedgwick

Summary Calendar—No Oral Argument

64,449	Luke Reed, Appellant, v. State of Kansas, Appellee.	Michael L. McCoy Attorney General Debra Byrd Wagner	Sedgwick
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Before Elliott, P.J.; Larson, J.; and William D. Clement,
District Judge, assigned.

1:30 p.m.

64,373	John R. Kennon, Appellant, v. Mike Hill, Appellee.	Charles D. Dedmon Debra Byrd Wagner	Sedgwick
64,730	St. Louis Southwestern Railway Co., Appellant, v. Kerley Industries, <i>et al.</i> , Appellees.	Steven B. Moore Daniel L. Fowler J. Nick Badgerow James F. Davis J. Thomas Marten	McPherson

2:30 p.m.

64,825	Arthur A. Pouncil, deceased, Appellee, v. Martin K. Eby Constr. Co., <i>et al.</i> , Appellants.	Michael L. Snider Kim R. Martens Scott J. Mann	Sedgwick
64,747	First National Bank of Mt. Hope, Appellee, v. Richard A. Winter, Appellant.	James R. Gilhousen Mark J. Lazzo Terry D. Bertholf	Sedgwick

Summary Calendar—No Oral Argument

64,267	State of Kansas, Appellee, v. Juan S. Carter, Appellant.	Gene M. Olander Attorney General Shannon S. Crane	Shawnee
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Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Tuesday, July 31, 1990

Before Lewis, P.J.; Rees, J. and Richard W. Wahl,
District Judge Retired, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,714	Sherry Taiwo and Obafemi Taiwo, Appellees, v. Kim Phan Thi Vu, Appellant.	Neil B. Foth Roger L. Sherman	Johnson
64,854	Kevin K. Stephenson, Appellee, v. Carol E. Keef, Appellant.	Nathan C. Harbur Barry W. McCormick	Johnson
64,173	State of Kansas, Appellee, v. Gregory A. Anderson, Appellant.	Assistant District Attorney Attorney General C.A. Beier	Johnson

(continued)

Summary Calendar—No Oral Argument

64,619	In the Interests of J.C.S. and C.B.S., minors.	E. Jolene Rooney Steven Mosley Donald C. Astle William R. Griffith	Sedgwick
64,530	In the interest of T.A.F., a minor child.	E. Jolene Rooney Sheila Maksimowicz Donald C. Astle Michael C. Brown	Sedgwick

Before Lewis, P.J.; Ron Rogg, District Judge, assigned,
and Richard W. Wahl, District Judge Retired, assigned.

1:30 p.m.

64,511	Iona Ruth Gilger, <i>et al.</i> , Appellants, v. Lee Construction, Inc., <i>et al.</i> , Appellees.	Larry E. Gregg F.C. McMaster David A. Lips John D. Osborn	Finney
64,924	Debra Spor and Demita Jo Elliott, <i>et al.</i> , Appellants. v. Presta Oil Co., Inc., Appellee.	Jon R. Craig Randall D. Grisell	Finney

2:30 p.m.

64,771	State of Kansas, <i>ex rel.</i> , SRS, on behalf of J.R., Appellant, v. Tommy Heffernan, Appellee.	David N. Sutton Stacy A. Jeffress Forrest E. Short	Bourbon
64,709	Naomi Ward and Edwin Rath, Jr., Appellants, v. Board of Education, U.S.D. 314, Appellee.	Thomas L. Toepfer Allen Shelton J. Ronald Vignery Ron D. Martinek	Thomas

Summary Calendar—No Oral Argument

64,354	State of Kansas, Appellee, v. Jesus A. Avila, Appellant.	Ricklin Pierce Attorney General Charles D. Dedmon	Finney
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Wednesday, August 1, 1990

Before Rees, P.J., Ron Rogg, District Judge, assigned;
and Richard W. Wahl, District Judge Retired, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,603	Myrtle Bentley, Appellee, v. General Motors Corp., Appellant.	Philip R. Carson Donald J. Kirkpatrick Kent Docking	Wyandotte
64,495	Russell Properties, Appellee, v. Jimmy Gamber and Debbie Gamber, Appellants.	J.R. Russell Stephen M. Kirschbaum	Wyandotte

10:30 a.m.

64,398	State of Kansas, Appellee, v. Billy Nowell, Appellant.	Leonard J. Dix Attorney General Jessica R. Kunen	Rooks
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Summary Calendar—No Oral Argument

64,687	State of Kansas, Appellant, v. William E. Fancher, Jr., Appellant.	Chris Biggs Attorney General Jessica R. Kunen	Geary
64,291	State of Kansas, Appellee, v. Darril L. Pratt, Appellant.	Mike Ward Attorney General Reid T. Nelson	Butler

Before Lewis, P.J.; Rees, J.; and Ron Rogg,
District Judge, assigned.

1:30 p.m.

64,849	In the Matter of the Estate of G. Myrl Saylor, deceased.	Harry W. Waite Terry D. Criss	Ford
64,294	Valley Federal Savings & Loan Association, Appellee, v. Gilbert Rains, <i>et al.</i> , Appellants.	Dennis O. Smith Robert D. Ochs Pauline Rains, <i>pro se</i>	Reno

2:30 p.m.

64,618	Adair Shubert, <i>et al.</i> , Appellants, v. Abbie Hager, <i>et al.</i> , Appellees.	David J. Harding Tom Kelley Gregory E. Saindon Barbara Clinkscales John C. Herman	Trego
63,883	State of Kansas, Appellee, v. Bobby K. Vaughn, Appellant.	Tami L. Sullinger Attorney General Shannon S. Crane	Crawford

Summary Calendar—No Oral Argument

64,504	Norman D. Forgy, Appellee, v. Kansas Insurance Department, State Self- Insurance Fund, and Workers Compensation Fund, Appellant.	John J. Bryan Gregory A. Lee Seth G. Valerius	Shawnee
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Lewis C. Carter
Clerk of the Appellate Courts

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 for additional information.

Monday, August 6, 1990

#10020

Walk-in cooler/freezer

Tuesday, August 7, 1990

#10016

Diffusion pumps

#10017

Booster pump

William H. Sesler
Director of Purchasing

Doc. No. 009525

(Published in the Kansas Register, July 26, 1990.)

Summary Notice of Bond Sale

City of Olathe, Kansas

\$11,750,000

General Obligation Bonds

Series 181

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and official statement, sealed bids will be received by the city clerk of the city of Olathe, Kansas, on behalf of the governing body at the City Hall, P.O. Box 768, 100 W. Santa Fe, Olathe, KS 66061, until noon central time on Tuesday, August 7, 1990, for the purchase of \$11,750,000 principal amount of General Obligation Bonds, Series 181. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

Table with 2 columns: Year, Principal Amount. Rows from 1991 to 2002.

Table with 2 columns: Year, Amount. Rows from 2003 to 2010.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1991.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$235,000 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days after the date of sale at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 was \$320,963,958. The 1988 equalized assessed tangible valuation was \$217,357,747. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$56,055,600.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from George Long, Administrative Services Director, P.O. Box 768, 100 W. Santa Fe, Olathe, KS 66061, (913) 782-2600; or from the financial advisor, Evensen Dodge, Inc., 222 S. 9th, Suite 3800, Minneapolis, MN 55402, (612) 338-3535; or from Gilmore & Bell, Bond Counsel, Financial Plaza II, 6800 College Blvd., Suite 150, Overland Park, KS 66211-1533, (913) 661-0001.

Dated July 18, 1990.

City of Olathe, Kansas
By George Long
Administrative Services Director
City Hall
P.O. Box 768
100 W. Santa Fe
Olathe, KS 66061
(913) 782-2600

Doc. No. 009529

(Published in the *Kansas Register*, July 26, 1990.)

**Summary Notice of Bond Sale
\$1,900,000**

**City of El Dorado, Kansas
General Obligation Internal Improvement Bonds
(general obligation bonds payable from
unlimited ad valorem taxes)**

190,000	1992
190,000	1993
190,000	1994
190,000	1995
190,000	1996
190,000	1997
190,000	1998
190,000	1999

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of July 17, 1990, of the city of El Dorado, Kansas, in connection with the bonds hereinafter described, sealed, written bids shall be received at the office of the Director of Finance/City Clerk, City Hall, 220 E. 1st, El Dorado, until 2 p.m. C.D.T. on Tuesday, August 7, 1990, for the purchase of General Obligation Internal Improvement Bonds, Series 1990, of the city that are hereinafter described. All bids shall be publicly opened, read aloud and tabulated by city staff on said date and at said time and place, and all bids and the city staff's tabulations shall thereafter be presented to the city's governing body for consideration and the awarding of the bonds to the best bidder at the governing body's regularly scheduled meeting, which will be held in the city commission meeting room at city hall at 7:30 p.m. August 7. Bids received after 2 p.m. August 7 will be returned unopened.

The bonds to be sold are in the aggregate principal amount of \$1,900,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the director of finance/city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, but must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

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

Interest on the bonds shall be payable semiannually on June 1 and December 1 of each year, commencing December 1, 1990, and the bonds shall mature serially on December 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$190,000	1990
190,000	1991

Payment of Principal and Interest

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

Security for the Bonds

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

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Thursday, August 30, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

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

Financial Matters

The city's 1989 assessed valuation is as follows:

Assessed valuation of taxable tangible property	\$26,261,009
Taxable value of motor vehicles.....	<u>7,923,218</u>
Equalized assessed tangible valuation for computation of bonded debt limitations	<u>\$34,184,227</u>

Exclusive of the bonds described herein and of outstanding temporary notes to be retired upon the issuance of such bonds, the city has outstanding general obligation bond and temporary note indebtedness at the date hereof in the principal amount of \$2,601,000. The city will pay and redeem \$2,381,201.50 principal amount of temporary notes from the proceeds of the bonds described herein and other moneys available for such purpose.

Official Statement

The city has prepared a preliminary official statement, dated as of July 26, 1990, relating to the bonds, copies
(continued)

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

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, Charles M. Bouilly, The Kirchner Group, a division of George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Adam R. Collins
 Director of Finance/City Clerk
 City Hall, 220 E. 1st
 El Dorado, KS 67042
 (316) 321-9100

Doc. No. 009530

(Published in the Kansas Register, July 26, 1990.)

**Summary Notice of Bond Sale
 Unified School District 368
 Miami County, Kansas (Paola)
 \$4,993,000**

**General Obligation Bonds, Series 1990
 (general obligation bonds payable from
 unlimited ad valorem taxes)**

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated July 24, 1990, sealed bids will be received by the clerk of Unified School District 368, Miami County, Kansas (Paola), on behalf of the Board of Education at its administration office, 202 E. Wea, Paola, KS 66071, until 5 p.m. C.D.T. on August 7, 1990, for the purchase of \$4,993,000 principal amount of General Obligation Bonds, Series 1990. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$3,000. The bonds will be dated September 1, 1990, and will become due semiannually on June 1 and December 1 in the years as follows:

Year	Principal Amount
12-1-91	\$ 63,000
06-1-92	65,000
12-1-92	70,000
06-1-93	70,000

12-1-93	75,000
06-1-94	75,000
12-1-94	80,000
06-1-95	80,000
12-1-95	85,000
06-1-96	85,000
12-1-96	90,000
06-1-97	90,000
12-1-97	95,000
06-1-98	100,000
12-1-98	100,000
06-1-99	105,000
12-1-99	110,000
06-1-00	110,000
12-1-00	115,000
06-1-01	120,000
12-1-01	125,000
06-1-02	130,000
12-1-02	130,000
06-1-03	135,000
12-1-03	140,000
06-1-04	145,000
12-1-04	150,000
06-1-05	155,000
12-1-05	160,000
06-1-06	165,000
12-1-06	170,000
06-1-07	180,000
12-1-07	185,000
06-1-08	190,000
12-1-08	195,000
06-1-09	205,000
12-1-09	210,000
06-1-10	215,000
12-1-10	225,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1991.

Paying Agent and Bond Registrar
 Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$99,860 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 13, 1990, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$44,003,844. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$5,948,000.

(Published in the Kansas Register, July 26, 1990.)

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Joyce S. Geiger, 202 E. Wea, Paola, KS 66071, (913) 294-3646; or from the financial advisor, J. Daniel Stepp, Security Bank of Kansas City, One Security Plaza, P.O. Box 171297, Kansas City, KS 66117.

Dated July 24, 1990.

U.S. D. 368
Miami County, Kansas (Paola)

Doc. No. 009535

(Published in the Kansas Register, July 26, 1990.)

**Notice of Redemption
City of Wichita, Kansas
Industrial Revenue Bonds
Series XLVII—1974 Dated May 1, 1974
(United Refrigerated Services, Inc.)
(No Cusip Assigned)**

To bondholders of all the outstanding bonds due as follows:

Bond Number	Par Amount	Interest Rate	Maturity Date
102-111	50,000	6.25	3-1-91
112-123	60,000	6.25	3-1-92
124-135	60,000	6.25	3-1-93
136-150	75,000	6.25	3-1-94

Notice is hereby given that all bonds of the above issue are called for redemption and payment on September 1, 1990, at 101 percent of the principal amount thereof pursuant to Ordinance No. 33-253, Section 5. From and after such redemption date interest shall cease to accrue and be payable on said bonds.

Payment of bonds to be redeemed will be made at the principal office of BANK IV Wichita, National Association, formerly The Fourth National Bank and Trust Company, Wichita, Kansas, upon presentation and surrender of said bonds, together with all coupons appertaining hereto maturing on or after the redemption date.

Bonds should be surrendered at BANK IV Wichita, National Association, 3rd Floor, Corporate Trust Division, 100 N. Broadway, Wichita, KS 67202.

Tax Identification Form W-9 or an exemption certificate is required or tax may be withheld from payment.

Dated July 3, 1990.

BANK IV Wichita, National Association
formerly The Fourth National Bank and
Trust Company, Wichita, Fiscal Agent

Doc. No. 009514

**Notice of Redemption
Hospital Revenue Bonds
(Thomas County Hospital Association)
Series September 1, 1980, Dated September 1, 1980
of the
City of Colby, Kansas**

Notice is hereby given that pursuant to Section 4 of Ordinance No. 977 of the city of Colby, Kansas, all of the outstanding Hospital Revenue Bonds, Series September 1, 1980 (Thomas County Hospital Association), of the city of Colby, Kansas, maturing on and after September 1, 1990, will be redeemed and prepaid on September 1, 1990 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein and in said Ordinance No. 977. The bonds to be so redeemed are described as follows:

Bond Numbers Inclusive	Maturity Date	Interest Rate
93-110	September 1, 1991	9%
111-129	September 1, 1992	9 ¹ / ₈ %
130-150	September 1, 1993	9 ¹ / ₄ %
151-173	September 1, 1994	9 ³ / ₈ %
174-198	September 1, 1995	9 ¹ / ₂ %
199-328	September 1, 1999	10 ¹ / ₄ %
329-1120	September 1, 2010	11%

The above described bonds shall become due and payable on September 1, 1990, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to the redemption date, together with a premium equal to 4 percent of the principal amount of the bonds (the redemption price).

On the redemption date, provided that funds are on deposit with Farmers & Merchants Bank, Colby, Kansas (the fiscal agent and paying agent) to pay the redemption price, the bonds described above will be due and payable at the principal office of the fiscal agent. From and after September 1, 1990, all interest on the 1980 bonds will cease to accrue. All coupons maturing subsequent to the redemption date must be attached to and surrendered with the bonds. It is requested that all bonds be surrendered at least two weeks in advance of the redemption date.

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

Dated July 19, 1990.

Farmers & Merchants Bank
240 W. 4th
Colby, KS 67701
As Fiscal Agent and Paying Agent

Doc. No. 009532

(Published in the Kansas Register, July 26, 1990.)

**Notice of Redemption
Unified School District 258
Allen County, Kansas
School Improvement Bonds, Series 1979
Dated November 1, 1979**

Notice is hereby given that \$45,000 principal amount of the School Improvement Bonds, Series 1979, of Unified School District 258, Allen County, Kansas, as listed below, are called for redemption and pre-payment on September 1, 1990 (the redemption date), prior to their respective maturities, and subject to the provisions and limitations set forth herein, consisting of bonds numbered 200 through 208, inclusive, each bond being in the amount of \$5,000, maturing September 1, 2000, and bearing interest at the rate of 6.875 percent per annum.

The bonds described above shall become due and payable on September 1, 1990, at a redemption price equal to the principal amount thereof, plus unpaid interest thereon accrued to the date of such redemption and payment (being September 1, 1990), together with a premium of 1½ percent of the principal amount thereof (\$75 per each \$5,000 bond). After September 1, 1990, interest on the above described bonds will cease to accrue, providing funds are available for their payment as above stated.

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 principal office of the Kansas State Treasurer, 900 S.W. Jackson, Topeka, KS 66612.

Anna E. Cole
Clerk, Board of Education
Unified School District 258
Allen County, Kansas

Doc. No. 009513

(Published in the Kansas Register, July 26, 1990.)

**Notice of Redemption
to the holders of
Ford County, Kansas
Single Family Mortgage Revenue Bonds
1979 Series A 7.50% (due September 1, 2004)
CUSIP No. 345267 AW 8**

Notice is hereby given that pursuant to Section 3.01 of the Indenture dated as of September 1, 1979, \$335,000 principal amount of bonds has been drawn by lot for redemption at par on September 1, 1990, as follows:

Coupon bonds, \$5,000 denominations called in full:

1011	1044	1074	1116	1167
1013	1045	1080	1126	1168
1018	1054	1081	1138	1190
1029	1065	1082	1144	1199
1036	1072	1094	1145	1206
1041	1073	1102	1146	1213

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

Bond Number	Par Amount	Amount Called
R236	5,000	5,000
R245	5,000	5,000
R285	15,000	5,000
R316	15,000	10,000
R317	25,000	15,000
R326	50,000	35,000
R327	25,000	15,000
R328	5,000	5,000
R329	10,000	5,000
R330	10,000	5,000
R332	30,000	20,000
R333	40,000	25,000
R334	20,000	20,000
R335	25,000	15,000

Coupon bonds with the September 1, 1990, and all subsequent coupons attached and registered bonds called in full should be presented to one of the following offices of the paying agents:

By Mail:

Continental Bank, National Association
Attention: Corporate Trust Operations
231 S. LaSalle, 19th Floor
Chicago, IL 60697

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

If hand delivered:

Continental Bank, National Association
Attention: Corporate Trust Operation
230 S. Clark St., 19th Floor
Chicago, IL 60697

While registered bondholders have the option of presenting bonds to the Kansas paying agent, there will be a delay in the issuance of bonds for any unredeemed portion unless presentment is made to the principal paying agent in Chicago. Accordingly, the registered bonds that have been called in part should be presented to the paying agent in Chicago at the address given above. To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before September 1, 1990. Sending the certificates by registered mail is suggested.

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. Interest on the bonds or portions of the bonds called for redemption will cease to accrue on September 1, 1990.

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

Dated July 26, 1990.

Ford County, Kansas
by Continental Bank, National Association
as Trustee

Doc. No. 009512

(Published in the *Kansas Register*, July 26, 1990.)

**Notice of Redemption
City of Wichita, Kansas
Industrial Revenue Bonds
Series XXV—1973 Dated March 1, 1973
(United Refrigerated Services, Inc.)
(No Cusip Assigned)**

To bondholders of all the outstanding bonds due as follows:

Bond Number	Par Amount	Interest Rate	Maturity Date
152-166	75,000	6.00	3-1-91
167-182	80,000	6.00	3-1-92
183-200	90,000	6.00	3-1-93

Notice is hereby given that all bonds of the above issue are called for redemption and payment on September 1, 1990, at 101 percent of the principal amount thereof pursuant to Ordinance No. 32-632, Section 3. From and after such redemption date interest shall cease to accrue and be payable on said bonds.

Payment of bonds to be redeemed will be made at the principal office of BANK IV Wichita, National Association, formerly The Fourth National Bank and Trust Company, Wichita, Kansas, upon presentation and surrender of said bonds, together with all coupons appertaining hereto maturing on or after the redemption date.

Bonds should be surrendered at BANK IV Wichita, National Association, 3rd Floor, Corporate Trust Division, 100 N. Broadway, Wichita, KS 67202.

Tax Identification Form W-9 or an exemption certificate is required or tax may be withheld from payment.

Dated July 3, 1990.

BANK IV Wichita, National Association
formerly The Fourth National Bank and
Trust Company, Wichita, Fiscal Agent

Doc. No. 009515

(Published in the *Kansas Register*, July 26, 1990.)

**Notice of Redemption
Industrial Revenue Bonds
(Air Capitol Partners)
Series XVIII, 1982, Dated September 1, 1982
of the
City of Wichita, Kansas**

Notice is hereby given that pursuant to Section 4 of Ordinance No. 38-016 of the city of Wichita, Kansas, all of the outstanding Industrial Revenue Bonds, Series XVIII, 1982 (Air Capitol Partners), of the city of Wichita, Kansas, maturing on and after September 1, 1991, will be redeemed and prepaid on September 1, 1990 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein. The bonds to be redeemed are described as follows:

Bond Numbers	Maturity Date	Interest Rate
17-20	September 1, 1991	14.00%
21-25	September 1, 1992	14.00%
26-90	September 1, 1999	15.00%

This notice of redemption, and the payment of the principal of and interest on the aforesaid 1982 bonds on

the specified redemption date, are subject to the issuance and delivery by the city of its refunding revenue bonds (the refunding bonds) on or before such redemption date in an amount sufficient to provide funds to pay the specified redemption price of the 1982 bonds. In the event such refunding bonds have not been issued by the redemption date, this notice shall be null and void and of no force and effect, the 1982 bonds delivered for redemption shall be returned to the respective owners thereof, and said 1982 bonds shall remain outstanding as though this notice of redemption had not been given.

The principal amount of the above described 1982 bonds shall become due and payable on September 1, 1990, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium of 3 percent of the principal amount of the bonds so called for redemption and payment.

On September 1, 1990, provided that funds are on hand to pay the specified redemption price, all 1982 bonds will be due and payable at the principal office of The Southwest National Bank of Wichita, Wichita, Kansas, and from and after September 1, 1990, and interest on the 1982 bonds will cease to accrue.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the 1982 bonds who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated July 18, 1990.

The Southwest National Bank
of Wichita
P.O. Box 1401
Wichita, KS 67201
Trustee

Doc. No. 009533

**State of Kansas
Department of Wildlife
and Parks
Permanent Administrative
Regulations**

Article 2.—GAME ANIMALS

23-2-17. (Authorized by and implementing K.S.A. 1986 Supp. 32-110a; effective May 1, 1987; revoked Sept. 10, 1990.)

**Article 3.—FISH, SPORT
AND COMMERCIAL**

23-3-9. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-189; effective May 1, 1983; revoked Sept. 10, 1990.)

(continued)

23-3-13. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-189; effective, T-83-3, Jan. 7, 1982; effective May 1, 1983; amended May 1, 1987; amended Oct. 17, 1988; revoked Sept. 10, 1990.)

Article 6.—FUR BEARERS

23-6-1. (Authorized by K.S.A. 32-164, implementing K.S.A. 32-158; effective May 1, 1987; revoked Sept. 10, 1990.)

23-6-7. (Authorized by and implementing K.S.A. 32-158, 74-3302; effective May 1, 1983; revoked Sept. 10, 1990.)

Article 8.—WILDLIFE AREAS

23-8-11. (Authorized by and implementing K.S.A. 32-224; effective Jan. 1, 1966; amended May 1, 1980; amended May 1, 1983; amended May 1, 1987; revoked Sept. 10, 1990.)

Article 15.—NUISANCE BIRD CONTROL

23-15-1. (Authorized by K.S.A. 32-156b, K.S.A. 1977 Supp. 32-156, 32-156a; effective E-78-34, Dec. 7, 1977; effective May 1, 1978; revoked Sept. 10, 1990.)

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-1. Amount of fees. (a) On and after the effective date of this regulation, the following fees shall be in effect:

HUNTING LICENSES AND PERMITS

Resident hunting license	10.00
Nonresident hunting license	50.00
Resident big game hunting permit:	
General resident; elk permit	75.00
Landowner/tenant; elk permit	37.50
General resident; deer permit	30.00
Landowner/tenant; deer permit	15.00
Hunt-on-your-own-land; deer permit	10.00
General resident; antelope permit	40.00
Landowner/tenant; antelope permit	20.00
General resident; turkey permit	20.00
Landowner/tenant; turkey permit	10.00
Nonresident big game hunting permit:	
Nonresident landowner; antelope permit	60.00
Nonresident landowner; elk permit	250.00
Nonresident; turkey permit	30.00
Nonresident landowner; deer permit	50.00
48-hour waterfowl hunting permit	20.00
Field trial permit; game birds	20.00
Lifetime hunting license	200.00
or eight quarterly installment payments of ...	30.00
Migratory waterfowl habitat stamp	3.00
Special dark goose hunting permit	5.00
FISHING LICENSES	
Resident fishing license	10.00
Nonresident fishing license	25.00
24-hour fishing license	3.00
Lifetime fishing license	200.00
or eight quarterly installment payments of ...	30.00

Five-day nonresident fishing license	10.00
Institutional group fishing license	100.00

COMBINATION HUNTING AND FISHING LICENSES AND PERMITS

Resident combination hunting and fishing license	20.00
Resident lifetime combination hunting and fishing license	400.00
or eight quarterly installment payments of ...	55.00
Nonresident combination hunting and fishing license	75.00
Handicapped combination hunting and fishing permit	3.00

FURHARVESTER LICENSES

Resident furharvester license	15.00
Resident junior furharvester license	7.50
Nonresident furharvester license	250.00
Resident fur dealer license	100.00
Nonresident fur dealer license	200.00
Field trial permit (furbearing animals)	20.00

COMMERCIAL LICENSES AND PERMITS

Controlled shooting area hunting license	10.00
Resident mussel fishing license	25.00
Resident mussel dealer permit	100.00
Nonresident mussel fishing license	200.00
Nonresident mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Live rabbit and hare trapping permit	10.00
Rabbit and hare dealer permit	400.00
Resident amphibian and reptile harvest permit	25.00
Nonresident amphibian and reptile harvest permit	200.00
Resident amphibian and reptile dealer permit...	200.00
Nonresident amphibian and reptile dealer permit	200.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00

COLLECTION, SCIENTIFIC, IMPORTATION, REHABILITATION, AND DAMAGE CONTROL PERMITS

Scientific, educational or exhibition permit	5.00
Raptor propagation permit	0
Rehabilitation permit	0
Wildlife damage control permit	0
Wildlife importation permit	10.00
Threatened or endangered species—special permits	0

MISCELLANEOUS FEES

Duplicate license, permit, stamp and other issues of the department	3.00
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FALCONRY

Apprentice permit	100.00
General permit	200.00
Master permit	300.00
Testing fee	50.00
Special departmental services, materials or supplies	At cost

Vendor bond

For bond amounts of \$5,000 & less	35.00
For bond amounts of \$5,000 & more	35.00

plus \$4.00 per additional \$1,000.00 coverage or any fraction thereof. (Authorized by and implementing K.S.A. 1989 Supp. 32-988, as amended by 1990 S.B. 595, section 2; effective Dec. 4, 1989; amended Sept. 10, 1990.)

Article 4.—BIG GAME

115-4-9. Big game; possession of a salvaged carcass.

(a) Any person may possess a salvaged big game carcass provided a department issued carcass salvage tag is affixed to the carcass. Each carcass salvage tag shall contain the following information:

- (1) the name of the person;
 - (2) the address of the person;
 - (3) the salvage tag number;
 - (4) the species of big game;
 - (5) the location and cause of death of the big game;
- and

(6) the date of issuance and signature of the issuing department representative or designated agent.

(b) Each carcass salvage tag report prepared by the issuing department representative or designated agent shall be signed by the individual receiving the salvaged big game carcass.

(c) Salvaged big game may be possessed without limit in time.

(d) The carcass salvage tag shall remain attached to the carcass until processed for consumption. The permittee shall retain the carcass salvage tag until the big game carcass is consumed, given to another or otherwise disposed.

(e) The carcass meat or other carcass parts of legally salvaged big game may be given to another if accompanied by a written notice containing the donor's name, address and carcass salvage tag number. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1004; effective Sept. 10, 1990.)

115-4-10. Big game; shooting hours. The shooting hours for deer, antelope and elk hunting during each day of any deer, antelope or elk hunting season shall be from 1/2 hour before sunrise to 1/2 hour after sunset. The shooting hours for turkey hunting during each day of any turkey hunting season shall be from 1/2 hour before sunrise to sunset. (Authorized by and implementing K.S.A. 1989 Supp. 32-807; effective, T-115-9-26-89, Sept. 26, 1989; effective Oct. 30, 1989; amended Sept. 10, 1990.)

115-4-11. Big game permit; landowner and tenant application, proof of ownership or tenancy. (a) Each applicant for a landowner or tenant big game permit or a hunt-on-your-own-land big game permit shall provide on the application a legal description of the minimum acreage of land owned or operated as required to qualify as a landowner or as a tenant.

(b) Each applicant for a hunt-on-your-own-land big game permit shall provide on the application a legal de-

scription of lands owned or operated upon which big game hunting may occur by the applicant.

(c) A hunt-on-your-own-land big game permit shall be a valid big game hunting permit for only those lands owned or operated by the landowner or tenant as specified pursuant to subsections (a) and (b). (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-937 as amended by 1990 S.B. 595, section 1; implementing K.S.A. 1989 Supp. 32-937 as amended by 1990 S.B. 595, section 1; effective Sept. 10, 1990.)

Article 7.—FISH AND FROGS

115-7-3. Fish; taking of bait fish or minnows. (a) Bait fish may be taken for noncommercial purposes by the following methods:

- (1) a seine not longer than 15 feet and four feet deep with mesh not larger than 1/4 inch;
- (2) a fish trap with mesh not larger than 1/4 inch and a throat not larger than one inch in diameter;
- (3) a dip or cast net with mesh not larger than 3/8 inch;

or

(4) a fishing line.

(b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.

(c) Bait fish taken shall not exceed 12 inches in total length.

(d) The possession limit shall be 500 bait fish. (Authorized by K.S.A. 1989 Supp. 32-007; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

115-7-6. Fishing; bait. (a) The following baits may be used for the taking of fish, frogs or turtles by legal means and methods:

- (1) artificial lures;
- (2) bait fish;
- (3) prepared bait;
- (4) vegetable material;
- (5) material or artificial matter attached to a hook; and
- (6) other wildlife, except those species specifically prohibited as bait and those species listed under K.A.R. 115-1 or K.A.R. 115-15-2.

(b) Animal, vegetable or other non-toxic material may be used as fish attractants. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

Article 16.—WILDLIFE DAMAGE CONTROL

115-16-1. Cyanide gas gun permit; application and requirements. (a) Subject to federal and state laws and rules and regulations, a cyanide gas gun, may be used in an authorized wildlife control program for the purpose of livestock protection. A cyanide gas gun permit shall be required to use cyanide gas gun devices.

(b) Any owner or operator of land used for agricultural purposes may apply to the secretary for a permit to use cyanide gas gun devices. The application shall be on forms provided by the department and each applicant shall provide the following information.

- (1) the name of the applicant;
- (2) the address of the applicant;

(continued)

- (3) the telephone number of the applicant;
- (4) the legal description of the land where the cyanide gas gun devices will be used;
- (5) a description of the wildlife depredation problem and methods used by the applicant to control the depredation;
- (6) written approval from the extension specialist in wildlife damage control; and
- (7) other information as required by the secretary.
- (c) Issuance of a permit may be denied by the secretary if:
- (1) the permit application is unclear or incomplete;
- (2) the need for use of cyanide gas gun devices has not been established; or
- (3) use of cyanide gas gun devices would pose an inordinate risk to the public, non-target wildlife, or the environment.
- (d) The following permit conditions shall apply:
- (1) The permit shall be valid only for the time periods specified on the permit, but shall not exceed 120 days;
- (2) Warning signs indicating use of cyanide gas gun devices shall be conspicuously placed at all property access points. One elevated warning sign shall be placed within six feet of any cyanide gas gun device; and
- (3) The permit shall be valid only for the locations specified on the permit.
- (e) Each permittee shall submit a report to the department within 10 days after permit expiration. The report shall contain the following information:
- (1) the name of the permittee;
- (2) the permit number;
- (3) the number of coyotes killed;
- (4) the number of days that cyanide gas gun devices were in use;
- (5) the number and species of non-target wildlife killed; and
- (6) other information as required by the secretary.
- (f) Each permittee shall use only cyanide gas gun devices and those necessary materials, supplies, signs, and equipment provided through the extension specialist in wildlife damage control.
- (g) In addition to other penalties as prescribed by law, a cyanide gas gun permit may be revoked by the secretary if:
- (1) the permit was secured through false representation; or
- (2) the permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-955; implementing K.S.A. 1989 Supp. 32-955, K.S.A. Supp. 31-1002 and K.S.A. 1989 Supp. 32-1003; effective Sept. 10, 1990.)
- 115-16-2. Prairie dog control permit; application and requirements.** (a) A prairie dog control permit shall be required to use any poisonous gas or smoke to control prairie dogs, except toxicants labeled and registered for above ground use for prairie dog control shall not require a prairie dog permit.
- (b) Any person may apply to the secretary for a prairie dog control permit. The application shall be on forms provided by the department and each applicant shall provide the following information:
- (1) the name of the applicant;
- (2) the address of the applicant;

- (3) the telephone number of the applicant;
- (4) the legal description of land where the poisonous gas or smoke will be used;
- (5) a description of the problem requiring prairie dog control;
- (6) the type of control method to be used;
- (7) written approval from the extension specialist in wildlife damage control; and
- (8) other information as required by the secretary.
- (c) Issuance of a permit may be denied by the secretary if:
- (1) the permit application is unclear or incomplete;
- (2) the need for prairie dog control has not been established; or
- (3) use of poisonous gas or smoke would pose inordinate risk to the public, non-target wildlife or the environment.
- (d) The permit shall be valid only for the time period specified on the permit, but shall not exceed 120 days.
- (e) The permit shall be valid only for the locations specified in the permit.
- (f) In addition to other penalties as prescribed by law, a prairie dog control permit may be revoked by the secretary if:
- (1) the permit was secured through false representation; or
- (2) the permittee fails to meet permit requirements or violates permit conditions.
- (g) All prairie dog control performed under the permit shall be subject to all federal and state laws and rules and regulations. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-955; implementing K.S.A. 1989 Supp. 32-955, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1003; effective Sept. 10, 1990.)
- 115-16-3. Nuisance bird control permit; application, provisions and requirements.** (a) Nuisance birds shall include the following species:
- (1) yellow-headed blackbird;
- (2) red-winged blackbird;
- (3) bi-colored red-winged blackbird;
- (4) rusty blackbird;
- (5) brewer's blackbird;
- (6) cowbird;
- (7) grackle;
- (8) crow;
- (9) magpie;
- (10) feral pigeon;
- (11) english sparrow; and
- (12) starling.
- (b) Nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.
- (c) A nuisance bird control permit shall be required to use any lethal method of control which involves poisons or chemicals for controlling nuisance birds.
- (d) Any person may apply to the secretary for a nuisance bird control permit. The application shall be on forms provided by the department and each applicant shall provide the following information:
- (1) the name of the applicant;
- (2) the address of the applicant;

- (3) the telephone number of the applicant;
 - (4) the location of the nuisance bird problem;
 - (5) a description of the problem;
 - (6) the species of birds involved;
 - (7) the proposed method of control; and
 - (8) other information as required by the secretary.
- (e) Issuance of the permit may be denied by the secretary if:

- (1) the permit application is unclear or incomplete;
- (2) the need for nuisance bird control has not been established; or

(3) use of the poison or chemical would pose inordinate risk to the public, non-target wildlife or the environment.

(f) The permit shall be valid only for the time period specified on the permit, but shall not exceed 60 days.

(g) A permit may be renewed by the secretary for an additional time period not to exceed 60 days upon request and justification by the permittee.

(h) The permit shall be valid only for the locations specified in the permit.

(i) In addition to other penalties as prescribed by law, a nuisance bird control permit may be revoked by the secretary if:

- (1) the permit was secured through false representation; or
- (2) the permittee fails to meet permit requirements or violates permit conditions.

(j) When a permit is required, nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control shall be utilized only in the manner specified in the permit.

(k) A nuisance bird control permit shall not be required to control nuisance bird problems as described in subsection (b) when the control method is non-lethal or when the control method involves use of firearms, bow and arrow or falconry.

(l) In such cases, nuisance birds killed and the plumage of nuisance birds killed during bird control may be possessed, transported and otherwise disposed of or utilized.

(m) All nuisance bird control activities shall be subject to all federal and state laws and rules and regulations. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-955; implementing K.S.A. 1989 Supp. 32-955, K.S.A. 1989 Supp. 32-1002 and K.S.A. Supp. 32-1003; effective Sept. 10, 1990.)

115-16-4. Big game control permit; application, requirements and provisions. (a) Big game animals may be controlled when found destroying property or when creating a public safety hazard.

(b) A big game control permit shall be required to use any lethal method in controlling big game.

(c) Any owner or operator of land may apply to the secretary for a big game control permit when such big game is found destroying property. Any person may apply to the secretary for a big game control permit when such big game is creating a public safety hazard. The application shall be on forms provided by the department and each applicant shall provide the following information:

- (1) the name of the applicant;
- (2) the address of the applicant;
- (3) the telephone number of the applicant;
- (4) the name, address and telephone number of the

applicant's agent if such agent will perform the lethal method of control;

(5) the legal description of the land where the problem is occurring;

(6) a description of the problem including damage estimates and acres involved when property destruction is involved;

(7) a description of other methods used by applicant to control the problem; and

(8) other information as required by the secretary.

(d) Issuance of a big game control permit may be denied by the secretary if:

(1) the permit application is unclear or incomplete; or

(2) the applicant has not made reasonable effort to alleviate the problem by hunting or by other means or methods; or

(3) use of the lethal method of control would pose inordinate risk to the public or to the big game resource.

(e) In addition to any big game control provisions specified in the permit, the following general big game control permit provisions shall apply:

(1) The permit shall be valid for a period of time not to exceed 30 days.

(2) The permit shall be valid only for the locations specified in the permit.

(3) The number and type of big game that may be killed shall be as specified on the permit.

(4) The killing of big game under a big game control permit shall be restricted to the permittee or to the permittee's designated agent provided such agent has been approved by the department.

(5) The lethal control method shall be by firearms.

(6) Big game killed under permit authority may be possessed as authorized by K.A.R. 115-4-9 or otherwise disposed of as specified on the permit.

(f) Each permittee shall submit a report to the department within 10 days following expiration of the permit. Each permittee shall provide the following information:

- (1) the name of the permittee;
- (2) the permit number;
- (3) the number and type of big game killed;
- (4) the disposition of the big game killed; and
- (5) other information as required by the secretary.

(g) In addition to other penalties as prescribed by law, a big game control permit may be revoked by the secretary if:

(1) the permit was secured through false representation; or

(2) the permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 1988 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1004; effective Sept. 10, 1990.)

Article 17.—WILDLIFE, COMMERCIAL USES AUTHORIZED

115-17-1. Commercial harvest of fish bait; legal species, harvest seasons, size restrictions, daily limits and possession limits. (a) The following wildlife may be commercially harvested in Kansas for sale as fishing bait:

- (1) crayfish—all species;

(continued)

- (2) mussels—all species;
- (3) amphibians:
 - (A) tiger salamander
 - (B) Blanchard's cricket frog;
 - (C) spotted chorus frog;
 - (D) plains leopard frog;
 - (E) plains spadefoot toad;
 - (F) American toad;
 - (G) great plain's toad; and
 - (H) Woodhouse's toad;
- (4) annelids; and
- (5) insects.
- (b) The season for commercial harvest of wildlife listed in subsection (a) shall be year round.
- (c) There shall be no minimum or maximum size restrictions for wildlife listed in subsection (a).
- (d) There shall be no maximum daily or possession limits for wildlife listed in subsection (a).
- (e) Wildlife listed in K.A.R. 115-51-1 or K.A.R. 115-15-2 shall not be harvested. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

115-17.2. Commercial sale of fish bait. (a) The following wildlife may be commercially sold in Kansas for fishing bait:

- (1) all species of fish, except the sale of live specimens shall be restricted to only those species native to or naturalized in Kansas, but excluding:
 - (A) Asian carps;
 - (B) cichlids of the genus *Tilapia*; and
 - (C) rudd.
- (2) all species of mussels, except the sale of live specimens shall be restricted to only those species native to or naturalized in Kansas;
- (3) all species of annelids, except the sale of live specimens shall be restricted to only those species native to or naturalized in the continental United States;
- (4) all species of crustaceans, except the sale of live specimens shall be restricted to only those species native to or naturalized in Kansas;
- (5) all species of amphibians, except the sale of live specimens shall be restricted to only those species native to or naturalized in Kansas; and
- (6) all species of insects, except the sale of live specimens shall be restricted to only those species native to or naturalized in Kansas.
- (b) Wildlife listed in K.A.R. 115-15-1 or K.A.R. 115-15-2 or prohibited from importation pursuant to K.S.A. 1989 Supp. 32-956 shall not be sold. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

115-17.3. Commercial fish bait permit; requirement, application, and general provisions. (a) A commercial fish bait permit shall be required for the harvest, sale, or purchase for resale of fish bait, except a commercial fish bait permit shall not be required for the harvest or sale of crayfish harvested in this state, for the harvest or sale of annelids or insects, or for the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be on forms

provided by the department and each applicant shall provide the following information:

- (1) the name of the applicant;
 - (2) the address of the applicant;
 - (3) the telephone number of the applicant;
 - (4) the business address of the applicant;
 - (5) the telephone number of the business;
 - (6) the species of wildlife proposed for harvest, purchase for resale, or sale; and
 - (7) other information as required by the secretary.
 - (c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.
 - (d) Subject to all federal and state laws and rules and regulations, a commercial fish bait permit shall authorize a permittee to:
 - (1) sell fish bait to any person for use as fish bait;
 - (2) purchase fish bait for resale as fish bait, if the purchase is made from a person who:
 - (A) possesses a valid commercial fish bait permit;
 - (B) possesses a valid game breeders permit;
 - (C) is a commercial fish grower as defined by K.S.A. 1989 Supp. 32-974; or
 - (D) is authorized by another state to export and sell fish bait; or
 - (3) import fish bait for sale as fish bait.
 - (e) Each permittee harvesting fish bait shall maintain records of the following information, and if requested by the secretary, shall provide a report to the department containing the following information:
 - (1) the name of the permittee;
 - (2) the permit number;
 - (3) the number and species of wildlife harvested; and
 - (4) the number and species of wildlife sold.
 - (f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.
 - (g) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.
 - (h) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if:
 - (1) the application is incomplete or contains false information; or
 - (2) the permittee fails to meet permit requirements or violates permit conditions.
 - (i) Each commercial fish bait permit shall expire on December 31 of the year for which issued.
 - (j) A permittee may possess and sell legally acquired wildlife for fish bait for not more than 30 days following expiration of the permit.
 - (k) This regulation shall be effective January 1, 1991. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-941; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-941; K.S.A. 1989 Supp. 32-1002, K.S.A. 1989 Supp. 32-1004 and K.S.A. 1989 Supp. 32-1005; effective Sept. 10, 1990.)
- 115-17.4. Commercial harvest of fish bait; legal equipment, taking methods, and general provisions.** (a) Legal equipment and taking methods permitted for commercial harvest of wildlife for use as fish bait as follows:
- (1) Crayfish and amphibians may be taken:

- (A) by hand;
 - (B) by trap with 1/2-inch or smaller mesh size, using the bar measurement, and with two inch or smaller entrance openings;
 - (C) by seine with 1/2-inch or smaller mesh size, using the bar measurement. The seine may be of any length, height or twine size;
 - (D) by lift net with 1/2-inch or smaller mesh size, using the bar measurement;
 - (E) by dip net with 1/2-inch or smaller mesh size, using the bar measurement. The dip net may be of any dimension and have any handle configuration; and
 - (F) by other methods as approved by the secretary.
- (2) Mussels may be taken:
- (A) by hand; and
 - (B) by other methods as approved by the department.
- (3) Annelids and insects may be taken by any method.
- (b) General provisions.
- (1) Boats with or without mechanical propulsion may be used.
 - (2) Depth-recording or fish-locating devices may be used.
 - (3) Holding baskets, holding cages and holding bags may be used, provided the name and permit number of the permittee is attached.
 - (4) The name and permit number of the permittee shall be attached to each trap and seine while the trap or seine is in use.
 - (5) Underwater breathing equipment may be used while taking mussels, provided that a diver's flag shall be displayed while using the underwater breathing equipment. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-941; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-941 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

115-17-5. Commercial harvest of fish bait; open areas. The following areas shall be open for the commercial harvest of crayfish, mussels, amphibians, annelids and insects:

- (a) crayfish—all waters of the state except department lands and waters and federal and state sanctuaries;
- (b) mussels—all waters of the state except:
 - (1) department lands and waters;
 - (2) federal and state sanctuaries;
 - (3) Fall River from the county road ford located 1.2 miles east of state highway K-96, 3.2 miles south of Fredonia, Kansas, downstream to the Dun Dam located 2.5 miles west and 2.25 miles north of Neodesha, Kansas, a total of 9.89 stream miles including 3.27 impounded miles;
 - (4) Verdigris River from the Whitehair bridge located 2.5 miles east of federal highway US-75 on the Wilson-Montgomery county line road, downstream to the Montgomery county road bridge located 1.47 miles east of Sycamore, Kansas, a total of 6.66 stream miles; and
 - (5) Neosho River from the Neosho Falls dam, at Neosho Falls, Kansas, downstream to the mouth of Rock Creek in the NW 1/4, NW 1/4, Section 11, T24S, R17E, Woodson County, Kansas, a total of 3.35 stream miles;
- (c) amphibians—all lands and waters of the state except department lands and waters and federal and state sanctuaries; and
- (d) annelids and insects—all lands and waters of the

state except department lands and waters and federal and state sanctuaries. (Authorized by K.S.A. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-941; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-941 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

Article 20.—MISCELLANEOUS REGULATIONS

115-20-2. Certain wildlife; legal equipment, taking methods, possession and license requirement. (a) Subject to federal and state laws and rules and regulations, wildlife listed in subsection (b) may be taken for personal use on a noncommercial basis.

(b) For purposes of this regulation, wildlife shall include the following, excluding any species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2:

- (1) prairie dog;
- (2) ground squirrel;
- (3) woodchuck;
- (4) mole;
- (5) gopher;
- (6) kangaroo rat;
- (7) wood rat;
- (8) armadillo;
- (9) porcupine;
- (10) feral pigeon;
- (11) commensal and other rodents, excluding game and furbearing animals;
- (12) invertebrates;
- (13) amphibians; and
- (14) reptiles.

(c) Wildlife listed in subsection (b) shall be taken with the following legal equipment or methods:

- (1) firearms, except fully automatic firearms;
- (2) bow and arrow;
- (3) pellet and BB gun;
- (4) crossbow;
- (5) falconry;
- (6) projectiles hand thrown or propelled by a slingshot;
- (7) trap;
- (8) deadfall;
- (9) snare or noose;
- (10) net or seine;
- (11) glue board;
- (12) hand;
- (13) dogs; or

(14) poison, poisonous gas or smoke, provided the toxicant is registered and labeled for that use and that all permit requirements for use of the poison, poisonous gas or smoke have been met.

(d) The open season for the taking of wildlife listed in subsection (b) shall be year round.

(e) There shall be no maximum daily bag or possession limit for wildlife listed in subsection (b), except no more than five of any one species of amphibian or reptile may be possessed other than for use as fishing bait.

(f) Legally-taken wildlife listed in subsection (b) may be possessed without limit in time.

(g) A hunting license shall not be required to take invertebrates. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989

(continued)

Supp. 32-919, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1003; effective Sept. 10, 1990.)

115-20-3. Exotic wildlife; possession, sale and requirements. (a) Unless specifically prohibited by federal or state law or rules and regulations, exotic wildlife species may be imported, possessed, sold, offered for sale or purchased, provided the exotic wildlife was legally captured, raised, exported, possessed, sold or purchased or any combination of these activities in its place of origin.

(b) The possession and sale of exotic wildlife shall be subject to all applicable federal and state laws and rules and regulations.

(c) Exotic wildlife may be possessed without limit in time and number.

(d) Exotic wildlife shall be confined or controlled at all times and shall not be released onto the lands or into the waters of this state.

(e) The provisions of K.S.A. 1989 Supp. 32-951 shall apply to any person engaged in the business of raising and selling exotic wildlife in Kansas.

(f) Exotic wildlife shall only include those wildlife species which are non-migratory and are not native or indigenous to Kansas, or do not presently exist in Kansas as an established wild population. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. Supp. 1989 Supp. 32-807 and K.S.A. 1989 Supp. 32-1002; effective Sept. 10, 1990.)

Robert L. Meinen
Secretary of Wildlife
and Parks

Doc. No. 009501

State of Kansas

Social and Rehabilitation Services

Temporary Administrative Regulations

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-63. The temporary regulation effective April 1, 1990 shall expire on July 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1988 Supp. 39-7,103; effective, T-30-7-29-88, July 29, 1988; effective Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-7-2-90, July 2, 1990.)

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

(1) Any person who is ill, when determined on the basis of medical evidence or another sound basis that the illness

or injury is serious enough to temporarily prevent entry into employment or training;

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

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

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

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

(6) any person who is employed 30 or more hours a week and is earning at least the federal minimum wage, unless the employment was obtained during current participation in the program;

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

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

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

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

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

(10) any parent or other caretaker of a child when another adult relative in the plan is participating in the KanWork program and the youngest child in the plan is

under the age of three. If all children in the plan are age three or older, both parents shall be required to participate in the KanWork program; and

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

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

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

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

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

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

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

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

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

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

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

(5) family mentor assistance.

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

(e) Penalty. When a person who is required to participate in the KanWork program fails without good cause to participate in the program or refuses without good cause to accept employment, the individual shall be ineligible for assistance. In ADC-UP and GA, the spouse of the individual or the other parent in the household shall also be ineligible unless the spouse or the other

parent is a KanWork participant. In GA, a potential employment penalty, as set forth in K.A.R. 30-4-58(d), shall be considered in combination with any other KanWork penalty. The period of ineligibility shall be as follows:

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

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

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

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

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

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

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

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

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

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

(6) child care or day care for any incapacitated individual living in the same home is necessary for an individual to participate or continue participation in the program or accept employment and such care is not available and the agency fails to provide such care;

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

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

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

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

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July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-3-29-90, April 1, 1990; amended, T-30-7-2-90, July 2, 1990.)

30-4-64. The temporary regulation effective April 1, 1990 shall expire on July 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1988 Supp. 39-7,103; effective Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-7-2-90, July 2, 1990.)

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

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

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

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

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

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

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

unless the employment was obtained during current participation in the program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30-4-112. Income exempt from consideration as income and as a cash asset. The following income shall be exempt, except as provided in K.A.R. 30-4-110(b): (a) Grants to any undergraduate student for educational purposes that are made or insured under any programs administered by the commissioner of education;

(b) grants obtained and used for purposes of meeting needs not related to current living costs;

(c) the value of the coupon allotment under the food stamp program;

(d) the value of the U.S. department of agriculture donated foods;

(e) the value of supplemental food assistance received under the child nutrition act of 1966, as amended, and the special food service program for children under the national school lunch act, as amended;

(f) benefits received under title VII, nutrition program for the elderly, of the older Americans act of 1965, as amended;

(g) Indian funds distributed or held in trust, including interest and investment income accrued on such funds while held in trust and initial purchases made with such funds;

(h) distributions to natives under the Alaska native claims settlement act;

(i) payments provided to individual volunteers serving as foster grandparents, senior health aides and senior companions, and to persons serving in the service corps of retired executives and active corps of executives under titles II and III of domestic service act of 1973;

(j) payments to individual volunteers under title I, sec. 404(g) of Public Law 93-113 when the director of ACTION determines that the value of such payments, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage;

(k) payments received under the uniform relocation assistance and real property acquisition policies act of 1970;

(l) death benefits from SSA, VA, railroad retirement, or other burial insurance policy when the benefit is used toward the cost of burial;

(m) a one-time payment or a portion of a one-time payment from a cash settlement for repair or replacement of property or for legal services, or medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within six months of its receipt;

(n) money which VA determines may not be used for subsistence needs held in trust by VA for a child;

(o) retroactive corrective assistance payments in the month received or in the following month;

(p) income directly provided by vocational rehabilitation;

(q) benefits from special government programs at the discretion of the secretary, including energy assistance programs, and VA aid and attendance and housebound allowances;

(r) assistance provided by another agency or organization that complements, but does not duplicate assistance provided by the agency;

(s) reimbursements for out-of-pocket expenses in the month received and the following month;

(t) proceeds from any bona fide loan requiring repayment;

(u) payments granted to certain U.S. citizens of Japanese ancestry and resident Japanese aliens under Title I of Public Law 100-383;

(v) payments granted to certain Aleuts under Title II of Public Law 100-383;

(w) agent orange settlement payments. The effective date of this regulation shall be July 2, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709, effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-7-2-90, July 2, 1990.)

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

(1) Community work experience program. A \$30.00 standard allowance for work-related transportation expenses shall be issued monthly for each person who is assigned to participate. Additional allowances shall be issued based on an agency-approved plan for day care and other expenses related to participation.

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

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

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

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

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

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

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

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

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

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

(4) Travel and subsistence to and from child care facilities. If there is an approved service plan, the costs of travel and subsistence shall be allowed for the applicant or recipient and the person providing the transportation for a preplacement visit, admission or home visit, or for

the relatives who are required to visit a child. The transportation shall not be related to discharge from a state institution.

(5) Home visits from a child care facility. The costs of a visit to a relative's home or foster family home on a planned trial basis shall be allowed based on an approved service plan. The amount and the length of the visit allowed shall be established in the social service plan.

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

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

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

(B) the conservator or personal representative is not the spouse, parent, or child of the incapacitated person. The amount allowed by the court, or the charge made by the conservator or personal representative, to a maximum of 5% of the person's cash payment or \$8.00, whichever is greater, shall be allowed. The effective date of this regulation shall be August 1, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-33, Dec. 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Oct. 1, 1989; amended, T-30-3-29-90, April 1, 1990; amended, T-30-7-2-90, Aug. 1, 1990.)

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

30-6-35. Application process. (a) Attention given to requests. All applications, inquiries and requests for medical assistance shall be given prompt attention.

(b) Who may file. An application for medical assistance shall be made by each applicant in person, or by another person authorized to act on the applicant's behalf, excepting that an application on behalf of a person mandated to receive tuberculosis care or on behalf of a deceased person may be made by any responsible person.

(c) Applications. Each application for assistance shall be considered an application for any type of medical assistance. The applicant or person authorized to act on behalf of the applicant shall sign the application. If any person signs by mark, the names and addresses of two witnesses shall be required. An application on behalf of a deceased person shall be made within three months of the month of the person's death.

(d) Face-to-face interview. For non-SSI, a face-to-face interview shall be required at the time of application unless there is good cause for waiving this requirement.

(e) Time in which application is to be processed. Ap-

lications for medical assistance shall be approved or denied within 45 days of the agency's receipt of a signed application with the following exceptions:

(1) If the eligibility of the applicant for medical assistance is dependent upon a finding of disability, the time limit for approving or denying such an application shall be 90 days;

(2) if the application has been withdrawn; or

(3) if the required determination of eligibility cannot be made within the mandated time period due to the failure of the applicant or a collateral to provide necessary information.

If the agency takes action to deny an application within either the 45-day or 90-day time period as indicated above and the applicant reapplies or provides required information within the 45-day or 90-day time period, the application shall be reactivated. The effective date of this regulation shall be August 1, 1990. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1984; amended May 1, 1988; amended July 1, 1989; amended, T-30-5-1-90, May 1, 1990; amended, T-30-7-2-90, Aug. 1, 1990.)

30-6-38. Rights of applicants and recipients. (a)

Right to information. Each applicant or recipient shall have the right to be provided with information concerning the types of assistance which are provided by the agency. Upon request, the agency shall furnish each applicant with information and shall explain the categories of assistance and the eligibility factors.

(b) **Right to make application.** Each applicant shall have the right to make application regardless of any question of eligibility or agency responsibility. The right of any individual to make application may not be abridged.

(c) **Right to private interview.** Each individual, upon request, shall have a right to a private interview when discussing individual situations with the agency.

(d) **Right to an individual determination of eligibility for assistance.** Each individual shall be given an opportunity to present any request and to explain the individual's situation.

(e) **Right to withdraw from program.** Each applicant shall have the right to withdraw the application at any time between the date the application is signed and the date the notice of the agency's decision is mailed. Any recipient may withdraw from a program at any time.

(f) **Right to prompt decision.** Each applicant shall have the right to have a decision rendered on an application within 45 days of its receipt by the agency or within 90 days of receipt for disability determination cases. Each recipient shall have the right to have a decision rendered on any formal request within 30 days of its receipt by the agency.

(g) **Right to correct amount of assistance.** Each individual, if eligible, shall be entitled to the correct amount of assistance, based upon established program guidelines.

(h) **Right to written notification of action.** Each individual shall have the right to a written notification of agency action concerning eligibility for the medical assistance program.

(i) **Right to equal treatment.** Each individual shall have the right to be treated in the same manner as other individuals who are in similar circumstances.

(j) **Right to a fair hearing.** Each individual shall have the right to request a fair hearing if dissatisfied with any agency decision or lack of action in regard to the application for or receipt of assistance. The effective date of this regulation shall be July 2, 1990. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended, T-30-7-2-90, July 2, 1990.)

30-6-53. Financial eligibility. The following provisions are applicable to all determined eligible groups, except that subsections (c) and (d) of this regulation shall not be applicable to pregnant women and young children who meet the provisions of K.A.R. 30-6-77, medicare beneficiaries who meet the provisions of K.A.R. 30-6-86, or to working disabled individuals who meet the provisions of K.A.R. 30-6-87. (a) **Definitions.**

(1) "Eligibility base period" means the length of time used in the determination of financial eligibility. The length of the eligibility base period varies from one month to six months, based on the living arrangement of the persons in the assistance plan.

(2) "Spendedown" means the amount of applicable income that exceeds the protected income level in the eligibility base period and that is available to meet medical costs.

(b) **Establishing the eligibility base period.** For prior eligibility, the base period shall be the three months immediately preceding the month of application. The application base period shall begin on the first day of the month in which the application was received. Subsequent eligibility base periods for recipients shall begin on the first day of the month following the expiration of the previous base period. Any reapplication received outside of a previously established eligibility base shall be treated as a new application without regard to any previous eligibility base. However, if the reapplication includes a request for prior eligibility, the base period of prior eligibility shall not extend into a previously established base. The eligibility base period shall not exceed six months.

(c) **Establishing financial eligibility.** Total applicable income to be considered in the eligibility base period shall be compared against the protected income level for the base period. If the total applicable income is less than the protected income level and the individual owns property within the allowable limits, the individual shall be financially eligible for medical assistance. If total applicable income exceeds the protected income level and the individual owns property within the allowable limits, the excess applicable income shall be the spenddown amount.

Each applicant or recipient shall incur allowable medical expenses in an amount at least equal to the spenddown before becoming eligible for assistance. Medical expenses paid either voluntarily or involuntarily by third parties shall not be utilized to meet the spenddown, except for medical expenses paid by a public program of the state other than medicaid. A previously unconsidered increase in total applicable income during the current eligibility base period which results in additional spenddown shall not alter the base period. The additional spenddown shall be met by the individual during the eligibility base period before becoming eligible or re-el-

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eligible for medical assistance. Payments made through the program within the current eligibility base period shall not be considered as overpayments if a previously eligible individual fails to meet the additional spenddown within the current eligibility base period.

(d) Allowable expenses. The following expenses shall be allowable against the spenddown when the individual provides evidence that the individual has incurred or reasonably expects to incur the expenses within the appropriate eligibility base period or has incurred and is still obligated for expenses outside of the appropriate eligibility base period which have not been previously applied to a spenddown:

- (1) Co-pay requirements;
- (2) the pro rata portion of medical insurance premiums for the number of months covered in the eligibility base period regardless of the actual date of payment, past or future;
- (3) medicare premiums which are not covered by buy-in. Premiums which are subject to buy-in shall not be allowable, even if the individual pays them, or if the premiums are withheld, before completion of the buy-in process;
- (4) if medically necessary, and recognized under Kansas law, all expenses for medical services incurred by the individual or a legally responsible family group member. Expenses for social services designated as medical services under the home and community based services (HCBS) program shall be allowable under this paragraph for persons in the HCBS program. Charges for long-term care in an approved facility shall be allowable only up to the agency rate; and
- (5) the cost of necessary transportation by appropriate mode to obtain medical services set forth in paragraph (4) above. The effective date of this regulation shall be July 2, 1990. (Authorized by K.S.A. 39-708c; implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended, T-30-7-2-90, July 2, 1990.)

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

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

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

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

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

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

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

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

(f) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW and which became ineligible for any month prior to April 1, 1990 solely because of increased earned income or increased hours of employment. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible and legally entitled to receive ADC, ADC-FC, or APW as long as a family member is employed and the family and the person remains ineligible for ADC, ADC-FC, or APW solely because of increased earned income or increased hours of employment. The receipt of an extra pay check due to an additional pay period within a calendar month shall not constitute an increase in earnings;

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

(h) mandated to receive inpatient treatment for tuberculosis;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Infants. Each eligible infant shall be under one year of age. Assistance under this provision shall continue:

(1) Through the month in which the child turns age one; or

(2) if receiving inpatient services in the month in which the child turns age one:

(A) Through the calendar month in which that inpatient care ends; or

(B) through the calendar month following the month the care begins, whichever is sooner. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age one.

(c) Other young children. Each eligible child shall be at least one year of age, but no older than six years of age. Assistance under this provision shall continue:

(1) Through the month in which the child turns age six, or

(2) if receiving inpatient services in the month in which the child turns age six:

(A) Through the calendar month in which that inpatient care ends;

(B) through the calendar month following the month the care begins, whichever is sooner. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age six.

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

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

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

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

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

(continued)

menting K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective, T-30-7-1-88, July 1, 1988; effective Sept. 26, 1988; amended July 1, 1989; amended, T-30-3-29-90, April 1, 1990; amended, T-30-7-2-90, Aug. 1, 1990.)

30-6-87. Poverty level working disabled individuals; determined eligibles. Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the specific eligibility requirements set forth below. (a) Blindness or disability. Each individual must meet the blindness or disability requirements of K.A.R. 30-6-85.

(b) Medicare part A beneficiary. Each individual must be entitled to medicare part A benefits under section 1818A of the social security act.

(c) Financial eligibility. A percentage of the official federal poverty income guidelines as established in K.A.R. 30-6-103 shall be used as the protected income level for the number of persons in the plan and any other persons whose income is considered. Total applicable income to be considered in the eligibility base period shall be compared against the poverty level for the base period. To be eligible under this provision, the total applicable income shall not exceed the poverty level established for the base period. The individual must also not own non-exempt real or personal property with a resource value in excess of two times the allowable amount specified in K.A.R. 30-6-107 for the number of persons whose non-exempt resources are considered available to the individual.

(d) Assistance provided. Assistance under this provision shall be limited to the payment of medicare part A premiums. The effective date of this regulation shall be July 2, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective, T-30-7-2-90, July 2, 1990.)

30-6-103. The temporary regulation effective April 1, 1990 shall expire on July 1, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1988 Supp. 39-709; as amended by L. 1989, Ch. 125; Sec. 1; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-36, Dec. 21, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended T-30-1-2-90, Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-7-2-90, July 2, 1990.)

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

(1) The protected income level for persons in independent living arrangements and in the home- and community-based services program shall be based on the total

number of persons in the assistance plan and any other persons in the family group whose income is being considered.

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

(A) Enters a medicaid-approved facility, except that this provision shall not apply in situations where only one spouse of a married couple enters an institutional living arrangement; or

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

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

PERSONS IN INDEPENDENT LIVING
(Per Month)

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

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

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

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

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

(7) In determining eligibility for working disabled individuals under the provisions of K.A.R. 30-6-87, 200% of the official federal poverty income guidelines shall serve as the protected income level.

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

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

amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended T-30-1-2-90, Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-3-29-90, April 1, 1990; amended, T-30-7-2-90, July 2, 1990.)

30-6-107. Property exemption. Ownership of otherwise nonexempt real or personal property shall not affect eligibility if the aggregate resource value is not in excess of \$2,000.00 for one person or \$3,000.00 for two or more persons whose nonexempt resources are considered available to a person in the assistance plan. (a) For non-SSI, ownership of property with a resource value in excess of the amounts above shall render the assistance family group ineligible for medical assistance, except for pregnant women and young children who meet the provisions of K.A.R. 30-6-77. However, if there is ineligibility due to excess real property, assistance shall be provided for a period of up to nine months if the applicant or recipient is making a bona fide and documented effort to dispose of the property.

(b) For SSI, ownership of property with a resource value in excess of the amounts above shall render the assistance family group ineligible for medical assistance except that, for medicare beneficiaries who meet the provisions of K.A.R. 30-6-86 and working disabled individuals who meet the provisions of K.A.R. 30-6-87, the resource value shall be in excess of two times the amounts above before the assistance family group is rendered ineligible. If the applicant or recipient is making a bona fide and documented effort to dispose of the excess property at a reasonable market value, assistance shall be provided not to exceed nine months. The effective date of this regulation shall be July 2, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-33, Dec. 19, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-43, Jan. 1, 1987; amended May 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended, T-30-7-2-90, July 2, 1990.)

30-6-108. Real property. (a) Definitions.

(1) "Home" means the house or shelter in which the applicant or recipient is living or from which the applicant or recipient is temporarily absent, and the tract of land and contiguous tracts of land upon which the house and other improvements essential to the use or enjoyment of the home are located. Tracts of land are contiguous if lying side by side, except for streets, alleys, or other easements. Pieces of property that touch only at the corners shall not be considered to be contiguous.

(2) For non-SSI, "other real property" means:

- (A) Real property other than a home;
- (B) a home from which an applicant or recipient has been temporarily absent for at least 12 months; or
- (C) a home to which an applicant or recipient will be unable to return.

(3) For SSI, "other real property" means:

- (A) Real property other than a home; or
- (B) a home from which an applicant or recipient has been absent and does not intend to return.

(4) For persons entering institutional living situations, the home shall become other real property after three months unless the absence is determined to be temporary, or a spouse, dependent child, or another dependent relative remains in the home.

(b) Treatment of real property. The equity value of nonexempt real property shall be considered as a resource.

(c) Exempted real property. The equity value of the following classifications of real property shall be exempt:

- (1) The home;
- (2) for SSI, income-producing real property that is used in an applicant's or recipient's trade or business; and
- (3) for SSI, non-business income-producing real property, if:

(A) The equity, combined with equity in any income-producing, non-cash personal property asset exempted under K.A.R. 30-6-109, does not exceed \$6,000.00; and

(B) there is a net annual return of at least 6%. The effective date of this regulation shall be August 30, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 29, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended, T-30-5-1-90, May 1, 1990; amended, T-30-7-2-90, Aug. 30, 1990.)

30-6-109. Personal property. (a) Definitions.

(1) "Personal property" means all property, excluding real property.

(2) "Cash assets" means money, investments, cash surrender or loan values of life insurance policies, trust funds, and similar items on which a determinate amount of money can be realized.

(3) "Other personal property" means personal effects, household equipment and furnishings, home produce, livestock, equipment, vehicles, inventory, contracts from the sale of property, and similar items on which a determinate amount of money can be realized.

(b) Treatment of personal property. Personal property, unless exempted, shall be considered a resource.

(c) Exempted personal property. The resource value of the following classifications of personal property shall be exempt:

- (1) Personal effects;
- (2) household equipment and furnishings in use or only temporarily not in use;
- (3) tools in use and necessary for the maintenance of house or garden;
- (4) stock and inventory of self-employed persons that are reasonable and necessary in the production of goods and services;
- (5) items for home consumption. These items shall consist of produce from a small garden consumed from day to day and any excess which may be canned or stored,

(continued)

and a small flock of fowl or livestock which are used to meet the food requirements of the family;

(6) cash assets which are traceable to income exempted as income and as a cash asset;

(7) any contract from the sale of property, if the proceeds from the contract are considered as income;

(8) for non-SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended in the month received or in the following month;

(9) for non-SSI, income-producing property, other than cash assets, if essential for employment or self-employment. This includes such items as tools, equipment, machinery and livestock;

(10) for non-SSI, one vehicle for each assistance family with a value in an amount not to exceed \$1,500.00;

(11) for non-SSI, burial plots and funeral agreements as established by the secretary of health and human services and as approved by the secretary of social and rehabilitation services;

(12) for SSI, insurance not exceeding \$1,500.00 face value, owned by any applicant or recipient family member. Face value shall not include and shall not be increased by accumulated dividends, but shall be decreased by an outstanding policy loan. If the total face value of insurance policies owned by any one individual exceeds \$1,500.00, the total cash surrender value of those policies shall be a nonexempt resource;

(13) for SSI, one vehicle for each assistance family. Additional vehicles shall be exempt if shown to be essential for employment, for self-support, for medical treatment of a specific medical problem, or if specially equipped for use by a handicapped person;

(14) for SSI, any personal property of a blind or disabled person which is covered by an approved plan of self-support;

(15) for SSI, the equity value of income-producing personal property, other than cash assets, that is used in an applicant's or recipient's trade or business;

(16) for SSI, the equity value of non-business income-producing personal property, other than cash assets, if:

(A) The equity value of income-producing personal property plus the equity value of income-producing real property does not exceed \$6,000; and

(B) a net annual return of at least 6% of the total equity is produced;

(17) for SSI, burial plots as established by the secretary of health and human services for the SSI program;

(18) for SSI, any burial contract as established by the secretary of health and human services for the SSI program and as approved by the secretary of social and rehabilitation services;

(19) for SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended within three months of the sale;

(20) for SSI, a retroactive social security payment received by the applicant or recipient or an ineligible legally responsible person for the nine months following the month of receipt; and

(21) for SSI, pension funds owned by an applicant's or recipient's spouse or parent if such spouse or parent is

not an applicant for or recipient of SSI. The effective date of this regulation shall be August 30, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1988 Supp. 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended, T-30-5-1-90, May 1, 1990; amended, T-30-7-2-90, Aug. 30, 1990.)

30-6-112. Income exempt from consideration as income and as a cash asset. Exempted income shall be: (a) Grants to any undergraduate student for educational purposes that are made or insured under any programs administered by the commissioner of education;

(b) grants obtained and used for purposes of meeting needs not related to current living costs;

(c) the value of the coupon allotment under the food stamp program;

(d) the value of the U.S. department of agriculture-donated foods;

(e) the value of supplemental food assistance received under the child nutrition act of 1966, as amended, and the special food service program for children under the national school lunch act, as amended;

(f) benefits received under title VII, nutrition program for the elderly, of the older Americans act of 1965, as amended;

(g) Indian funds distributed or held in trust, including interest and investment income accrued on such funds while held in trust and initial purchases made with such funds;

(h) distributions to natives under the Alaska native claims settlement act;

(i) payments provided to individual volunteers serving as foster grandparents, senior health aides and senior companions, and to persons serving in the service corps of retired executives and active corps of executives under titles II and III of domestic service act of 1973;

(j) payments to individual volunteers under title I, sec. 404(g) of Public Law 93-113 when the director of ACTION determines that the value of such payments, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage;

(k) payments received under the uniform relocation assistance and real property acquisition policies act of 1970;

(l) death benefits from SSA, VA, railroad retirement, or other burial insurance policy when the benefit is used toward the cost of burial;

(m) money held in trust by VA for a child which VA determines may not be used for subsistence needs;

(n) retroactive corrective assistance payments in the month received or in the following month;

(o) income directly provided by vocational rehabilitation;

(p) benefits from special government programs at the discretion of the secretary, including energy assistance

programs and VA aid and attendance and housebound allowances;

(q) reimbursements for out-of-pocket expenses in the month received and the following month;

(r) proceeds from any bona fide loan requiring repayment;

(s) payments granted to certain U.S. citizens of Japanese ancestry and resident Japanese aliens under Title I of Public Law 100-383;

(t) payments granted to certain eligible Aleuts under Title II of Public Law 100-383;

(u) agent orange settlement payments;

(v) for non-SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within six months of its receipt;

(w) for non-SSI, assistance provided by another agency or organization that complements but does not duplicate assistance provided by the agency;

(x) for SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within nine months of its receipt. This time period may be extended for good cause;

(y) for SSI, in kind support, vouchers, or cash assistance for food, clothing, or shelter provided by public or private organizations or agencies, if the assistance is based on need;

(z) for SSI, income necessary for fulfillment of an ap-

proved plan to achieve self-support established for a blind or disabled person;

(aa) for SSI, assistance furnished in connection with a presidentially declared disaster and any interest earned on the assistance for the first nine months;

(bb) for SSI, interest which is paid on excluded burial funds and left to accumulate;

(cc) for SSI, housing assistance from federal housing programs operated by state and local subdivisions;

(dd) for SSI, any portion of any financial assistance funded under Title IV of the higher education act of 1965, as amended, or under bureau of Indian affairs student assistance programs which is made available for tuition, fees, books, supplies, transportation and miscellaneous personal supplies; and

(ee) for SSI, payments occasioned by the death of another person to the extent that the payments have been expended or committed to be expended for purposes of the deceased person's last illness and burial. The effective date of this regulation shall be July 2, 1990. (Authorized by and implementing K.S.A. 39-708c, K.S.A. 1989 Supp. 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Jan. 1, 1988; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-7-2-90, July 2, 1990.)

Dennis R. Taylor
Acting Secretary of Social
and Rehabilitation Services

Doc. No. 009500

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
4-7-802	Amended	V. 9, p. 1076
4-7-900		
through		
4-7-905	New	V. 8, p. 1731, 1732
4-8-27	Amended	V. 8, p. 1732
4-13-4	Amended	V. 9, p. 190
4-13-4a	New	V. 9, p. 190
4-13-5	Amended	V. 9, p. 191
4-13-8	Amended	V. 9, p. 191
4-13-15	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
7-29-1	Amended	V. 9, p. 989
7-29-1	Amended	V. 9, p. 1074
7-34-1	New	V. 8, p. 1139
7-34-1	New	V. 8, p. 1183
7-35-1	New	V. 8, p. 1556
7-35-2	New	V. 8, p. 1556

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-1	Amended	V. 9, p. 328
9-7-7	Amended	V. 8, p. 1804
9-13-4	New	V. 9, p. 624
9-17-1		
through		

(continued)

9-17-4	Amended	V. 8, p. 1804, 1805
9-17-6	New	V. 8, p. 1805
9-17-7	New	V. 8, p. 1805
9-17-8	New	V. 8, p. 1805
9-18-1	New	V. 8, p. 1138
9-18-1	New	V. 8, p. 1183

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-7-1 through 11-7-10	New	V. 9, p. 506, 507

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

Reg. No.	Action	Register
14-5-4	Amended	V. 9, p. 989
14-6-1	Amended	V. 9, p. 989
14-6-4	Amended	V. 9, p. 990
14-7-4	Amended	V. 9, p. 990
14-10-5	Amended	V. 9, p. 990
14-13-1	Amended	V. 9, p. 991
14-13-2	Amended	V. 9, p. 992
14-13-4	Amended	V. 9, p. 992
14-13-9	Amended	V. 9, p. 993
14-13-11	Amended	V. 9, p. 994
14-14-7	Amended	V. 9, p. 994
14-14-14	New	V. 9, p. 995
14-17-6	New	V. 8, p. 750
14-19-14	Amended	V. 9, p. 995
14-19-17	Amended	V. 9, p. 996
14-20-14	Amended	V. 9, p. 996
14-20-17	Amended	V. 9, p. 997
14-21-1	Amended	V. 9, p. 997
14-21-4	Amended	V. 9, p. 998
14-21-6	Amended	V. 9, p. 998
14-22-1	Amended	V. 9, p. 999
14-22-4	Amended	V. 9, p. 1000
14-22-12	Amended	V. 9, p. 1000
14-23-14	Revoked	V. 9, p. 1000

AGENCY 16: ATTORNEY GENERAL

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

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-19-1 through 17-19-4	New	V. 8, p. 1476

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-1	Amended	V. 8, p. 1090
22-1-2	Amended	V. 8, p. 1090
22-3-1	Amended	V. 8, p. 1090
22-3-2	New	V. 8, p. 1090
22-4-2	New	V. 8, p. 1495
22-4-3	New	V. 8, p. 1495
22-5-6	New	V. 8, p. 1090
22-6-17	New	V. 8, p. 1090
22-8-1	Amended	V. 8, p. 1091
22-10-3	Amended	V. 8, p. 1091
22-10-12	Amended	V. 8, p. 1092
22-10-17	New	V. 8, p. 1092
22-13-35	Amended	V. 8, p. 1092

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-1-8	Revoked	V. 9, p. 704
23-1-10	Revoked	V. 8, p. 1733
23-1-12	Revoked	V. 9, p. 386
23-2-3	Revoked	V. 8, p. 1525
23-2-5	Revoked	V. 9, p. 704
23-2-7	Revoked	V. 9, p. 386
23-2-12	Revoked	V. 9, p. 704
23-2-14	Revoked	V. 9, p. 386
23-2-15	Revoked	V. 9, p. 386
23-2-16	Revoked	V. 9, p. 386

23-2-18	Revoked	V. 9, p. 704
23-2-19	Revoked	V. 9, p. 704
23-3-2	Revoked	V. 8, p. 1733
23-3-8	Revoked	V. 8, p. 1629
23-3-10	Revoked	V. 8, p. 1629
23-3-11	Revoked	V. 8, p. 1629
23-3-12	Revoked	V. 8, p. 1629
23-3-14	Revoked	V. 8, p. 1629
23-3-15	Revoked	V. 8, p. 1629
23-5-1 through 23-5-8	Revoked	V. 9, p. 386
23-6-6	Revoked	V. 9, p. 167
23-7-5	Revoked	V. 9, p. 167
23-7-7	Revoked	V. 9, p. 167
23-8-1	Revoked	V. 8, p. 1525
23-8-2	Revoked	V. 8, p. 1525
23-8-18	Revoked	V. 8, p. 1525
23-8-19	Revoked	V. 8, p. 1525
23-8-21	Revoked	V. 8, p. 1525
23-8-25	Revoked	V. 8, p. 1525
23-8-33	Revoked	V. 8, p. 1525
23-8-34	Revoked	V. 8, p. 1356
23-8-36	Revoked	V. 8, p. 1525
23-9-2	Revoked	V. 8, p. 1525
23-9-10	Revoked	V. 8, p. 1525
23-9-11	Revoked	V. 8, p. 1525
23-11-1	Revoked	V. 8, p. 1356
23-14-1	Revoked	V. 8, p. 1356
23-17-1	Revoked	V. 8, p. 1356
23-17-2	Revoked	V. 8, p. 1356
23-17-3	Revoked	V. 8, p. 1356
23-18-1	Revoked	V. 8, p. 1525
23-18-3	Revoked	V. 8, p. 1629
23-18-4	Revoked	V. 8, p. 1629

AGENCY 25: GRAIN INSPECTION DEPARTMENT

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

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1 through 26-8-10	New	V. 8, p. 1557
26-9-1 through 26-9-4	New	V. 8, p. 1557, 1558

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-113 through 28-4-118	Amended	V. 9, p. 36-40
28-4-119b	Amended	V. 9, p. 40
28-4-120	Amended	V. 9, p. 40
28-4-124 through 28-4-132	Amended	V. 9, p. 40-43
28-4-350	Amended	V. 9, p. 44
28-4-400	Amended	V. 8, p. 1632
28-4-401	Amended	V. 8, p. 1632
28-4-403	Amended	V. 8, p. 1632
28-4-405	Amended	V. 8, p. 1633
28-4-405a	Amended	V. 8, p. 1634
28-4-405b	Amended	V. 8, p. 1635
28-4-406	Amended	V. 8, p. 1635
28-4-407	Amended	V. 8, p. 1636
28-4-408	Amended	V. 8, p. 1636
28-4-410	Amended	V. 8, p. 1636
28-4-411	Amended	V. 8, p. 1637
28-4-412	Revoked	V. 8, p. 1637
28-4-413	Amended	V. 8, p. 1637
28-4-442	Amended	V. 9, p. 44
28-16-110 through 28-16-138	New	V. 8, p. 517-520
28-16-137	Amended	V. 8, p. 1559
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291
28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	Amended	V. 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296

28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298
28-19-56	Amended	V. 8, p. 1298
28-31-1 through 28-31-6	Amended	V. 8, p. 1806-1812
28-31-8	Amended	V. 8, p. 1813
28-31-8a	Amended	V. 8, p. 1814
28-31-8b	New	V. 8, p. 1814
28-31-9	Amended	V. 8, p. 1814
28-31-14	Amended	V. 8, p. 1814
28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, p. 200
28-39-81	Amended	V. 9, p. 1023
28-39-87	Amended	V. 8, p. 871
28-39-200	Revoked	V. 8, p. 201
28-39-202 through 28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201
28-39-226	Amended	V. 8, p. 203
28-51-108	Amended	V. 9, p. 123

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 9, p. 940
30-4-35	Amended	V. 8, p. 714
30-4-41	Amended	V. 8, p. 714
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1661
30-4-63	Amended	V. 9, p. 541
30-4-64	Amended	V. 8, p. 1661
30-4-64	Amended	V. 9, p. 542
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 9, p. 193
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 9, p. 194
30-4-90	Amended	V. 8, p. 1182
30-4-96	Amended	V. 9, p. 194
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 9, p. 450
30-4-102	Amended	V. 9, p. 450
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1662
30-4-112	Amended	V. 8, p. 1662
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-120	Amended	V. 9, p. 543
30-4-130	Amended	V. 8, p. 1662
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 9, p. 940
30-5-59	Amended	V. 8, p. 1662
30-5-59	Amended	V. 9, p. 455
30-5-60	Amended	V. 9, p. 940
30-5-62	Amended	V. 9, p. 457
30-5-65	Amended	V. 9, p. 940
30-5-67	Amended	V. 9, p. 457
30-5-68	Amended	V. 9, p. 940
30-5-70	Amended	V. 9, p. 457
30-5-71	Amended	V. 9, p. 940
30-5-73	Amended	V. 9, p. 459
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 9, p. 940
30-5-81a	Amended	V. 9, p. 459
30-5-81b	Amended	V. 9, p. 940
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 9, p. 459
30-5-84	Revoked	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-86	Amended	V. 9, p. 940

30-5-87	Amended	V. 9, p. 987
30-5-88	Amended	V. 9, p. 941
30-5-89	Amended	V. 9, p. 118
30-5-90	Revoked	V. 9, p. 941
30-5-92	Amended	V. 9, p. 941
30-5-94	Amended	V. 9, p. 460
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 9, p. 941
30-5-101	Amended	V. 9, p. 119
30-5-103	Amended	V. 9, p. 119
30-5-104	Amended	V. 9, p. 941
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 9, p. 941
30-5-111	Amended	V. 9, p. 460
30-5-112	Amended	V. 9, p. 461
30-5-113	Amended	V. 9, p. 941
30-5-113a	Amended	V. 9, p. 941
30-5-114	Amended	V. 9, p. 461
30-5-115	Amended	V. 9, p. 941
30-5-115a	New	V. 8, p. 719
30-5-116	Amended	V. 9, p. 841
30-5-116a	New	V. 8, p. 720
30-5-117	New	V. 9, p. 941
30-5-117a	New	V. 9, p. 942
30-5-150	New	V. 9, p. 461
30-5-151	New	V. 9, p. 462
30-5-152	New	V. 9, p. 462
30-5-154	through	
30-5-172	New	V. 9, p. 462-464
30-6-35	Amended	V. 8, p. 720
30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 9, p. 544
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 8, p. 721
30-6-77	Amended	V. 9, p. 545
30-6-79	Amended	V. 9, p. 195
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 9, p. 546
30-6-106	Amended	V. 9, p. 195
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26	through	
30-7-63	Revoked	V. 8, p. 721
30-7-64	through	
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-7-79	New	V. 9, p. 942
30-9-13	New	V. 8, p. 1663
30-9-18	through	
30-9-22	New	V. 8, p. 1663, 1664
30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-21	Amended	V. 9, p. 546
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-22-33	New	V. 9, p. 942
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
36-15-23	Amended	V. 9, p. 1023
36-16-1	Amended	V. 8, p. 1162
36-26-1	Amended	V. 9, p. 1023

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
40-10-2	Amended	V. 9, p. 985
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. 950
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. 950
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
60-11-108	Amended	V. 9, p. 988

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
75-6-11	Amended	V. 9, p. 988

(continued)

75-6-24 Amended V. 9, p. 893
 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
82-1-201	Amended	V. 9, p. 894
82-1-202	Amended	V. 9, p. 895
82-1-204	Amended	V. 9, p. 895
82-1-205	Amended	V. 9, p. 896
82-1-206	Amended	V. 9, p. 896
82-1-207	Amended	V. 9, p. 896
82-11-1 through 82-11-9	New	V. 8, p. 377-383
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

**AGENCY 84: PUBLIC EMPLOYEES
 RELATIONS BOARD**

Reg. No.	Action	Register
84-1-1	Amended	V. 9, p. 943
84-1-2	Amended	V. 9, p. 943
84-1-3	New	V. 9, p. 943
84-1-4	New	V. 9, p. 943
84-2-1 through 84-2-7	Amended	V. 9, p. 943-945
84-2-9	Amended	V. 9, p. 945
84-2-11 through 84-2-15	Amended	V. 9, p. 945-947
84-3-1 through 84-3-6	Amended	V. 9, p. 948
84-4-1 through 84-4-5	Amended	V. 9, p. 948, 949
84-4-7	Amended	V. 9, p. 949
84-5-1	Amended	V. 9, p. 950

**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. 9, p. 1099
91-1-27c	New	V. 9, p. 1099
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. 9, p. 1099
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-80	Amended	V. 9, p. 1100
91-1-82	Amended	V. 9, p. 1100
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-101	Revoked	V. 9, p. 1101

91-1-106a through 91-1-106m	New	V. 9, p. 1101-1103
91-1-107a	Amended	V. 8, p. 96
91-1-110	Revoked	V. 9, p. 1103
91-1-123a	New	V. 9, p. 1103
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. 9, p. 1103
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
92-23-40	Amended	V. 9, p. 1076
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
102-4-10	New	V. 9, p. 1024

**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
109-2-5	Amended	V. 9, p. 1076
109-2-7	Amended	V. 9, p. 1077
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	Amended	V. 9, p. 1077
109-9-1	Amended	V. 9, p. 1077
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	Amended	V. 9, p. 1078
109-11-1 through 109-11-8	New	V. 8, p. 883-885
109-12-1	Amended	V. 9, p. 1078
109-12-2	New	V. 8, p. 886

AGENCY 110: DEPARTMENT OF COMMERCE

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 110 from 110-3-1 to 110-4-77a.

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 110 from 111-4-77b to 111-5-15.

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 110 from 111-4-77b to 111-5-15.

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 110 from 111-5-11 to 111-7-34.

AGENCY 111: THE KANSAS LOTTERY

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 111 from 111-1-2 to 111-4-77a.

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 111 from 111-4-77b to 111-5-15.

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 111 from 111-5-11 to 111-7-34.

AGENCY 112: KANSAS RACING COMMISSION

Table with 3 columns: Reg. No., Action, Register. Contains entries for Agency 112 from 112-3-16 to 112-4-5.

(continued)

112-4-5	Amended	V. 8, p. 1288
112-4-8	Amended	V. 8, p. 1246
112-4-8	Amended	V. 8, p. 1288
112-4-10	Amended	V. 8, p. 1246
112-4-10	Amended	V. 8, p. 1288
112-4-11	Amended	V. 8, p. 1246
112-4-11	Amended	V. 8, p. 1289
112-4-14a	New	V. 8, p. 1214
112-4-14a	New	V. 8, p. 1289
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	Amended	V. 8, p. 1214
112-4-19	Amended	V. 8, p. 1289
112-4-20	Amended	V. 8, p. 1246
112-4-20	Amended	V. 8, p. 1289
112-4-22	Amended	V. 8, p. 1246
112-4-22	Amended	V. 8, p. 1289
112-5-1	through	
112-5-9	New	V. 8, p. 258-260
112-5-1	Amended	V. 9, p. 153
112-5-2	Amended	V. 9, p. 154
112-5-3	Amended	V. 9, p. 154
112-5-8	Amended	V. 9, p. 155
112-5-9	Amended	V. 9, p. 155
112-6-1	through	
112-6-8	New	V. 8, p. 261-263
112-6-6	Amended	V. 9, p. 155
112-7-2	through	
112-7-22	New	V. 8, p. 593, 594
112-7-2	through	
112-7-22	New	V. 8, p. 641-648
112-8-2	through	
112-8-12	New	V. 8, p. 263-267
112-8-3	New	V. 8, p. 596
112-8-3	New	V. 8, p. 725
112-8-9	New	V. 8, p. 596
112-8-9	New	V. 8, p. 725
112-9-2	through	
112-9-38	New	V. 8, p. 726-737
112-9-5	Amended	V. 9, p. 155
112-9-7	Amended	V. 9, p. 156
112-9-8	Amended	V. 9, p. 156
112-9-11	Amended	V. 9, p. 156
112-9-13	Amended	V. 9, p. 156
112-9-18	Amended	V. 9, p. 157
112-9-21	Amended	V. 9, p. 157
112-9-22	Amended	V. 9, p. 158
112-9-23	Amended	V. 9, p. 159
112-9-29	Amended	V. 9, p. 159
112-9-34	Amended	V. 9, p. 159
112-9-37	Amended	V. 9, p. 159
112-9-39	through	
112-9-41	New	V. 8, p. 1214-1216
112-9-39	through	
112-9-41	New	V. 8, p. 1289
112-10-2	through	
112-10-12	New	V. 8, p. 598
112-10-2	through	
112-10-12	New	V. 8, p. 737-740
112-10-4	Amended	V. 9, p. 160
112-10-32	through	
112-10-37	New	V. 8, p. 1246-1248
112-10-32	through	
112-10-37	Amended	V. 8, p. 1289
112-11-1	through	
112-11-19	New	V. 8, p. 594, 595
112-11-1	through	
112-11-19	New	V. 8, p. 648-653
112-11-2	Amended	V. 9, p. 160
112-11-3	Amended	V. 9, p. 161

112-11-6	Amended	V. 9, p. 161
112-11-7	Amended	V. 9, p. 161
112-11-9	Amended	V. 9, p. 161
112-11-10	Amended	V. 9, p. 161
112-11-12	Amended	V. 9, p. 162
112-11-14	Amended	V. 9, p. 162
112-11-15	Amended	V. 9, p. 162
112-11-20	Amended	V. 9, p. 162
112-11-21	New	V. 8, p. 595
112-11-21	New	V. 8, p. 653
112-12-2	through	
112-12-13	New	V. 8, p. 1007
112-12-2	through	
112-12-13	New	V. 8, p. 1123-1126
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-13-2	New	V. 8, p. 596
112-13-2	New	V. 8, p. 267
112-13-3	New	V. 8, p. 598
112-13-3	New	V. 8, p. 740
112-14-2	through	
112-14-10	New	V. 8, p. 1162-1164
112-14-2	through	
112-14-10	New	V. 8, p. 1184, 1185
112-15-1	through	
112-15-7	New	V. 9, p. 1074,1075

115-18-1	through	
115-18-5	New	V. 8, p. 1359, 1360
115-18-7	New	V. 8, p. 1361
115-20-1	New	V. 8, p. 951
115-30-1	New	V. 8, p. 1361

AGENCY 116: STATE FAIR BOARD

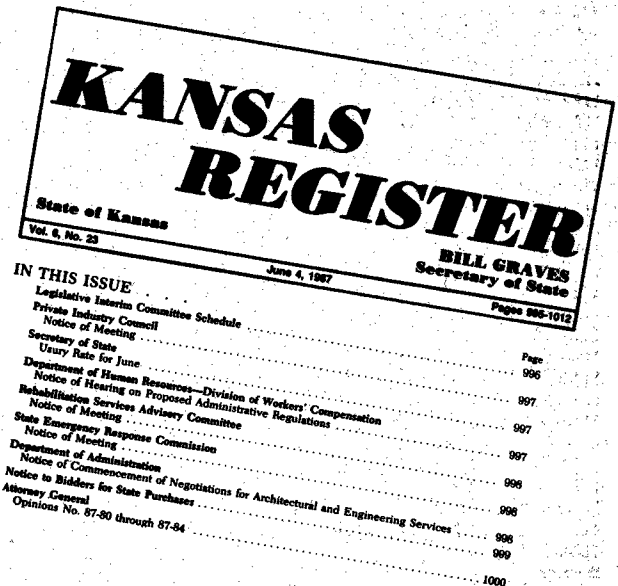
Reg. No.	Action	Register
116-1-1	New	V. 8, p. 1326
116-1-2	New	V. 8, p. 1326
116-2-1	Amended	V. 9, p. 1022

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	New	V. 8, p. 1629
115-2-1	New	V. 8, p. 1520
115-2-2	New	V. 8, p. 1733
115-2-3	New	V. 8, p. 1733
115-2-4	New	V. 9, p. 951
115-3-1	New	V. 8, p. 1160
115-3-1	New	V. 8, p. 1185
115-3-2	Amended	V. 8, p. 1733
115-3-2	Amended	V. 9, p. 35
115-4-1	New	V. 8, p. 1733
115-4-3	New	V. 9, p. 386
115-4-5	New	V. 9, p. 387
115-4-6	New	V. 9, p. 388
115-4-7	New	V. 9, p. 390
115-4-8	New	V. 8, p. 1356
115-4-8	New	V. 8, p. 1477
115-4-10	New	V. 8, p. 1357
115-4-10	New	V. 8, p. 1477
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-1	New	V. 8, p. 1630
115-7-2	New	V. 8, p. 1630
115-7-4	New	V. 8, p. 1631
115-7-5	Amended	V. 9, p. 951
115-8-1	New	V. 8, p. 1521
115-8-2	New	V. 9, p. 391
115-8-3	New	V. 8, p. 1161
115-8-4	through	
115-8-16	New	V. 8, p. 1521-1523
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169
115-8-18	New	V. 8, p. 1523
115-8-20	New	V. 8, p. 1523
115-9-1	through	
115-9-4	New	V. 8, p. 1631
115-9-5	New	V. 8, p. 1524
115-9-6	New	V. 8, p. 1161
115-9-6	New	V. 8, p. 1185
115-10-1	through	
115-10-8	New	V. 9, p. 391, 392
115-11-1	New	V. 8, p. 1524
115-11-2	New	V. 8, p. 1524
115-12-1	New	V. 8, p. 1734
115-15-1	New	V. 8, p. 1357
115-15-2	New	V. 8, p. 1357
115-15-3	New	V. 8, p. 1358

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