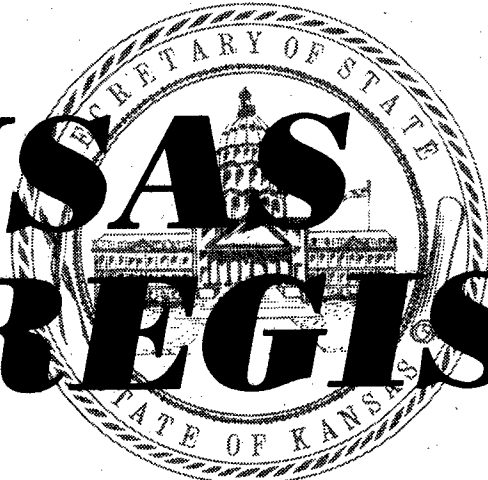


KANSAS REGISTER



BILL GRAVES
Secretary of State

State of Kansas

Vol. 9, No. 49

December 6, 1990

Pages 1769-1798

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State of Kansas

Attorney General

Opinion No. 90-129

Taxation—Judicial Foreclosure and Sale of Real Estate by County—Disposition of Money Received in Excess of Lien. Laurence A. Taylor, Thomas County Attorney, Colby, November 21, 1990.

If a tract of real estate is sold at a tax foreclosure sale for more than the judgment lien and its share of the costs of the proceedings and sale, the excess proceeds shall be paid to the "owner or party entitled thereto" as determined by the court. In our opinion, the quoted phrase refers to the owner or party interested in the property prior to the sale rather than the person who acquired the property at the sale. Cited herein: K.S.A. 79-2801; 79-2802; 79-2803; 79-2804; 79-2804a; 79-2804c; 79-2804f; 79-2804h; 79-2805. JLM

Opinion No. 90-130

Insurance—General Provisions—Insurance Coverage for Services Rendered in Treatment of Alcoholism, Drug Abuse, or Nervous and Mental Conditions. Senator Janis K. Lee, 36th District, Kensington, November 28, 1990.

Insurance companies are not prevented by K.S.A. 40-2,105 from enforcing valid contractual exclusions for pay-

ment of claims for services rendered in the treatment of alcoholism, drug abuse, or nervous or mental conditions. The statute only requires that certain health insurance policies provide inpatient benefits for those conditions at the same level as other illnesses. Utilization review does not fall within the scope of the healing arts act. Its practice is not subject to Kansas licensure laws. Cited herein: K.S.A. 40-2,105; 40-2403; K.S.A. 1989 Supp. 40-2404; K.S.A. 65-1113; 65-2802; 1990 Senate Bill No. 760. MWS

Opinion No. 90-131

Labor and Industries—Workers Compensation—Medical Compensation; Powers; Advisory Panel Members. Robert A. Anderson, Workers Compensation Director, Kansas Department of Human Resources, Topeka, November 28, 1990.

Members of the Workers Compensation Advisory Panel, which approves maximum medical fee schedules, can be represented by substitutes who can cast binding votes at meetings. Cited herein: K.S.A. 40-110; K.S.A. 1989 Supp. 44-510, as amended by L. 1990, ch. 183, sec. 2; K.S.A. 75-3223. GE

Robert T. Stephan
Attorney General

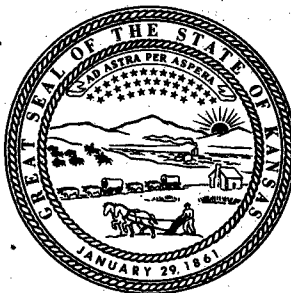
Doc. No. 010034

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(913) 296-2236



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235-N, State Capitol
(913) 296-3489

**State of Kansas
Kansas Sentencing Commission**

Notice of Meeting

The Kansas Sentencing Commission will meet at 9:30 a.m. Monday, December 10, in the Court of Appeals Courtroom, second floor, Kansas Judicial Center, 301 W. 10th, Topeka.

Ben Coates
Executive Director

Doc. No. 010035

**State of Kansas
Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for air and water balancing services of mechanical systems and infrared scans for state construction projects for the six-month period from January 1, 1991, to July 1, 1991.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies which are of the same parent company as the designers or contractors of a particular project will not be considered for that project. Submit SF 255 indicating qualifications with letter of interest.

Interested individuals or firms in the infrared scan field must be an independent testing company using trained personnel who work full time on infrared testing projects. Personnel shall be familiar with the operation of the infrared camera and capable of analyzing the results. The infrared survey shall be done with a Model No. 750 infrared camera as manufactured by AGA Corporation of Secaucus, New Jersey, or equal. Submit SF 255 indicating qualifications with letter of interest.

Firms interested in providing these services should submit their SF 255 indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Roger C. Linneman, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367.

It is the intention of the division to pre-approve a separate group of qualifying balancing contractors and firms performing infrared scans and award projects on a rotational basis. If a firm anticipates being limited to specific sized projects, by dollar volume or location in the state, that information should also be supplied with the response.

Any questions or expressions of interest should be directed to Roger Linneman on or before December 21.

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

Doc. No. 010019

**State of Kansas
Social and Rehabilitation Services**

**Notice of Basic Maximum Daily Charge
for State Institutions**

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 1991 will be the basic maximum daily rate of charge, effective November 1, 1990, for the following state institutions:

Parsons State Hospital and Training Center	\$170.87
Winfield State Hospital and Training Center	\$221.02
Kansas Neurological Institute	\$180.11

In compliance with K.S.A. 59-2006b(a), the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions as determined by application of generally acceptable hospital accounting principles: Topeka State Hospital; Osawatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Dennis R. Taylor
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 010033

**State of Kansas
Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for surveying and soil testing services for state construction projects for the six-month period from January 1, 1991, to July 1, 1991. Soil testing services would include testing and reporting prior to construction and inspection services during construction. Firms that provide concrete, welding, asphalt and steel testing are also being sought.

Firms interested in providing these services should submit their SF 225 indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367.

It is the intention of the division to pre-approve a separate group of qualifying surveying and testing firms and award projects on a rotational basis. If a firm anticipates being limited to specific sized projects, by dollar volume or location in the state, that information should also be supplied with the response.

Any questions or expressions of interest should be directed to Gerald Carter on or before December 21.

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

Doc. No. 010018

**State of Kansas
State Conservation Commission**

Notice to Contractors

Sealed bids for the construction of a 74,000 cubic yard detention dam, Site 101 in Chase County, will be received by the Jacobs-Phenis Creek Joint Watershed District No. 94 at the Lyon County Extension Office, 618 Commercial, Emporia 66801, (316) 342-4950, until 2 p.m. December 12, and then opened at 2:05 p.m. A copy of the invitation for bids and the plans and specifications can be obtained from Ronald Nurnberg, Route 3, Box 66, Emporia 66801, (316) 342-6300. Parking is available at rear of the Extension Building. A \$20 deposit, returnable with submission of a bid, is required for each set of plans.

Kenneth F. Kern
Executive Director

Doc. No. 010020

**State of Kansas
Department of Transportation**

**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas Department of Transportation has scheduled a public hearing at 1 p.m. Thursday, January 3, in the Old Supreme Court Room, third floor, State Capitol, Topeka, to consider amendments to K.A.R. 36-1-1 and 36-1-28 through 36-1-34.

K.A.R. 36-1-1 and 36-1-28 through 36-1-34 deal with the special vehicle combination program including permits, violations, cancellations, equipment, operation, insurance and driver qualifications. These regulations result from passage of House Bill 2959 in the 1990 legislative session. The regulations will be effective without a marked increase in current staffing or operating procedures. The long-range fiscal effect is undeterminable at this time.

A complete copy of these regulations and an economic impact statement can be obtained at the Kansas Department of Transportation, Office of Chief Counsel, Attention: C. Douglas Wright, Room 734-S, Docking State Office Building, Topeka 66612-1568.

The period of 30 days notice constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations.

Written comments may be sent to the address immediately above. All interested parties will be given a reasonable opportunity to present their views orally at the hearing concerning the regulations.

Horace B. Edwards
Secretary of Transportation

Doc. No. 010010

**State of Kansas
Department of Corrections
Kansas Correctional Industries**

**Notice to Bidders for
State Surplus Property**

Sealed bids for state of Kansas surplus property (Quotation No. 910003) will be received by State Surplus Property, Building 344, Forbes Air Industrial Park, P.O. Box 19226, Topeka 66619-0226, until 2 p.m. Thursday, December 20, and then will be publicly opened. Interested bidders may call (913) 296-2334 for additional information.

Robert F. Kelley
Manager, State Surplus Property

Doc. No. 010022

**State of Kansas
Board of Regents**

**Request for Bids for an
Oil and Gas Lease**

Under authority of K.S.A. 76-164 through 76-168, the Kansas Board of Regents has determined that certain lands consisting of approximately 480 acres in Ellis County owned by Fort Hays State University are valuable for leasing for the purpose of the production of oil and gas, and that the land can be leased for such purpose. The board intends to lease the lands described as:

NW/4 of Section 1, Township 14S, Range 19W,
Ellis County, Kansas

NW/4 of Section 36, Township 13S, Range 19W,
Ellis County, Kansas

SW/4 of Section 36, Township 13S, Range 19W,
Ellis County, Kansas

The terms and conditions prescribed by the board of such leasing and the provisions for the competitive bids are contained in a resolution passed by the board November 15 and are included in the minutes of the board. The minutes and resolution will remain open to public inspection in the office of the Kansas Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka 66603, until the bid deadline. Copies may be obtained by application to Dr. Stanley Z. Koplik, executive director of the Kansas Board of Regents.

Bids will be received by the board until 5 p.m. C.S.T. January 16. All bids received will be considered by the board. Any lease or leases entered into by the board will be awarded to the highest, responsible bidder, provided that the board reserves the right to reject any and all bids.

Bids should be addressed to the executive director of the Kansas Board of Regents. Envelopes containing bids should be plainly marked "Bid on Oil and Gas Lease." Only such bids in substantial conformity with the terms and provisions of the aforesaid resolution will be considered or accepted by the board.

Stanley Z. Koplik
Executive Director

Doc. No. 010023

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.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (316) 689-3080 for additional information.

Wednesday, December 19, 1990

910207-B

Pre-school toys

Thursday, December 20, 1990

910202-B

CNC turning center lathe

Gary D. Link
Director of Purchasing

Doc. No. 010026

State of Kansas

Kansas Public Disclosure Commission

Advisory Opinion No. 90-23

Written November 15, 1990, to Carol Courtney, LMSW, Social Worker II, Department of Social and Rehabilitation Services, Topeka.

This opinion is in response to your letter of October 26, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning the state conflict of interest laws (K.S.A. 46-215 *et seq.*).

We note at the outset that the commission's jurisdiction on your questions is limited to the above sections on your questions. Thus, whether some other law or agency policy relates to this situation is not covered by this opinion.

We understand you request this opinion in your capacity as a Social Worker II in child protective services. You advise us that you may be accepted as a reserve officer for the Topeka Police Department. You note it is possible that you would place a child in protective care as a police officer and could then be assigned to investigate the same case as a child protective services worker.

We understand you to ask whether you can hold both positions at the same time and note your belief that it would be inappropriate for you to be assigned to work on a case which you have investigated.

We have reviewed K.S.A. 46-215 *et seq.* in its entirety and that law does not prohibit the holding of the dual positions you have described. In addition, although the law may not technically apply to this unique factual situation, we applaud your position that you should not serve on an individual case from both positions.

Advisory Opinion No. 90-24

Written November 15, 1990, to Rod Ludwig, Mitchell County Attorney, Beloit.

This opinion is in response to your letter of October 22, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflicts of interest law (K.S.A. 75-4301 *et seq.*).

We note at the outset that the commission's jurisdiction on your question is limited to the above law. Thus, whether some other common law theory or statutory system applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as county attorney for Mitchell County, Kansas. You describe the situation where a county commissioner is also an EMT with the county ambulance department and in his capacity as county commissioner is called upon to act on matters relating to the ambulance department.

You ask whether it is permissible for the county commissioner to maintain both positions.

Enclosed is a copy of Opinion No. 90-14, which covers an analogous situation. Confirming the analysis in that opinion, it is our view that under K.S.A. 75-4301 *et seq.* the county commissioner may also serve as an EMT for the county ambulance department.

Advisory Opinion No. 90-25

Written October 17, 1990, to Joseph A. Knopp, Stites, Hill, Wilson, Knopp & Abbott, Manhattan.

This opinion is in response to your letter of September 24, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 75-4301 *et seq.* as amended by Chapter 306 of the 1990 Session Laws of Kansas.

We understand you request this opinion on behalf of an individual considering seeking election to a city commission. You ask numerous questions concerning the disclosure of substantial interests.

New Section 14(a) defines substantial interest as follows:

"Substantial interest" means any of the following: (1) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(3) If an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from a business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(4) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

(5) If an individual or an individual's spouse receives compensation which is a portion or percentage of each

(continued)

separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

As used in this subsection, 'client or customer' means a business or combination of businesses."

"Compensation" is defined in New Section 14(i) as follows: " 'Compensation' means any money, thing of value or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by that person or another."

We understand your first question to be whether the receipt of rent constitutes a "substantial interest" in the payor. In Opinion No. 75-17, question number three, which dealt with the state level law, we opined that rents did not constitute "compensation" as that term is defined under the state law. Since the state level definition has now been incorporated at the local level, the same opinion must hold. Thus, a landlord does not hold a "substantial interest" in his or her tenants but only in the property.

Your second question concerns the sale of property and asks whether one holds a "substantial interest" in an entity to whom property is sold.

Again, the definition of "compensation" is not met and therefore if goods are sold at fair market value, the seller does not hold a "substantial interest" in the buyer. (See New Section 14(a)(3) for the situation where goods are not sold at fair market value.)

We understand your third question to deal with the situation where an individual receives a salary and a portion of commissions earned by agents in the region he manages. You ask whether the individual holds a substantial interest in both the company that employs him and each individual client who pays fees.

Under New Section 14(a)(5) for the receipt of commissions or fees to constitute a "substantial interest," the recipient must receive a "portion or percentage of each separate fee." As we understand this factual situation, he receives a portion or percentage of the total commissions received by his agents and this section does not apply. Thus, the only substantial interest held is in the company that employs him.

Your fourth question concerns the sale or lease of goods at retail. You ask whether the seller may hold a substantial interest in the purchaser.

It is our opinion that the receipt of moneys from the sale or lease of goods at retail does not meet the definition of "compensation." Thus, a seller would not generally hold a substantial interest in a purchaser.

We believe what we have said answers all of your questions, but if you require further information, please contact us.

Lowell K. Abeldt
Chairman

State of Kansas

Secretary of State

Executive Appointments

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

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

The following appointments were filed November 19-30:

Clark County Sheriff

Brad Harris, Box 413, Minneola 67865. Term expires when a successor is elected and qualifies according to law. Succeeds Loftis Messer, deceased.

Judge of Court of Appeals, Position No. 3

George Joseph Pierron, Jr., 632 E. Wabash, Olathe 66061. Term expires when a successor is elected and qualifies according to law. Succeeds Bob Abbott, resigned.

Kansas All-Sports Hall of Fame Board of Trustees

Douglas E. Smith, 2409 S.W. Morningside, Topeka 66614. Term expires November 30, 1994. Succeeds James Hershberger.

Kansas Arts Commission

Ray Evans, 32 Pembroke Lane, Shawnee Mission 66208. Term expires November 30, 1994. Succeeds John Naughtin.

Patti Hayden, 107 Page, Atwood 67730. Term expires November 30, 1994. Succeeds Ardena Matlack.

Children and Youth Advisory Committee

Patti Hayden, 107 Page, Atwood 67730. Term expires November 30, 1993. Succeeds Patricia Lacey.

Kansas Colorado/Arkansas River Compact Administration

Lola Fox, HC01, Box 16, Syracuse 67878. Term expires October 31, 1994. Succeeds Carl Bentrup.

Office of the Governor

Frank Ybarra, Press Secretary to the Governor, 5101 S.W. 20th Terrace, Topeka 66604. Serves at the pleasure of the Governor.

State Board of Healing Arts

Harold Guldner, Box 648, Syracuse 67878. Term expires November 30, 1994. Succeeds Glen Kerbs.

Kansas University Medical School Admissions Board

Sue Bauman, 540 N.E. Edgewood Drive, Topeka 66617. Serves at the pleasure of the Governor. Succeeds E. Blaine Schoolcraft.

Central Kansas Regional Library System

Barbara Krug, Rural Route E1, Russell 67665. Term expires November 30, 1994.

Southeast Kansas Regional Library System

Louise Norris, Route 1, Box 26, Altamont 67330. Term expires November 30, 1994. Succeeds Carrie Kay Williams.

Kansas Public Broadcasting Commission

Frank Ybarra, 5101 S.W. 20th Terrace, Topeka 66604. Term expires November 30, 1992. Succeeds Florence Metcalf.

Wichita State University Board of Trustees

Elizabeth Baker, 601 Honeybrook Lane, Derby 67037. Term expires June 30, 1993. Succeeds Frank Barton.

W. Frank Barton, 8028 Cork, Wichita 67206. Term expires June 30, 1991. Succeeds Virginia Ablah, resigned.

Brenda Farha, 300 N. Terrace, Wichita 67288. Term expires June 30, 1993. Reappointment.

George Parsons, P.O. Box 3578, Wichita 67202. Term expires June 30, 1993. Reappointment.

Bill Graves
Secretary of State

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.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, December 17, 1990

27448

Osawatomie State Hospital and Topeka State Hospital—Reagents and supplies/therapeutic drug detection systems

28353

Statewide—Programming "workbench"

28358

University of Kansas—KU Alumni Magazine

28359

Statewide—Single channel digital recorder/announcer

86244

Department of Wildlife and Parks—Self-pay envelopes, Pratt

Tuesday, December 18, 1990

A-6552

Kansas Bureau of Investigation—DNA lab renovation

27497

Department of Transportation and Department of Revenue—Drafting room reproduction supplies

27500

Statewide—Coffee and tea

86243

University of Kansas—File servers/workstations

86306

Kansas State University—Soybean meal

Wednesday, December 19, 1990

A-6493

Department of Transportation—Prefabricated metal storage building, Great Bend

27429

Larned State Hospital—Piano maintenance

27477

Statewide—Consumer Grade AA eggs

27931

Statewide—Security officers' uniform components

86264

Department of Transportation—Testing equipment

86266

Department of Transportation—Lab oven, Garden City

86278

Department of Transportation—Wood signposts, Salina

Thursday, December 20, 1990

A-6440

Topeka State Hospital—Reroof Jarrett Building

A-6527

Pittsburg State University—Electrical service upgrade—Shirk Hall

27879

University of Kansas—Reduce and laminate certificates

86296

Department of Transportation—Aggregate, Olathe

86297

Pittsburg State University—Plain paper photocopier

86327

University of Kansas—Prism-based LAN computational server

Friday, December 21, 1990

28352

Department of Administration, Central Motor Pool—Credit cards—stock, printing and embossing

86305

Department of Transportation—Aggregate, Emporia

86307

University of Kansas Medical Center—Shoe finishing machines

86312

Department of Wildlife and Parks—Mowers, Lovewell State Park and Marion Wildlife Area

86313

Kansas State University—Plot combine, Hays

86314

University of Kansas Medical Center—Surgical table

86315

University of Kansas Medical Center—Color coded file folders

Nicholas B. Roach
Director of Purchases

Doc. No. 010030

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet at noon Thursday, December 13, in the board room at the administration office in Hutchinson. The meeting will continue Friday, December 14.

For further information, contact Deana Novak at (316) 662-6611.

Deana K. Novak
Administrative Officer

Doc. No. 010017

State of Kansas

Secretary of State

Usury Rate for December

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of December 1, 1990, through December 31, 1990, is 11.40 percent.

Bill Graves
Secretary of State

Doc. No. 010012

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled from December 10 through December 23:

Date	Room	Time	Committee	Agenda
December 10		Cancelled	Joint Committee on Administrative Rules and Regulations	Review rules and regulations filed by the Board of Agriculture; Board of Accountancy; Department of Administration; KDHE; Secretary of State; Department of Education; and SRS.
December 11	514-S	10:00 a.m.		
December 10	529-S	10:00 a.m.	SRS Task Force—Mental Retardation Services Subcommittee	<u>10th</u> : Testimony regarding budget organization, family support, guardianship, children's issues.
December 11	529-S	9:00 a.m.		<u>11th</u> : Subcommittee discussion and recommendations.
December 11	527-S	10:00 a.m.	Joint Committee on Economic Development	Review of draft committee reports and recommendations for final reports.
December 12	527-S	9:00 a.m.		
December 12	531-N	10:00 a.m.	SRS Task Force Subcommittee on Organizational Structure	Testimony regarding total quality management. Subcommittee discussion, recommendations, and directions to staff.
December 13	531-N	9:00 a.m.		
December 13	527-S	10:00 a.m.	SRS Task Force—Medical Services Subcommittee	Discussion of recommendations.
December 14	527-S	9:00 a.m.		
December 17	527-S	9:00 a.m.	SRS Task Force—Children's Services Subcommittee	Agenda not available.
December 17	519-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
December 18	519-S	9:00 a.m.		

Doc. No. 010031

Emil Lutz
Director of Legislative
Administrative Services

State of Kansas

Secretary of State

Certificate of the State Board of Canvassers

General Election, November 6, 1990

We, the undersigned, constituting the State Board of Canvassers of the State of Kansas, do hereby certify that we have examined the certified abstract of votes on file in the office of the Secretary of State, as prescribed by law, and we find the statement given therein of the whole number of votes cast for the several candidates for the various National and State offices therein named, the votes for retention in office of Justices of the Supreme Court, Court of Appeals Judges, District Judges and District Magistrate Judges, and the votes cast on the Constitutional Amendment is true and correct as shown by such abstract.

We further certify and declare that each of the following named persons were duly elected, or retained, to the respective offices above their name at the General Election held on the sixth day of November, A.D. 1990.

United States Senator

Nancy Landon Kassebaum, Burdick, Republican

United States Representative
1st District

Pat Roberts, Dodge City, Republican

United States Representative
2nd District

Jim Slattery, Topeka, Democrat

United States Representative
3rd District

Jan Meyers, Overland Park, Republican

United States Representative
4th District

Dan Glickman, Wichita, Democrat

United States Representative
5th District

Dick Nichols, McPherson, Republican

Governor—Lieutenant Governor

Joan Finney, Topeka, Democrat

James Francisco, Mulvane, Democrat

Secretary of State

Bill Graves, Salina, Republican

Attorney General

Bob Stephan, Wichita, Republican

State Treasurer

Sally Thompson, Topeka, Democrat

Commissioner of Insurance

Ronald L. (Ron) Todd, Lawrence, Republican

State Representatives

1st District

Tim Shallenburger, Baxter Springs, Republican

2nd District

L.V. (Sam) Roper, Girard, Democrat

3rd District

Ed McKechnie, Pittsburg, Democrat

4th District

Gilbert Ernest Gregory, Fort Scott, Democrat

5th District

George Teagarden, LaCygne, Democrat

6th District

Marvin Wm. Barkis, Louisburg, Democrat

7th District

Bill Brady, Parsons, Democrat

8th District

Richard R. Reinhardt, Erie, Democrat

9th District

Aldie Ensminger, Moran, Republican

10th District

Walker A. Hendrix, Ottawa, Republican

11th District

Jim D. Garner, Coffeyville, Democrat

12th District

Cindy Empson, Independence, Republican

13th District

Rochelle Beach Chronister, Neodesha, Republican

14th District

Mark V. Parkinson, Olathe, Republican

15th District

Ruth Ann Hackler, Olathe, Democrat

16th District

Tim Carmody, Overland Park, Republican

17th District

Lisa L. Benlon, Shawnee, Republican

18th District

Eugene P. (Gene) Amos, Shawnee, Republican

19th District

Phil Kline, Overland Park, Republican

20th District

Arthur W. Douville, Overland Park, Republican

21st District

Barbara P. Allen, Prairie Village, Republican

22nd District

Carol H. Sader, Prairie Village, Democrat

23rd District

Gary H. Blumenthal, Merriam, Democrat

24th District

Tom Thompson, Mission, Democrat

25th District

Al Lane, Mission Hills, Republican

26th District

Vincent K. Snowbarger, Olathe, Republican

27th District

Nancy Brown, Stanley, Republican

(continued)

28th District
Kerry Patrick, Leawood, Republican

29th District
Robert (Bob) Vancrum, Overland Park, Republican

30th District
Franklin E. "Frank" Weimer, Lenexa, Republican

31st District
Bill Wisdom, Kansas City, Democrat

32nd District
Herman G. Dillon, Kansas City, Democrat

33rd District
Richard J. Dick Edlund, Kansas City, Democrat

34th District
Robert (Bob) Watson, Kansas City, Democrat

35th District
Sherman J. Jones, Kansas City, Democrat

36th District
Mary Jane Johnson, Kansas City, Democrat

37th District
Bill Reardon, Kansas City, Democrat

38th District
Tom Love, Kansas City, Democrat

39th District
James E. Lowther, Emporia, Republican

40th District
Al Ramirez, Bonner Springs, Republican

41st District
Clyde D. Graeber, Leavenworth, Republican

42nd District
Stevi Stephens, Tonganoxie, Democrat

43rd District
Judith Kay Macy, DeSoto, Democrat

44th District
Sandy Praeger, Lawrence, Republican

45th District
John M. Solbach, Lawrence, Democrat

46th District
Betty Jo Charlton, Lawrence, Democrat

47th District
Joann Flower, Oskaloosa, Republican

48th District
Joan E. Adam, Atchison, Democrat

49th District
Galen Weiland, Bendena, Democrat

50th District
Marvin E. Smith, Topeka, Republican

51st District
Joan Hamilton, Topeka, Democrat

52nd District
Jim W. Cates, Topeka, Republican

53rd District
Denise Everhart, Tecumseh, Democrat

54th District
Bill Roy, Jr., Topeka, Democrat

55th District
Joan Wagon, Topeka, Democrat

56th District
Kathleen Sebelius, Topeka, Democrat

57th District
George Gomez, Topeka, Democrat

58th District
Anthony Hensley, Topeka, Democrat

59th District
Elaine L. Wells, Carbondale, Republican

60th District
Jeff Freeman, Burlington, Republican

61st District
Don M. Rezac, Onaga, Democrat

62nd District
Kent Glasscock, Manhattan, Republican

63rd District
Bruce F. Larkin, Baileyville, Democrat

64th District
Steve Lloyd, Palmer, Republican

65th District
Alex Scott, Junction City, Republican

66th District
Sheila Hochhauser, Manhattan, Democrat

67th District
Allan White, Salina, Democrat

68th District
Steve Wiard, Council Grove, Democrat

69th District
Larry F. Turnquist, Salina, Democrat

70th District
Duane A. Goossen, Goessel, Republican

71st District
Eloise Lynch, Salina, Democrat

72nd District
Garry Boston, Newton, Republican

73rd District
Dale M. Sprague, McPherson, Republican

74th District
Ellen Banman Samuelson, Newton, Republican

75th District
David R. Corbin, Towanda, Republican

76th District
Rex Crowell, Longton, Republican

77th District
Kenneth R. King, Leon, Republican

78th District

Dorothy Higginbottom Flottman, Winfield,
Republican

79th District

R. Rand Rock II, Arkansas City, Democrat

80th District

Robert H. Miller, Wellington, Republican

81st District

Ann Cozine, Mulvane, Democrat

82nd District

Elizabeth Baker, Derby, Republican

83rd District

Jo Ann Pottorff, Wichita, Republican

84th District

Barbara Lawrence, Wichita, Republican

85th District

Richard Lahti, Wichita, Democrat

86th District

Henry Helgerson, Wichita, Democrat

87th District

Wanda Fuller, Wichita, Republican

88th District

Gwen Welshimer, Wichita, Democrat

89th District

Theo Cribbs, Wichita, Democrat

90th District

Darlene Cornfield, Valley Center, Republican

91st District

Tom Bishop, Wichita, Democrat

92nd District

Ken Grotewiel, Wichita, Democrat

93rd District

Rick Bowden, Goddard, Democrat

94th District

Georgia Walton Bradford, Wichita, Republican

95th District

Tom Sawyer, Wichita, Democrat

96th District

George R. Dean, Wichita, Democrat

97th District

Darrel M. Webb, Wichita, Democrat

98th District

Diane Gjerstad, Wichita, Democrat

99th District

Susan Wagle, Wichita, Republican

100th District

Jack Sluiter, Wichita, Republican

101st District

Robert E. Krehbiel, Pretty Prairie, Democrat

102nd District

Donna L. Whiteman, Hutchinson, Democrat

103rd District

Jesse "Jess" Harder, Buhler, Democrat

104th District

Michael R. "Mike" O'Neal, Hutchinson, Republican

105th District

J.C. Long, Harper, Republican

106th District

Bill Bryant, Washington, Republican

107th District

Kent Campbell, Miltonvale, Democrat

108th District

Lee Hamm, Pratt, Democrat

109th District

Keith Roe, Mankato, Republican

110th District

Carol Dawson, Russell, Republican

111th District

Delbert L. Gross, Hays, Democrat

112th District

Bob J. Mead, Pawnee Rock, Republican

113th District

Jack Wempe, Little River, Democrat

114th District

Melvin G. Minor, Stafford, Democrat

115th District

Melvin J. Neufeld, Ingalls, Republican

116th District

Don C. Smith, Dodge City, Democrat

117th District

Robin Jennison, Healy, Republican

118th District

Gayle Mollenkamp, Russell Springs, Republican

119th District

John D. McClure, Glen Elder, Democrat

120th District

Fred Gatlin, Atwood, Republican

121st District

Don E. Crumbaker, Brewster, Republican

122nd District

Gary K. Hayzlett, Lakin, Republican

123rd District

David J. Heinemann, Garden City, Republican

124th District

Eugene L. Shore, Johnson, Republican

125th District

Carl D. Holmes, Liberal, Republican

(continued)

State Board of Education

District 1

Mildred G. McMillon, Tonganoxie, Democrat

District 3

Paul D. Adams, Osage City, Republican

District 5

I. B. "Sonny" Rundell, Syracuse, Republican

District 7

Wanda Morrison, Hutchinson, Republican

District 9

Tim Emert, Independence, Republican

District 10

Gwen Nelson, Arkansas City, Republican

Supreme Court Justice—Retention

Position 2

Kay McFarland, Topeka

Position 3

Richard W. Holmes, Wichita

Position 4

Tyler C. Lockett, Wichita

Position 5

Fred N. Six, Lawrence

Court of Appeals—Retention

Position 1

Edward Larson, Hays

Position 5

Mary Beck Briscoe, Council Grove

Position 6

Robert J. Lewis, Jr., Atwood

Position 8

Jerry G. Elliott, Lawrence

Position 9

Gary W. Rulon, Emporia

Position 10

Robert L. Gernon, Hiawatha

District Judge—Election

District 13

Division 1

John E. Sanders, Eureka, Republican

District 14

Division 1

Richard A. Medley, Coffeyville, Democrat

Division 2

David L. Thompson, Independence, Democrat

District 16

Division 1

Daniel L. Love, Dodge City, Democrat

District 18

Division 4

David W. Kennedy, Wichita, Republican

Division 5

Kay Royse, Wichita, Democrat

Division 7

David W. Dewey, Wichita, Republican

Division 8

Tim Lahey, Wichita, Republican

Division 15

Paul Buchanan, Wichita, Republican

Division 17

Tom Malone, Wichita, Democrat

Division 18

James G. Beasley, Wichita, Republican

Division 19

Robert D. Watson, Wichita, Democrat

District 19

Division 3

George E. Sybrant, Arkansas City, Republican

District 20

Division 1

Barry A. Bennington, St. John, Democrat

District 22

Division 1

Keith W. Sprouse, Marysville, Republican

District 24

J. Byron Meeks, Kinsley, Republican

District 26

Division 1

Keaton G. Duckworth, Elkhart, Republican

District 27

Division 1

Victoria McKay Kumorowski, Hutchinson, Republican

Division 3

Steven R. Becker, Buhler, Republican

District 29

Division 3

Dean J. Smith, Kansas City, Democrat

Division 4

William Mahoney, Kansas City, Democrat

Division 5

J. Dexter Burdette, Kansas City, Democrat

Division 6

Cordell D. Meeks, Jr., Kansas City, Democrat

Division 10

Matthew G. Podrebarac, Kansas City, Democrat

Division 11

Bill D. Robinson, Jr., Kansas City, Democrat

Division 12

Philip L. Sieve, Kansas City, Democrat

Division 15

Michael G. Moroney, Kansas City, Democrat

District Magistrate Judge—Election

District 17

Position 3

Wilda June Brown, Norton, Republican

District 22

Position 3

James B. (Jim) O'Connor, Seneca, Democrat

District 23

Position 1

Lawrence H. Litson, Gove, Republican

District Judge—Retention

District 1

Division 2

Maurice P. O'Keefe, Jr., Atchison

District 3

Division 2

Fred S. Jackson, Topeka

Division 3

E. Newton Vickers, Topeka

Division 5

James M. Macnish, Jr., Topeka

Division 6

Terry L. Bullock, Topeka

Division 10

Daniel L. Mitchell, Topeka

Division 12

James P. Buchele, Topeka

District 5

Division 1

John O. Sanderson, Emporia

District 6

Division 1

Stephen D. Hill, Paola

Division 2

Richard M. Smith, Mound City

Division 3

Gerald W. Hart, Fort Scott

District 7

Division 3

Jean F. Shepherd, Lawrence

District 8

Division 3

Melvin M. Gradert, Marion

District 9

Division 2

Richard B. Walker, Newton

District 10

Division 1

Herbert W. Walton, Olathe

Division 2

Sam K. Bruner, Overland Park

Division 7

Janice D. Russell, Olathe

Division 8

Earle D. Jones, Overland Park

Division 9

James W. Bouska, Overland Park

Division 10

Larry McClain, Overland Park

District 11

Division 3

Charles J. Sell, Altamont

District 12

Division 1

Thomas M. Tuggle, Concordia

District 25

Division 1

J. Stephen Nyswonger, Holcomb

Division 2

Paul D. Handy, Garden City

District 28

Division 1

Daniel L. Hebert, Salina

Division 2

David S. Knudson, Salina

Division 3

Gene B. Penland, Salina

District 30

Division 5

Larry T. Solomon, Kingman

District 31

Division 2

C. Fred Lorentz, Fredonia

District Magistrate Judge—Retention

District 2

Position 2

O. F. Maskil, Westmoreland

District 12

Position 3

Ardith I. VonFange, Lincoln

Position 4

Bonnie J. Wilson, Beloit

Position 5

William E. Thompson, Belleville

Position 6

Terry N. Taylor, Washington

District 25

Position 2

Donna L. J. Blake, Syracuse

Position 3

J. Russell Jennings, Lakin

Position 5

Claude S. Heath, Leoti

District 31

Position 1

Thomas M. Saxton, Jr., Iola

Position 2

Ronald L. Call, Yates Center

Proposed Amendment to the Constitution

Question No. 1

Yes 245,132

No 377,625

(continued)

IN TESTIMONY WHEREOF, we have hereunto subscribed our names this 28th day of November, A.D. 1990.

Mike Hayden
Governor

Bill Graves
Secretary of State

Bob Stephan
Attorney General

Doc. No. 010015

State of Kansas
Department of Health and Environment

Notice Concerning Variance from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on August 6, 1990, H & H Parts Company, 1234 Wellington Place, Wichita, submitted a request for a variance from specific hazardous waste regulations. The request for a variance has been submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-4 and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

H & H Parts Company generates ignitable hazardous waste. The hazardous waste is stored prior to being shipped off-site for reclamation. H & H Parts Company proposes to store this waste in property adjacent to the east property line with an easement for two railroad lines. This industrial easement affords an open area more than 50 feet from the storage area. KDHE has reviewed the variance request and concluded that the variance is justified.

In accordance with K.A.R. 28-31-13(b), public notice was provided that KDHE considered the request for a variance justified and made a tentative decision to grant the variance. A public comment period to receive comments regarding this tentative decision was established between October 25 and November 24. No public comments were received.

Therefore, in accordance with K.A.R. 28-31-13(b), KDHE announces its decision to approve this request for a variance and not to include any special conditions. The variance shall become effective December 6, 1990, and shall remain in effect until December 6, 1992.

Stanley C. Grant
Secretary of Health and Environment

Doc. No. 010032

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 city of Louisburg-Plant #2 located in Miami County. The NPDES permit for Louisburg-Plant #2 was placed on Public Notice No. KS-90-200/210, dated October 24 through November 23, 1990. Public response to this notice was expressed; therefore, a public hearing has been scheduled, in conformance with state regulation 28-16-61, for 7 p.m. Monday, January 7, at the Fox Community Center, 1st and Broadway, Louisburg.

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. 010028

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
City of Burden % City Clerk P.O. Box 37 Burden, KS 67019 Cowley County, Kansas	Lower Arkansas River Basin via Silver Creek via Plum Creek	Secondary wastewater treatment facility
Kansas Permit No. M-AR14-0001		Fed. Permit No. KS-0117676
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
City of El Dorado % City Clerk 1550 S. High St. El Dorado, KS 67042 Butler County, Kansas	Walnut River	Secondary wastewater treatment facility
Kansas Permit No. M-WA09-0001		Fed. Permit No. KS-0036676

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.

<p>Name and Address of Applicant City of Emporia % City Clerk P.O. Box 928 Emporia, KS 66801 Lyon County, Kansas</p>	<p>Waterway Cottonwood River</p>	<p>Type of Discharge Secondary wastewater treatment facility</p>
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Kansas Permit No. M-NE24-I001 Fed. Permit No. KS-0046728

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 January 4 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-253/255) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

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. 010027

(Published in the Kansas Register, December 6, 1990.)

**Summary Notice of Bond Sale
Unified School District 261
Sedgwick County, Kansas (Haysville)
\$500,000
General Obligation Capital Outlay Bonds
Series 1991
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated December 6, 1990, sealed bids will be received by the clerk of Unified School District 261, Sedgwick County, Kansas (Haysville), on behalf of the Board of Education at its office, 1745 W. Grand, Haysville, KS 67060, until 6:30 p.m. C.S.T. on December 17,

1990, for the purchase of \$500,000 principal amount of General Obligation Capital Outlay Bonds, Series 1991. 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 January 1, 1991, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1991	\$115,000
1992	120,000
1993	130,000
1994	135,000

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 May 1 and November 1 in each year, beginning May 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 \$10,000 (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 January 30, 1991, 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 1990 is \$66,305,049. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$2,000,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Stinson, Mag & Fizzell, Wichita, 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 city clerk, Juanita Farney, Haysville, KS 67060, (316) 524-0831; or from the financial advisor, Kirchner Moore, a division of George K. Baum & Company, One Main Place, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated December 6, 1990.

Unified School District 261
Sedgwick County, Kansas

Doc. No. 010029

(Published in the Kansas Register, December 6, 1990.)

**Notice of Redemption
Shawnee County, Kansas
Single Family Mortgage Revenue Bonds
1981 Series A
DTD 6-1-81**

Notice is hereby given that \$505,000 principal amount of bonds, as listed below, are called for redemption on January 1, 1991, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. The outstanding amount for this issue remaining after call is \$12,275,000.

The serial bond numbers of the 9.75 percent option bonds due January 1, 2013, to be redeemed January 1, 1991, are as follows:

Cusip #820624AYO

247, 269, 291, 356, 395, 1099, 1142, 1246, 1286, 1296, 1325, 1350, 1681, 1926, 2037, 2071, 2090, 2109, 2221, 2327, 2543, 2610, 2732, 2760, 2838, 2891, 3024, 3337, 3432, 3442, 3450, 3497, 3553, 3627, 3731, 3907, 3939, 3975, 4016, 4047, 4052, 4146, 4620

The serial numbers of the registered bonds to be redeemed January 1, 1991, are as follows:

Cusip #820624AYO

Bond Number	Current Amount	Called Amount	Amount Remaining
R145	40,000.00	5,000.00	35,000.00
R170	10,000.00	5,000.00	5,000.00
R192	1,850,000.00	70,000.00	1,780,000.00
R193	4,585,000.00	180,000.00	4,405,000.00
R149	5,000.00	5,000.00	-0-
R148	5,000.00	5,000.00	-0-
R13	10,000.00	5,000.00	5,000.00
R96	20,000.00	5,000.00	15,000.00
R196	35,000.00	5,000.00	30,000.00
R134	10,000.00	5,000.00	5,000.00

On January 1, 1991, all bonds designated for redemption will become due and payable upon presentation thereof at the addresses given below. On and after January 1, 1991, interest on the principal amount called for redemption shall cease to accrue.

Registered bonds are to be presented to Merchants National Bank of Topeka only. The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following addresses:

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

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

Merchants National Bank
of Topeka

Doc. No. 010016

**State of Kansas
Department of Administration
Temporary Administrative
Regulations**

**Article 18.—MAXIMUM ALLOWANCE FOR
MILEAGE FOR USE OF A PRIVATELY OWNED
CONVEYANCE FOR PUBLIC PURPOSES**

1-18-1a. Mileage rates. (a) Subject to the provisions of subsection (d), each employee who has been authorized to use a privately-owned conveyance to engage in official business for an agency shall be entitled to reimbursement for use of that conveyance at the following rates:

- (1) 11¢ per mile for the use of a privately-owned motorcycle;
- (2) 26¢ per mile for the use of a privately-owned automobile;
- (3) 37¢ per mile for the use of a privately-owned airplane; or
- (4) 37¢ per mile for the use of a specially equipped van for the physically handicapped.

(b) In addition to the mileage allowance authorized under subsection (a) of this regulation, the employee may be reimbursed for:

- (1) parking fees when on an official trip;
 - (2) toll road and toll bridge costs; and
 - (3) airplane landing and tie-down fees.
- (c) When an employee travels by privately-owned airplane, reimbursement may be made for one round trip in a privately-owned automobile or taxi fare charged in travel:

- (1) between the official station or domicile and the airport in the city in which the official station or domicile is located; and
- (2) between the airport in the destination city and the place of official business.

(d) Exceptions to the mileage rates prescribed in subsection (a) shall be as follows:

(1) When a mode of transportation is available and is less costly than transportation by privately-owned conveyance, mileage payments for use of a privately-owned conveyance shall be limited to the cost of that other mode of transportation.

(2) An agency may pay a specified mileage rate that is lower than prescribed by subsection (a) when an employee's travel is not required by the agency and the employee is informed of the specified rate in advance of the travel.

This regulation shall take effect on and after December 1, 1990. (Authorized by and implementing K.S.A. 75-3203, K.S.A. 75-3203a; effective May 1, 1979; amended, E-80-10, July 11, 1979; amended May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-83-19, July 1, 1982; amended May 1, 1983; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended, T-85-46, Dec. 19, 1984; amended, T-86-7, April 1, 1985; amended May 1, 1985; amended, T-86-7, May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988;

amended, T-1-2-28-90, March 1, 1990; amended April 23, 1990; amended, T-1-11-14-90, Dec. 1, 1990.)

Shelby Smith
Secretary of Administration

Doc. No. 009992

State of Kansas

Board of Agriculture

Permanent Administrative Regulations

Article 16.—MEAT AND MEAT PRODUCTS INSPECTION

4-16-1a. Definitions. (a) Each reference to "the act" or "act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean K.S.A. 65-6a18 et seq.

(b) Each reference to "secretary" or to "administrator" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the secretary of the state board of agriculture.

(c) Each reference to any "form," either by number or by any other designation, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean a form supplied by the meat and poultry inspection program of the inspection division of the state board of agriculture.

(d) Each reference to "U.S." or "the United States" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean Kansas or the state of Kansas as appropriate.

(e) Each reference to "program" or to "food safety and inspection service" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the meat and poultry inspection program of the inspections division of the state board of agriculture.

(f) Each reference to "not for sale," when used in the context of labeling product produced in a custom plant, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean "custom—not for sale."

(g) Each reference to "official establishment" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean any permanently located building or adjacent premises where cattle, sheep, swine, goats, horses, mules and other equine, domestic rabbits, buffalo, or poultry capable of use as human food are slaughtered; or where the carcasses of these animals or poultry are cut, boned, smoked, salted, canned, packed, rendered, or otherwise processed.

(h) Each reference to "commerce" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean intrastate commerce.

(i) Each reference to "federal food, drug and cosmetic act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the "Kansas food, drug and cosmetic act" (K.S.A. 65-655 et seq.). (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and

65-6a30; effective May 1, 1982; amended May 1, 1986; amended Jan. 1, 1989; amended Jan. 21, 1991.)

4-16-1c. Adoption by reference. (a) The following sections of title 9 of the code of federal regulations, revised as of January 1, 1990, and amended and supplemented by federal register publications dated March 1, 1990, March 2, 1990 and July 20, 1990, are hereby adopted by reference:

- (1) All of part 301 except subparagraphs (hh), (ii), (aaa), (kkk), and (rrr) of part 301.2;
- (2) All of part 302 except section 302.2;
- (3) All of part 303 except section 303.2;
- (4) All of parts 304 through 306 inclusive;
- (5) All of part 307 except sections 307.5 and 307.6;
- (6) All of parts 308 through 311 inclusive;
- (7) All of part 312 except sections 312.7 and 312.8;
- (8) All of parts 313 through 316 inclusive; and
- (9) All of part 317 except section 317.7;
- (10) All of parts 318 through 320 inclusive except sections 319.15(a), 319.15(b) and 319.15(e);
- (11) All of part 325 except section 325.3;
- (12) All of part 329 except 329.8 and 329.9.

(b) Copies of this material or the pertinent portions thereof are available from the division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective May 1, 1986; amended May 1, 1988; amended Jan. 1, 1989; amended Jan. 21, 1991.)

Article 17.—POULTRY AND POULTRY PRODUCTS INSPECTION

4-17-1a. Definitions. (a) Each reference to "the act" or "act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean K.S.A. 65-6a18 et seq.

(b) Each reference to "secretary" or to "administrator" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the secretary of the state board of agriculture.

(c) Each reference to any "form," either by number or by any other designation, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean a form supplied by the meat and poultry inspection program of the inspections division of the state board of agriculture.

(d) Each reference to "U.S." or "the United States" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean Kansas or the state of Kansas as appropriate.

(e) Each reference to "program" or to "food safety and inspection service" in the portions of the code of federal regulations adopted by reference K.A.R. 4-17-1c shall mean the meat and poultry inspection program of the inspections division of the state board of agriculture.

(f) Each reference to "not for sale," when used in the context of labeling product produced in a custom plant, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean "custom—not for sale."

(g) Each reference to "official establishment" in the por-

(continued)

tions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean any permanently located building or adjacent premises where cattle, sheep, swine, goats, horses, mules and other equine, domestic rabbits, buffalo, or poultry capable of use as human food are slaughtered; or where the carcasses of these animals or poultry are cut, boned, smoked, salted, canned, packed, rendered, or otherwise processed.

(h) Each reference to "commerce" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean intrastate commerce.

(i) Each reference to "department" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the state board of agriculture.

(j) Each reference to "egg products inspection act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the Kansas egg law (K.S.A. 2-2601 et seq.).

(k) Each reference to "federal food, drug and cosmetic act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the "Kansas food, drug and cosmetic act" (K.S.A. 65-655 et seq.).

(l) Each reference to "federal meat inspection act" shall mean the "Kansas meat and poultry inspection act" (K.S.A. 65-6a18 et seq.).

(m) Each reference to section 381.10 in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean K.A.R. 4-17-5a. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective Jan. 1, 1989; amended Jan. 21, 1991.)

4-17-1c. Adoption by reference. (a) The following sections of title 9 of the code of federal regulations, revised as of January 1, 1990 and amended and supplemented by federal register publications dated February 21, 1990, March 1, 1990, March 2, 1990, March 20, 1990, and June 6, 1990, are hereby adopted by reference:

(1) All of section 381.1 except subparagraphs (33), (50), (52), (53), (61) and (62) of subsection b;

(2) All of sections 381.3 through 381.7 inclusive;

(3) All of sections 381.10 through 381.33, except sections 381.11, 381.12 and 381.31;

(4) All of sections 381.36 through 381.182 inclusive;

(5) All of sections 381.189 through 381.194 inclusive except section 381.192.;

(6) All of sections 381.210 through 381.218 inclusive; and

(7) All of sections 381.300 through 381.311 inclusive.

(b) Copies of this material or the pertinent portions thereof are available from the division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective Jan. 1, 1989; amended Jan. 21, 1991.)

Gary Hall
Acting Secretary of Agriculture

Doc. No. 010014

State of Kansas

Real Estate Appraisal Board

Permanent Administrative Regulations

Article 1.—DEFINITIONS

117-1-1. Definitions. (a) "Appraiser" means a state certified real estate appraiser.

(b) "Board" means the real estate appraisal board.

(c) "Classroom hour" means 50 minutes out of each 60 minute segment.

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

(e) "Course" means any educational offering.

(f) "General classification" means the state certified general real estate appraiser classification.

(g) "Residential classification" means the state certified residential real estate appraiser classification.

(h) "Sponsor" means any of the following entities which are eligible to request course approval from the board or offer a course approved by the board for credit toward continuing education requirements of appraisers:

(1) Colleges or universities;

(2) community or junior colleges;

(3) real estate appraisal or real estate related organization;

(4) state or federal agencies or commissions;

(5) proprietary schools; and

(6) other providers approved by the board.

(i) "State certified residential real estate appraiser classification" established by L. 1990, Ch. 270, Sec. 9 means the category of state licensed appraiser recognized by federal law, title XI of the financial institutions reform, recovery and enforcement act of 1989 (12 U.S.C. 3331 et seq.). (Authorized by and implementing L. 1990, Ch. 170, Sec. 5; effective Jan. 21, 1991.)

Article 2.—QUALIFICATIONS CRITERIA— RESIDENTIAL REAL ESTATE APPRAISER CLASSIFICATION

117-2-1. Residential classification; education requirements. (a) In order to sit for the residential classification examination, each applicant shall:

(1) have received credit for 75 classroom hours in subjects related to real estate appraisal, which shall include coverage of the uniform standards of professional appraisal practice;

(2) have successfully completed an examination pertinent to each course for which credit is received; and

(3) provide evidence, satisfactory to the board, that the education covered all of the following topics with a particular emphasis on the appraisal of one to four unit residential properties:

(A) influences on real estate values;

(B) legal considerations in appraisal;

(C) types of value;

(D) economic principles;

(E) real estate markets and analysis;

(F) valuation process;

(G) property description;

- (H) highest and best use analysis;
- (I) appraisal statistical concepts;
- (J) site value;
- (K) sales comparison approach;
- (L) cost approach;
- (M) income approach;
- (N) valuation of partial interests; and
- (O) appraisal standards and ethics.

(b) The education may have been obtained at any time before submission of an application for certification to the board.

(c) The length of each course, including the time for the examination, shall have been at least 15 classroom hours.

(d) Credit may be granted by the board where an applicant obtained credit from the course provider by challenge examination without attending the course, if:

- (1) the credit was granted by the course provider prior to July 1, 1990; and
- (2) the board is satisfied with the quality of the challenge examination.

(e) Credit may be received for courses provided by any of the following:

- (1) Colleges or universities;
- (2) community or junior colleges;
- (3) real estate appraisal or real estate related organizations;
- (4) state or federal agencies or commissions;
- (5) proprietary schools; and
- (6) other providers approved by the board. (Authorized by and implementing L. 1990, Ch. 270, Sec. 5; effective Jan. 21, 1991.)

117-2-2. Residential classification; experience requirement. (a) Each applicant for the residential classification shall have the equivalent of two years of appraisal experience. One thousand hours constitutes one year of appraisal experience. Hours may be cumulated over more than one calendar year, but an applicant may not receive credit for more than 1,000 hours within any one calendar year.

(b) Each applicant shall file affidavits verifying experience credit claimed on forms prescribed by the board. Experience documentation in the form of reports or file memoranda to support the claim for experience may be requested by the board.

(c) Acceptable appraisal experience includes, but is not limited to, the following:

- (1) fee and staff appraisal;
- (2) ad valorem tax appraisal;
- (3) review appraisal;
- (4) appraisal analysis;
- (5) real estate counseling;
- (6) highest and best use analysis;
- (7) feasibility analysis study; and
- (8) teaching of appraisal courses. (Authorized by and implementing L. 1990, Ch. 270, Sec. 5; effective Jan. 21, 1991.)

Article 3.—QUALIFICATIONS CRITERIA— GENERAL REAL ESTATE APPRAISER CLASSIFICATION

117-3-1. General classification; education require-

ments. (a) In order to sit for the general classification examination, each applicant shall:

(1) have received 165 classroom hours in subjects related to real estate appraisal, which shall include coverage of the uniform standards of professional appraisal practice;

(2) have successfully completed an examination pertinent to each course for which credit is received; and

(3) provide evidence, satisfactory to the board, that the education covered all of the following topics with a particular emphasis on the appraisal of nonresidential properties (residential is defined as one to four residential units):

- (A) influences on real estate values;
- (B) legal considerations in appraisal;
- (C) types of value;
- (D) economic principles;
- (E) real estate markets and analysis;
- (F) valuation process;
- (G) property description;
- (H) highest and best use analysis;
- (I) appraisal math and statistics;
- (J) site value;
- (K) sales comparison approach;
- (L) cost approach;
- (M) income approach;
- (N) valuation of partial interests; and
- (O) appraisal standards and ethics.

(b) The 165 classroom hours may include the 75 classroom hours required for the residential classification and may have been obtained at any time before submission of an application for certification to the board.

(c) The length of each course, including the time for the examination, shall have been at least 15 classroom hours.

(d) Credit may be granted by the board where an applicant obtained credit from the course provider by challenge examination without attending the course, if:

- (1) the credit was granted prior to July 1, 1990; and
- (2) the board is satisfied with the quality of the challenge examination.

(e) Credit may be received for courses provided by any of the following:

- (1) Colleges or universities;
- (2) community or junior colleges;
- (3) real estate appraisal or real estate related organizations;
- (4) state or federal agencies or commissions;
- (5) proprietary schools; and
- (6) other providers approved by the board. (Authorized by and implementing L. 1990, Ch. 270, Sec. 5; effective Jan. 21, 1991.)

117-3-2. General classification; experience requirement. (a) Each applicant for the general classification shall have the equivalent of two years of appraisal experience. One thousand hours constitutes one year of appraisal experience. Hours may be cumulated over more than one calendar year, but an applicant may not receive credit for more than 1,000 hours within any one calendar year.

(b) At least 1,000 hours shall have been nonresidential appraisal work. For purpose of this regulation, residential is defined as one to four residential units.

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(c) Verification of experience credit claimed by an applicant shall be by affidavit on forms prescribed by the board. Experience documentation in the form of reports or file memoranda to support the claim for experience may be requested by the board.

(d) Acceptable appraisal experience includes, but is not limited to, the following:

- (1) fee and staff appraisal;
- (2) ad valorem tax appraisal;
- (3) review appraisal;
- (4) appraisal analysis;
- (5) real estate counseling;
- (6) highest and best use analysis;
- (7) feasibility analysis study; and
- (8) teaching of appraisal courses. (Authorized by and implementing L. 1990, Ch. 270, Sec. 5; effective Jan. 21, 1991.)

Article 6.—CONTINUING EDUCATION

117-6-1. Continuing education; renewal requirements. (a) The continuing education requirement for renewal of a certification for both the residential and general classifications shall be the equivalent of 10 classroom hours of instruction completed during the immediately preceding term of certification. Each course for which credit is requested shall have received the approval of the board for renewal of the applicable classification of certification.

(b) Continuing education credit may also be granted for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities which are determined by the board to be equivalent to obtaining continuing education.

(d) With the application for renewal, each appraiser shall present a certificate of completion for each course for which credit is requested.

(e) If any appraiser requests credit pursuant to (b), the appraiser shall submit a detailed description of such activities with the application for renewal on a form obtained from the board. (Authorized by L. 1990, Ch. 270, Sec. 5; implementing L. 1990, Ch. 270, Sec. 17; effective Jan. 21, 1991.)

117-6-2. Continuing education; approval of courses; requirements. (a) The purpose of continuing education shall be to ensure that each appraiser participates in a program that maintains and increases the appraiser's skill, knowledge and competency in real estate appraising. Courses approved by the board shall be consistent with this purpose.

(b) Courses approved by the board for renewal of a certification for the residential classification shall cover residential real estate related appraisal topics such as:

- (1) ad valorem taxation;
- (2) arbitration;
- (3) business courses related to the practice of real estate appraisal;
- (4) construction estimating;
- (5) ethics and standards of professional practice;
- (6) land use planning, zoning and taxation;
- (7) litigation;
- (8) management, leasing, brokerage, timesharing;

- (9) property development;
- (10) real estate appraisal (valuations/evaluations);
- (11) real estate law;
- (12) real estate financing and investment;
- (13) real estate appraisal related computer applications;
- (14) real estate securities and syndication; and
- (15) real property exchange.

(c) Courses approved by the board for renewal of a certification for the general classification shall cover real estate appraisal related topics such as:

- (1) ad valorem taxation;
- (2) arbitration;
- (3) business courses related to the practice of real estate appraisal;
- (4) construction estimating;
- (5) ethics and standards of professional practice;
- (6) land use planning, zoning and taxation;
- (7) litigation;
- (8) management, leasing, brokerage, timesharing;
- (9) property development;
- (10) real estate appraisal (valuations/evaluations);
- (11) real estate law;
- (12) real estate financing and investment;
- (13) real estate appraisal related computer applications;
- (14) real estate securities and syndication; and
- (15) real property exchange.

(d) The length of each course approved for continuing education credit shall be at least two classroom hours.

(e) To receive credit for a course, an applicant shall attend all classroom hours, even when the number of credit hours for which a course is approved is less than the total number of hours of the course presentation.

(f) Neither students nor instructors may receive credit for attending or instructing any subsequent offering of the same course for one year after attending or teaching the course. (Authorized by L. 1990, Ch. 270, Sec. 5; implementing L. 1990, Ch. 270, Sec. 17; effective Jan. 21, 1991.)

117-6-3. Continuing education; obtaining course approval. (a) To request board approval, for each course the sponsor shall:

(1) appoint a coordinator, who shall be responsible for monitoring the course and assuring compliance with the appropriate statutes and regulations;

(2) submit all information required by the board for course approval at least 60 days prior to the first scheduled class session, including:

(A) a completed application for course registration on a form prescribed by the board;

(B) the procedure for maintaining attendance records;

(C) proposed dates and times of the course offering;

(D) the total amount of the attendance fee;

(E) the total number of class sessions and the length of time per session;

(F) the total hours in the course and the number of credit hours requested;

(G) a course syllabus, including a detailed course outline and course objectives; and

(H) an instructor resume, demonstrating that the instructor meets the qualifications in (b).

(b) Each instructor shall demonstrate knowledge of the subject matter and ability to teach it effectively.

(1) Knowledge of the subject matter which the applicant intends to teach shall be demonstrated by:

(A) a college degree in an academic area directly related to the course; or

(B) at least three years of experience in the subject area directly related to the course.

(2) The ability to teach effectively shall be demonstrated by:

(A) within the preceding two years, completing a board-approved program for instructors which is designed to develop the ability to communicate;

(B) holding a current teaching certificate issued by any state department of education or an equivalent agency;

(C) holding a four-year undergraduate degree in education; or

(D) having experience teaching in schools, seminars or in an equivalent setting.

(c) Each instructor shall:

(1) Comply with all laws and regulations pertaining to appraiser continuing education;

(2) provide students with the most current and accurate information;

(3) maintain an atmosphere conducive to learning in a classroom; and

(4) provide assistance to the students and respond to questions relating to course material.

(d) Course approvals shall expire on June 30 of each year. By May 1 a notification which includes the necessary forms shall be sent by the commission informing each sponsor that an application for renewal is necessary.

(e) A course shall not be advertised as approved unless written approval has been granted by the board.

(f) Each course shall be conducted in a classroom or other facility which is adequate to comfortably accommodate the number of students enrolled.

(g) Each sponsor shall maintain, for a minimum of five years, accurate records relating to course offerings, instructors, and student attendance. If a sponsor ceases operations, the coordinator appointed under (a)(1) shall be responsible for maintaining the records or providing a custodian acceptable to the board.

(h) Each sponsor shall provide each student with a certificate of completion on a form prescribed by the board within seven days of completing the course. The sponsor may require payment of course tuition as a condition for completing the course. (Authorized by L. 1990, Ch. 270, Sec. 5; implementing L. 1990, Ch. 270, Sec. 17; effective Jan. 21, 1991.)

Article 7.—FEES

117-7-1. Fees. The following fees shall be submitted to the commission:

(a) for application for certification, \$50;

(b) for original certification, an amount, based on an annual amount of \$150, prorated to the nearest whole month for the period of time from date of certification until the expiration date of the certification;

(c) for renewal of certification, \$100; and

(d) for late renewal of certification, an additional \$50. (Authorized by L. 1990, Ch. 270, Sec. 5; implementing L. 1990, Ch. 270, Sec. 7; effective Jan. 21, 1991.)

Real Estate Appraisal Board

State of Kansas

Behavioral Sciences Regulatory Board

Permanent Administrative Regulations

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-13. Fees. Psychology licensure fees shall be:

(a) Application, \$130;

(b) Renewal, \$130;

(c) Examination, \$175;

(d) Duplicate license, \$10;

(e) Temporary, \$15;

(f) Reinstatement, \$130; or

(g) Specialty endorsement, \$130. (Authorized by and implementing K.S.A. 1989 Supp. 74-5310, as amended by L. 1990, Ch. 286, § 3; K.S.A. 1989 Supp. 74-5310a; K.S.A. 74-5311, as amended by L. 1990, Ch. 286, § 4; K.S.A. 1989 Supp. 74-5316, K.S.A. 1989 Supp. 74-5319, K.S.A. 1989 Supp. 74-5339, and K.S.A. 1989 Supp. 74-5349, as amended by L. 1990, Ch. 286, § 5; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; effective T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended T-____; amended Jan. 21, 1991.)

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-3. Fees. (a) Each new applicant for a social work license shall pay the application fee as set forth below:

(1) Licensed baccalaureate social worker (LBSW), \$90;

(2) Licensed master social worker (LMSW), \$95;

(3) Licensed specialist clinical social worker (LSCSW), \$100; or

(4) Temporary license fee, \$15.

(b) Each applicant for license renewal shall pay the applicable fee as set forth below:

(1) Licensed associate social worker (LASW), \$90;

(2) Licensed baccalaureate social worker (LBSW), \$90;

(3) Licensed master social worker (LMSW), \$95; and

(4) Licensed specialist clinical social worker (LSCSW), \$100.

(c) The fee for a social work examination shall be \$70 until the February, 1991 social work examination administration when the fee shall be \$125.

(d) Each applicant for license renewal after the date of its expiration shall pay the penalty fee, in addition to the renewal fee, as set forth below:

(1) Licensed associate social worker (LASW), \$90;

(2) Licensed baccalaureate social worker (LBSW), \$90;

(3) Licensed master social worker (LMSW), \$95;

(4) Licensed specialist clinical social worker (LSCSW), \$100;

(e) Duplicate license, \$10. (Authorized by and implementing K.S.A. 1989 Supp. 65-6313, as amended by L. 1990, Ch. 237, § 2, and K.S.A. 1989 Supp. 65-6314, as amended by L. 1990, Ch. 286, § 2; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended, May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987;

(continued)

amended, T-102-10-17-89; Oct. 17, 1989; amended, T-_____; amended Jan. 21, 1991.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-2. Fees. Each applicant for professional counselor registration shall pay the appropriate fee set forth below:

- (a) application for registration, \$100;
- (b) renewal of registration, \$100;
- (c) examination, \$100;
- (d) endorsement in a specialty, \$100;
- (e) renewal of endorsement in a specialty, \$100;
- (f) replacement registration, \$20; or
- (g) reinstatement of registration, \$100. (Authorized by and implementing K.S.A. 1989 Supp. 65-5808, as amended by L. 1990, Ch. 286, § 1; effective T-88-45, Nov. 10, 1987; amended T-_____; amended Jan. 21, 1991.)

Article 4.—MASTER LEVEL PSYCHOLOGISTS

102-4-2. Fees. Each applicant for registered masters level psychologist shall pay the appropriate fee set forth below:

- (a) application, \$100;
- (b) renewal of registration, \$100;
- (c) duplicate registration, \$20; or
- (d) temporary permit, \$75. (Authorized by and implementing K.S.A. 1989 Supp. 74-5365, K.S.A. 1989 Supp. 74-5366, and K.S.A. 1989 Supp. 74-5367; effective, T-112-2-23-89, February 23, 1989; effective April 3, 1989; amended, T-_____; amended Jan. 21, 1991.)

Mary Ann Gabel
Executive Director

Doc. No. 010021

State of Kansas

State Fire Marshal

Permanent Administrative Regulations

Article 2.—REGULATORY STANDARD FOR TANK VEHICLES FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS

22-2-1. Tank vehicles for flammable and combustible liquids. National fire protection association pamphlet no. 385, chapters 1 through 7, including the appendices, 1990 edition, effective February 5, 1990, is hereby adopted by reference, except that the state fire marshal shall have the authority to:

- (a) make modifications;
- (b) allow extensions of time for corrections; and
- (c) exempt requirements of pamphlet no. 385 if no hazard to life would result. (Authorized by and implementing K.S.A. 1989 Supp. 31-133 as amended by L. 1990, Ch. 135, Sec. 1; effective May 1, 1981; amended May 1, 1986; amended Jan. 21, 1991.)

Article 10.—INSTALLATION AND CERTIFICATION STANDARDS FOR EXTINGUISHING DEVICES

22-10-1. Certification standards, definitions. (a) "Business" means any person or firm who inspects, services or installs portable fire extinguishers or automatic fire extinguishers for commercial cooking equipment. "Business" does not include any person or authorized agent of the person who installs a portable fire extinguisher for protection of the person's own property or business or any individual acting as a representative or employee of a certified firm.

(b) "Certificate" means a written document issued by the state fire marshal that authorizes a business to perform the act or acts permitted by these regulations.

(c) "Certified firm" means a business having a valid registration certificate issued by the state fire marshal.

(d) "Charge" means to fill and make a portable fire extinguisher or fixed extinguishing system cylinder or container ready for use.

(e) "Class" or "classes" mean the specific function or functions that a business is authorized to perform under these regulations.

(f) "Department of transportation (DOT) cylinder" means a cylinder manufactured and tested in compliance with specifications of the United States department of transportation.

(g) "Engineered system" means a fixed extinguishing system that requires individual calculation and design to determine the flow rates, nozzle pressure, quantities of extinguishing agent, and the number and types of nozzles and their placement in a specific system.

(h) "Firm" means any person, partnership, corporation, association or business which installs, services, charges, recharges or inspects any portable fire extinguisher or fixed extinguishing system, unless otherwise exempted.

(i) "Fixed extinguishing system" means an automatic fire extinguisher for commercial cooking equipment.

(j) "Hydrostatic testing" means the pressure-testing of cylinders and containers by approved hydrostatic methods.

(k) "Portable fire extinguisher" means a device that contains chemical fluids, powders, or gases for extinguishing fires and has a label of approval, attached by a nationally recognized testing laboratory.

(l) "Pre-engineered system" means a fixed extinguishing system with predetermined flow rates, nozzle pressures, and quantities of extinguisher agents.

(m) "Recognized testing laboratory" means a nationally recognized testing agency, approved by the state fire marshal, which is staffed by qualified personnel, properly equipped to conduct the particular tests in question, and is regularly engaged in conducting tests and furnishing reports on the inspections, examinations and tests of the most recent production of the listed product.

(n) "Self-contained cooking equipment" means a unit of cooking equipment manufactured with a grease collection and vapor removal apparatus as an integral part of the unit and provided with or designed for the installation of a fixed extinguishing system.

(o) "Service" means to conduct a thorough check of a portable fire extinguisher or fixed extinguishing system

including charging, maintaining, recharging, repairing, testing or tagging necessary to give maximum assurance that the portable fire extinguisher or fixed extinguishing system will operate effectively and safely.

(p) "Test" means to subject any portable fire extinguisher or fixed extinguishing system to the procedure necessary to assure its proper operation or installation. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended May 1, 1986; amended Jan. 21, 1991.)

22-10-2. Applicability. (a) These regulations shall apply to:

(1) any business that services, charges, recharges, installs or inspects portable fire extinguishers;

(2) any business that is manufacturer-authorized to service, charge, recharge, install or inspect fixed extinguishing systems;

(3) any business that is not manufacturer-authorized but is state-certified to service, recharge and inspect fixed extinguishing systems;

(4) any business that conducts hydrostatic testing of portable fire extinguisher or fixed extinguishing system cylinders or containers;

(5) any combination of (1), (2), (3) or (4); or

(6) any business that has employees who service, recharge or inspect only the portable fire extinguishers owned and used exclusively by the business.

(b) These regulations shall not apply to:

(1) any manufacturer who charges a portable fire extinguisher or fixed extinguishing system cylinder or container prior to its initial sale;

(2) any business engaged in the sale of approved portable fire extinguishers but not engaged in the servicing, charging, recharging, installing or inspecting of portable fire extinguishers; or

(3) any person or authorized agent of a person who installs a portable fire extinguisher for protection of that person's own property or business. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; amended, T-83-81, Oct. 25, 1982; amended May 1, 1983; amended Jan. 21, 1991.)

22-10-3. Registration certificate. (a) Each business that services, recharges, installs or inspects portable fire extinguishers or fixed extinguishing systems or hydrostatically tests these cylinders or any combination of them shall obtain a registration certificate issued by the state fire marshal unless otherwise exempted by these regulations. The registration certificate shall indicate the class or classes that are authorized. A certified business shall only provide the classes listed under its own registration number. A certified business may take orders for a class or classes that are not authorized by its registration certificate if these orders are consigned to a business that is certified to perform those class or classes indicated.

(b) The registration certificate shall indicate one or more of the following class or classes:

(1) class RA permits servicing, recharging, installing or

inspecting fixed extinguishing systems by a currently certified manufacturer's distributor;

(2) class RB permits servicing, recharging, installing or inspecting portable fire extinguishers; or

(3) class RC permits hydrostatic testing of non-DOT cylinders, such as wet chemical or dry chemical containers; or

(4) class RD permits servicing, recharging, and inspecting fixed extinguishing systems.

(c) Each business that desires a registration certificate shall make a written application on forms prescribed by the state fire marshal and signed by the sole proprietor, each partner, or an officer of the corporation, as appropriate.

(d) class RA registration certificate application requirements.

(1) The applicant shall show proof of a minimum of \$500,000 insurance covering comprehensive general liability, bodily injury, property damage and completed operations.

(2) A \$50 application fee shall accompany the application.

(3) Written authorization shall be included from each fixed extinguishing system manufacturer whose products are used by the business including the types of systems the business is authorized and has been trained to install or service. The manufacturer's authorization shall remain valid until the employee's training certificate expires or is cancelled for misconduct.

(e) Class RB or RC registration certificate application requirements.

(1) The applicant shall show proof of a minimum of \$100,000 insurance covering comprehensive general liability, bodily injury, property damage and completed operations.

(2) A \$25 application fee shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or any political or taxing subdivision of the state when that person is acting on behalf of the state or political or taxing subdivision.

(f) Class RD registration certificate application requirements.

(1) The applicant shall show proof of a minimum of \$1,000,000 insurance covering comprehensive general liability, bodily injury, property damage and completed operations.

(2) A \$50 non-refundable application and test fee shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or any political or taxing subdivision of the state when that person is acting on behalf of the state or political or taxing subdivision.

(3) Proof that an employee has either:

(A) received training from the manufacturer of each fixed extinguishing system whose products are used by the business indicating the type or types of systems the employee has been trained to service; or

(B) meets the following requirements:

(i) a notarized affidavit filed with the state fire marshal's office attesting that the employee has a minimum of two years experience in servicing, recharging and inspecting fixed extinguishing systems and has access to the tools

(continued)

and service manuals for each fixed extinguishing system the business services; and

(ii) has within the current calendar year passed the state fire marshal's written examination with a grade of at least 70 percent.

(g) If, after reviewing the application, insurance information, record of services, servicing and shop facilities and methods and procedures of operations, the state fire marshal finds that granting or renewing a registration certificate would be in the interest of public safety and welfare, a certificate for the appropriate classes of registration requested by the business shall be issued or renewed by the state fire marshal. An identifying number shall be assigned by the state fire marshal to each registration certificate.

(h) Each registration certificate shall be valid for one calendar year. Renewal applications shall be submitted to the state fire marshal by November 30 of the year of expiration shall meet the requirements of (d), (e), and (f) of this regulation.

(i) Evidence that a registration certificate has been altered shall render the certificate invalid and the altered certificate shall be surrendered to the state fire marshal.

(j) Any change in the location or ownership of a certified business shall be reported in writing to the state fire marshal at least 14 days before the change. Failure to notify the state fire marshal may render the registration certificate invalid. Every location or ownership change shall be verified by the state fire marshal or an authorized deputy.

(k) Every registration certificate issued by the state fire marshal shall be posted at the certified location and be available for inspection during normal business hours.

(l) A duplicate registration certificate may be issued by the state fire marshal to replace one which has been lost or destroyed if a written statement attesting to the loss or destruction of the original certificate is submitted.

(m) A registration certificate shall not constitute authorization for a registration certificate holder or the holder's employees;

(1) to enter any property or building; or

(2) to enforce any provision of these regulations. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, E-82-3, Jan. 21, 1981, effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended Aug. 28, 1989; amended Sept. 17, 1990; amended Jan. 21, 1991.)

22-10-3a. Performance standards. (a) Each business performing hydrostatic testing of DOT cylinders shall;

(1) Comply with the procedures specified by the United States department of transportation for compressed gas cylinders; and

(2) Have a valid hydrostatic testing certificate issued by the United States department of transportation. Any hydrostatic testing of DOT cylinders after the expiration date of this certificate shall be prohibited.

(b) Each certified business shall perform the servicing, recharging, installing or inspecting of portable fire extinguishers or fixed extinguishing systems or hydrostatic testing of non-DOT cylinders in accordance with these

regulations and the applicable National fire protection association standards.

(c) Each certified business installing fixed extinguishing systems shall provide the state fire marshal with written notification of each new installation in Kansas. This notification shall contain:

(1) the business name and location of the installation;

(2) reference to the section of the manufacturer's installation manual and section by which it was installed;

(3) the date of the installation;

(4) the name, address and certificate number of the business making the installation;

(5) the make and model of the system; and

(6) a rough draft of the piping layout and nozzle placement.

(d) Each new installation of a fixed extinguishing system shall be designed and installed in compliance with one or all of the following as appropriate:

(1) national fire protection association (NFPA) pamphlet no. 17, Standards for dry chemical extinguishing systems as adopted by reference in K.A.R. 22-10-14;

(2) NFPA pamphlet no. 17A, standard for wet chemical extinguishing systems as adopted by reference in K.A.R. 22-10-17;

(3) NFPA pamphlet no. 96, standards for the removal of smoke and grease laden vapors from commercial cooking equipment as adopted by reference in K.A.R. 22-10-13; and

(4) The appropriate manufacturer's design specifications.

(e) A new installation of a fixed extinguishing system may be permitted in an existing range hood for vapor removal not strictly in compliance with NFPA pamphlet no. 96 if the state fire marshal determines that no distinct life safety hazard would result.

(f) The installation of a fixed extinguishing system in self-contained cooking equipment need not comply with NFPA pamphlet no. 17, 17A and 96 if designed and installed according to the manufacturer's specifications. (Authorized by and implementing K.S.A. 1989 Supp. 31-133 and K.S.A. 1989 Supp. 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective Jan. 21, 1991.)

22-10-6. Requirements. The requirements for the servicing, charging, recharging, installing or inspecting or hydrostatic testing of portable fire extinguishers or fixed extinguishing systems shall be performed in accordance with these regulations and the manufacturer's recommended procedures at the time of installation. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended Jan. 21, 1991.)

22-10-9. Service tags. (a) A new service tag shall be attached to a portable fire extinguisher or fixed extinguishing system in a position that shall be convenient to inspect, but that shall not hamper its operation or removal. (b) Each service tag shall contain:

(1) the servicing firm's business name;

(2) the address of the servicing business;

(3) the registration certificate class and number;

(4) the type of service performed;

- (5) the date the service is performed;
 - (6) the label "do not remove by order of the state fire marshal";
 - (7) the signature of the service person; and
 - (8) the type of extinguisher.
- (c) Service tags shall be printed for a minimum of two years use. Service tags shall be approximately two and one-half inches in width and not more than five and one-half inches in length.

(d) All required information shall appear on one side of the service tag. Any other desired printing or information shall be placed on the reverse side of the tag.

(e) Every tag attached to an extinguisher serviced by a certified business after January 1, 1991 shall conform to these regulations.

(f) No person shall remove a service tag except when further service is performed. No person shall deface, modify, or alter a service tag attached to a portable extinguisher or fixed extinguishing system. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended Jan. 21, 1991.)

22-10-14. Dry chemical extinguishing systems. National fire protection association pamphlet no. 17, chapters 1, 2, 4, 6 and 7, including appendices A and B, and excluding sections 2-11.2, 6-4, 6-5 and 6-6, 1990 edition, effective February 5, 1990, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective, T-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended May 1, 1986; amended Jan. 21, 1991.)

22-10-17. Wet chemical extinguishing systems. (a) National fire protection association pamphlet no. 17A, chapters 1 through 4, excluding sections 3-1 and 3-2, and appendices A and B, excluding section 'A-1-4 of appendix A, 1990 edition, effective February 5, 1990, is hereby adopted by reference. (Authorized by and implementing K.S.A. 31-133, 31-133a as amended by L. 1990, Ch. 135, Sec. 1; effective May 1, 1987; amended Aug. 28, 1989; amended Sept. 17, 1990; amended Jan. 21, 1991.)

John A. Earhart
State Fire Marshal

Doc. No. 010025

**State of Kansas
State Corporation Commission
Notice of Motor Carrier Hearings**

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

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

Questions concerning applications for hearing dates

should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for December 18, 1990

Application for Certificate of Convenience and Necessity:

Becker Tire & Treading, Inc.) Docket No. 173,618 M
904 Washington)
Great Bend, KS 67530) MC ID No. 114717

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

Wrecked, disabled, repossessed and replacement vehicles, and equipment, machinery and parts,
Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Billman's Mobile Home) Docket No. 103,624 M
Service, Inc.)
Route 4, Box 8) MC ID No. 101466
Parsons, KS 67357

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

House trailers, mobile homes, buildings in sections on their own removable undercarriages, prefabricated buildings in sections, boats and houseboats and recreational vehicles,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Bozzay Roadrunner Delivery) Docket No. 173,620 M
Service, Inc.)
6400 Spencer Place)
St. Louis, MO 63133) MC ID No. 134695

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

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

Between points and places in the state of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Les Hutchinson, dba) Docket No. 166,733 M
Lawrence Dealer Services)
3323 Iowa, Lot #434)
Lawrence, KS 66046) MC ID No. 135089

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles and parts,

(continued)

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Parkman Hay & Grain, Inc.) Docket No. 173,622 M
312 N. Niles)
Kinsley, KS 67547) MC ID No. 138358

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

Grain, feed, feed ingredients, fertilizer, fertilizer ingredients, building and construction materials, livestock, seed, salt, and machinery (restricted against the transportation of hazardous commodities),

Between all points in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Ryder Brick, Inc.) Docket No. 173,609 M
3815 N. Halstead)
Hutchinson, KS 67502) MC ID No. 138517

Applicant's Attorney: Timothy Toth, 121 W. 3rd, P.O. Box 787, Ottawa, KS 66067

General commodities (with the exception of classes A and B explosives, household goods, and hazardous materials as defined in 49 CFR 172.101),

Between all points and places in the state of Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Ronald D. Smith, dba) Docket No. 163,881 M
Smith Hauling)
707 Delaware)
Jewell, KS 66949) MC ID No. 133060

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Spike's Inc.) Docket No. 173,619 M
1407 E. Trail)
Dodge City, KS 67801) MC ID No. 138523

Applicant's Attorney: John Fierro, 200 W. Wyatt Earp, Dodge City, KS 67801

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

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Triangle L Farms, Inc.) Docket No. 173,621 M
Route 1, Box 91)
Mount Hope, KS 67108) MC ID No. 139179

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

Grain, feed, feed ingredients, fertilizer, fertilizer ingredients, seed, salt, building and construction materials, and machinery (restricted against the transportation of hazardous commodities),

Between points in Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Raymond D. Vollmer, dba) Docket No. 135,201 M
R.B. Vollmer Trucking Co.)
509 Harrison)
Hugoton, KS 67951) MC ID No. 102014

Applicant's Attorney: None

Application for Extension of Certificate of Convenience and Necessity:

Western Transportation, Inc.) Docket No. 169,119 M
703 N. Main)
Lamar, CO 81052) MC ID No. 136342

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

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

Between points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Joe N. Colletti, dba) Docket No. 115,603 M
Colletti Trucking)
320 Ingalls)
Tribune, KS 67879) MC ID No. 102044

TO:
Joe Colletti, Jr., dba
Joe Colletti, Jr. & Sons
Trucking
200 W. Greeley
Tribune, KS 67879

Applicant's Attorney: Erle Francis, Capitol Federal Building, 700 Kansas Ave., Suite 714, Topeka, KS 66603

Livestock and unprocessed farm commodities,

Between all points and places in the counties of Wallace, Logan, Gove, Greeley, Wichita, Scott, Lane, Hamilton, Kearny and Finney.

Also,

Between all points and places in the counties of Wallace, Logan, Gove, Greeley, Wichita, Scott, Lane, Hamilton, Kearny and Finney, on the one hand, and all points and places in Kansas, on the other.

Application for Abandonment of Certificate of Convenience and Necessity:

Lloyd Henry, dba) Docket No. 29,854 M
 Henry Trucking Service)
 3868 W. State Street Road)
 Salina, KS 67401) MC ID No. 100239

Applicant's Attorney: None

Application for Merger of Certificate of Convenience and Necessity:

Petco, Inc.) Docket No. 142,107 M
 8700 King George Drive)
 Dallas, TX 75235) MC ID No. 104733
 And)
 Steere Tank Lines, Inc.
 8700 King George Drive
 P.O. Box 35705
 Dallas, TX 75235

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

Application for Certificate of Convenience and Necessity:

H. Joe Yost, dba) Docket No. 173,623 M
 Wilmore Oil Co.)
 Box 278)
 Wilmore, KS 67155) MC ID No. 116007

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

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

Between points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Wilson Moving and Storage,) Docket No. 173,624 M
 Inc.)
 1080 E. 5th)
 Hays, KS 67601) MC ID No. 138522

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

Household goods and general commodities (except classes A and B explosives and hazardous materials),

Between points and places in the state of Kansas.

Alfonzo A. Maxwell
 Administrator
 Transportation Division

Doc. No. 010036

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 1990 Index Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-5-30	New	V. 9, p. 1387, 1708
1-9-5	Amended	V. 9, p. 837
1-16-8	Amended	V. 9, p. 379
1-16-18	Amended	V. 9, p. 1281
1-16-18	Amended	V. 9, p. 1347
1-16-18a	Amended	V. 9, p. 838
1-18-1a	Amended	V. 9, p. 329
1-18-1a	Amended	V. 9, p. 1708

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-4-900 through 4-4-912	New	V. 9, p. 1754-1756
4-4-920 through 4-4-924	New	V. 9, p. 1757, 1758
4-4-931 through 4-4-937	New	V. 9, p. 1758-1760

4-4-950 through 4-4-954	New	V. 9, p. 1760, 1761
4-7-1	Revoked	V. 9, p. 1761
4-7-2	Amended	V. 9, p. 1762
4-7-4	Amended	V. 9, p. 1762
4-7-5	Revoked	V. 9, p. 1762
4-7-7	Revoked	V. 9, p. 1762
4-7-213	Amended	V. 9, p. 1762
4-7-214	Amended	V. 9, p. 1762
4-7-215	Amended	V. 9, p. 1762
4-7-300 through 4-7-306	Revoked	V. 9, p. 1762
4-7-400 through 4-7-407	Revoked	V. 9, p. 1762
4-7-509	Revoked	V. 9, p. 1762
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
4-7-700	Revoked	V. 9, p. 1762
4-7-702	Revoked	V. 9, p. 1763
4-7-709	Revoked	V. 9, p. 1763
4-7-715 through 4-7-722	Amended	V. 9, p. 1763
4-7-800	Revoked	V. 9, p. 1359
4-7-801	Revoked	V. 9, p. 1359
4-7-802	Amended	V. 9, p. 1076
4-7-802	Amended	V. 9, p. 1359
4-7-803	Revoked	V. 9, p. 1359
4-7-903	Amended	V. 9, p. 1359
4-7-1000	New	V. 9, p. 1764
4-7-1001	New	V. 9, p. 1764
4-8-34	Amended	V. 9, p. 1359
4-8-40	Amended	V. 9, p. 1359
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

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 9, p. 1539
5-5-7	New	V. 9, p. 1541
5-9-3	Amended	V. 9, p. 1541
5-22-1	Amended	V. 9, p. 1302
5-22-2	Amended	V. 9, p. 1302
5-22-4	Amended	V. 9, p. 1302
5-22-5	Amended	V. 9, p. 1303
5-22-7	Amended	V. 9, p. 1303
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5-22-9	New	V. 9, p. 1303
5-23-3	Amended	V. 9, p. 193

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
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7-29-1	Amended	V. 9, p. 989
7-29-1	Amended	V. 9, p. 1074
7-33-2	New	V. 9, p. 1675

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-1	Amended	V. 9, p. 328
9-13-4	New	V. 9, p. 624

AGENCY 11: STATE CONSERVATION COMMISSION

Table with columns: Reg. No., Action, Register. Rows include 11-7-1 through 11-7-10 with various actions and references to V. 9, p. 506, 507.

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

Table with columns: Reg. No., Action, Register. Rows include 14-5-4 through 14-23-14 with various actions and references to V. 9, p. 989 through 1000.

AGENCY 22: STATE FIRE MARSHAL

Table with columns: Reg. No., Action, Register. Rows include 22-1-1 through 22-20-1 with various actions and references to V. 9, p. 1167 through 1172.

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with columns: Reg. No., Action, Register. Rows include 23-1-8 through 23-11-7 with various actions and references to V. 9, p. 704 through 1344.

Table with columns: Reg. No., Action, Register. Rows include 23-11-8 through 23-20-1 with various actions and references to V. 9, p. 1344 through 1563.

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Table with columns: Reg. No., Action, Register. Rows include 25-4-1 and 25-4-4 with actions and references to V. 9, p. 1342 and 1343.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with columns: Reg. No., Action, Register. Rows include 28-1-2 through 28-51-108 with various actions and references to V. 9, p. 1644 through 1513.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with columns: Reg. No., Action, Register. Rows include 30-2-16 through 30-5-87 with various actions and references to V. 9, p. 1250 through 987.

Table with columns: Reg. No., Action, Register. Rows include 30-5-88 through 30-10-28 with various actions and references to V. 9, p. 1601, 1645 through 1618, 1648.

30-10-29	Amended	V. 9, p. 1619, 1648
30-10-200 through 30-10-209	New	V. 9, p. 1619-1624
30-10-209	New	V. 9, p. 1648-1652
30-22-33	New	V. 9, p. 942
30-51-1 through 30-51-5	Revoked	V. 9, p. 198

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
33-1-21	Revoked	V. 9, p. 167
33-3-2	Revoked	V. 9, p. 386
33-3-4	Revoked	V. 9, p. 386

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-15-23	Amended	V. 9, p. 1023
36-26-1	Amended	V. 9, p. 1023

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-3-35	Amended	V. 9, p. 1304
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-39	New	V. 9, p. 303
40-7-11	Amended	V. 9, p. 304
40-7-20a	Amended	V. 9, p. 1305
40-7-20a	Amended	V. 9, p. 1362
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
44-6-101	Amended	V. 9, p. 1424
44-6-108a through 44-6-114b	Revoked	V. 9, p. 1425
44-6-114c	New	V. 9, p. 1425
44-6-120	Amended	V. 9, p. 1425
44-6-121	Amended	V. 9, p. 1425
44-6-124	Amended	V. 9, p. 1426
44-6-125	Amended	V. 9, p. 1426
44-6-126	Amended	V. 9, p. 1426
44-6-134	Amended	V. 9, p. 1427
44-6-135	Amended	V. 9, p. 1427
44-6-135a	New	V. 9, p. 1427
44-6-136a	New	V. 9, p. 1427
44-6-143	New	V. 9, p. 1428
44-7-104	Amended	V. 9, p. 1428
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 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-103	Amended	V. 9, p. 1707
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

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
68-2-12a	Amended	V. 9, p. 383
68-9-1	Amended	V. 9, p. 384
68-20-20	Amended	V. 9, p. 384

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-202	Amended	V. 9, p. 1707
74-5-203	Amended	V. 9, p. 1707
74-5-406	Amended	V. 9, p. 1282
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
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. 9, p. 83
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
82-9-1	Amended	V. 9, p. 1359
82-9-3	Amended	V. 9, p. 1360
83-9-5	Amended	V. 9, p. 1360
82-9-6	Amended	V. 9, p. 1360
82-9-8	Amended	V. 9, p. 1361
82-9-14	Amended	V. 9, p. 1361
82-9-16	Amended	V. 9, p. 1361
82-9-24	Amended	V. 9, p. 1362
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 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 9, p. 835

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-20-1 through 88-20-11	New	V. 9, p. 165-167

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
91-1-58	Amended	V. 9, p. 1099
91-1-80	Amended	V. 9, p. 1100
91-1-82	Amended	V. 9, p. 1100
91-1-101	Revoked	V. 9, p. 1101
91-1-106a through 91-1-106m	New	V. 9, p. 1101-1103
91-1-110	Revoked	V. 9, p. 1103
91-1-123a	New	V. 9, p. 1103
91-1-132a	Amended	V. 9, p. 1103
91-12-48	Amended	V. 9, p. 1674
91-12-63	Amended	V. 9, p. 1674
91-12-70	Revoked	V. 9, p. 1674

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-23-40	Amended	V. 9, p. 1076
92-55-2a	New	V. 9, p. 1513

AGENCY 99: BOARD OF AGRICULTURE—
DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-26-1	Amended	V. 9, p. 1706, 1753
99-40-1	New	V. 9, p. 1753
99-40-3	New	V. 9, p. 1753

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 9, p. 624
102-4-10	New	V. 9, p. 1024

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-2-5	Amended	V. 9, p. 1076
109-2-7	Amended	V. 9, p. 1077
109-8-1	Amended	V. 9, p. 1077
109-9-1	Amended	V. 9, p. 1077
109-10-1	Amended	V. 9, p. 1078
109-12-1	Amended	V. 9, p. 1078

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1 through 110-4-8	New	V. 9, p. 1282-1284

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 536
111-2-1	Amended	V. 7, p. 1995

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111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-3-1	Amended	V. 9, p. 1566
111-3-9	Amended	V. 8, p. 1085
111-3-10	through	
111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 9, p. 1675
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 9, p. 1675
111-3-16	Amended	V. 9, p. 1566
111-3-19	through	
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-66	through	
111-4-77	New	V. 7, p. 207-209
111-4-96	through	
111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 9, p. 1364
111-4-101	Amended	V. 9, p. 1364
111-4-102	Amended	V. 9, p. 1364
111-4-104	Amended	V. 9, p. 1364
111-4-105	Amended	V. 9, p. 1365
111-4-106	Amended	V. 9, p. 1365
111-4-106a	New	V. 9, p. 1365
111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 9, p. 1366
111-4-111	Amended	V. 9, p. 1366
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153	through	
111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177	through	
111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213	through	
111-4-220	New	V. 9, p. 728, 729
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111-5-23	New	V. 7, p. 209-213

111-5-9	through	
111-5-15	Amended	V. 8, p. 210, 211
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111-7-10	New	V. 7, p. 1192, 1193
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111-7-3	Amended	V. 9, p. 986
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111-7-6	Amended	V. 9, p. 987
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111-7-12	through	
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111-8-4	New	V. 7, p. 1714
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111-8-5	through	
111-8-13	New	V. 7, p. 1634
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111-10-1	through	
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-16	Amended	V. 9, p. 153
112-3-19	Amended	V. 9, p. 153
112-5-1	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
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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
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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
112-10-4	Amended	V. 9, p. 160
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
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-15-1	through	
112-15-7	New	V. 9, p. 1074, 1075
112-15-1	through	
112-15-7	New	V. 9, p. 1346, 1347

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 9, p. 1564
115-2-4	New	V. 9, p. 951
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
115-4-9	New	V. 9, p. 1135
115-4-10	Amended	V. 9, p. 1135
115-4-11	New	V. 9, p. 1135
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-3	New	V. 9, p. 1135
115-7-5	Amended	V. 9, p. 951
115-7-6	New	V. 9, p. 1135
115-8-2	New	V. 9, p. 391
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169
115-10-1	through	
115-10-8	New	V. 9, p. 391, 392
115-16-1	through	
115-16-4	New	V. 9, p. 1135-1137
115-17-1	through	
115-17-5	New	V. 9, p. 1137-1139
115-17-6	through	
115-17-9	New	V. 9, p. 1564, 1565
115-20-1	New	V. 9, p. 951
115-20-2	New	V. 9, p. 1139
115-20-3	New	V. 9, p. 1140
115-30-2	through	
115-30-8	New	V. 9, p. 1344, 1345

AGENCY 116: STATE FAIR BOARD

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

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