

Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 20

May 14, 1992

Pages 741-792

In this issue . . .

	Page
Executive appointments.....	742
Kansas Judicial Council	
Notice of meetings.....	743
Kansas Water Office	
Notice of hearings.....	743
Wichita State University	
Notice of commencement of negotiations for architectural services.....	743
Notice to bidders.....	743
University of Kansas	
Notice to bidders.....	744
Legislative bills introduced April 29-May 6.....	744
Notice to bidders for state purchases.....	746
State Corporation Commission	
Notice of motor carrier hearings.....	747
Department of Health and Environment	
Notice concerning Kansas water pollution control permits.....	749
State Board of Healing Arts	
Notice of hearing on proposed administrative regulations.....	750
Supreme Court docket.....	750
Notice of Bond Sale	
City of Haven.....	753
Notice of Bond Redemption	
Department of Health and Environment.....	753
City of Peabody.....	754
Temporary Administrative Regulations	
Kansas Racing Commission.....	754
Kansas Lottery.....	756
Department of Health and Environment.....	758
Permanent Administrative Regulations	
Department of Education.....	765
Index to administrative regulations.....	767
New State Laws	
Senate Bill 569, relating to election campaign finance.....	772
Senate Bill 767, concerning congressional districts.....	772
House Bill 3083, concerning state legislative districts.....	772
House Bill 2683, relating to the Kansas Technology Enterprise Corporation.....	780
Governor's veto message.....	782
Legislature's certificate overriding veto.....	782
Senate Bill 714, concerning the municipal judge training fund.....	783
House Bill 2763, establishing the Kansas Commission on Education Restructuring and Accountability.....	783
Governor's veto message.....	784
Legislature's certificate overriding veto.....	784
Senate Bill 809, providing for redistricting of state board of education member districts.....	785
House Bill 3213, relating to elections.....	785
House Bill 2729, making and concerning appropriations.....	788
Governor's line-item veto message.....	791
Legislature's certificate overriding certain line-item vetoes.....	791

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 April 20—May 8:

**District Magistrate Judge, 13th Judicial District,
Position 1**

Martina M. Hubbell, Route 1, Box 55, Howard 67349. Term expires when a successor is elected and qualifies according to law. Succeeds Janette Haverkamp.

Marion County Register of Deeds

Faye Makovec, Route 3, Box 71, Marion 66861. Term expires when a successor is elected and qualifies according to law. Succeeds Dorothy Lawrence, resigned.

Stafford County Attorney

Ky Ann Buck, 722 Taft, Great Bend 67530. Term expires when a successor is elected and qualifies according to law. Succeeds Sheila Maxwell, resigned.

State Banking Board

Clarence J. Gideon, Banker Appointee, 1500 Lakeside Drive, Topeka 66604. Subject to Senate confirmation. Term expires April 30, 1995. Succeeds Ben Craig.

Delta Dental Plan of Kansas, Inc.

Board of Directors

Wilbur J. Leiker, 11521 S.W. Frontage Road, Topeka

66615. Term expires June 30, 1993. Succeeds Gerald L. Goforth.

Kansas Dental Board

Lawrence B. Hall, Dentist Appointee, 1335 Adams, Lyndon 66451. Term expires May 1, 1996. Succeeds Kenneth Riley.

Patty Seery, Dental Hygienist Appointee, 8021 Levitt, Wichita 67207. Term expires April 30, 1996. Succeeds Denise Maseman.

State Emergency Response Commission

Bob Kelley, Department of Administration, Room 263-E, State Capitol, Topeka 66612. Serves at the pleasure of the Governor. Succeeds Susan Seltsam.

Kansas Commission for the Humanities

Gene T. Chavez, 1333 S. 27th, Kansas City 66106. Term expires June 30, 1995. Succeeds Nancy Vogel.

State Board of Indigents' Defense Services

Barbara Jean Clinkscales, First District Attorney Appointee, 201 W. 11th, Hays 67601. Subject to Senate confirmation. Term expires July 1, 1994. Succeeds Joel Jackson, resigned.

Board of Examiners in Optometry

Richard K. Marks, 812 Sunrise, Derby 67037. Term expires April 20, 1995. Succeeds Ronald E. Price.

Kansas Parole Board

Sherman A. Parks, Jr., 3744 S.E. Fremont, Topeka 66609. Subject to Senate confirmation. Term expires May 18, 1996. Succeeds Carla Stovall.

**Kansas Public Employees Retirement System
Board of Directors**

Robert G. Lane, Lane Enterprises, Inc., El Dorado 67042. Subject to Senate confirmation. Term expires April 30, 1996. Succeeds Jack Brier.

Ruth A. Schrum, 720 Midland, Manhattan 66502. Subject to Senate confirmation. Term expires April 30, 1996. Succeeds Neva Entrikin.

Bill Graves

Secretary of State

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Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

Kansas Judicial Council

Notice of Meetings

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

Date	Committee	Time	Location
May 15	Technology	9:30 a.m.	Room 259
May 22	Family Law	9:30 a.m.	Room 259
May 29	Judicial Council	9:00 a.m.	Room 259
June 5	Civil Code	9:30 a.m.	Court of Appeals Courtroom
June 5	Technology	9:30 a.m.	Room 259
June 19	PIK	9:30 a.m.	Room 259
June 25	Family Law	9:30 a.m.	Room 259
June 26	Judicial Council	9:00 a.m.	Room 259

Justice Kay McFarland
Chair

Doc. No. 011993

State of Kansas

Wichita State University

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services related to the design and construction of a new Elliott School of Communication building on the campus of The Wichita State University, Wichita. This project is to provide a facility that will consolidate the school's offices, laboratories and classrooms in a flexible and efficient manner to meet its academic program needs in journalism, speech communication, radio-television-film, and other communication-related areas. The building site and space needs have been determined, and the university's Board of Trustees is interested in retaining an experienced and competent architectural firm which has the creativity and ability to design the building to blend into the setting and campus surroundings.

Any questions or expressions of interest should be directed to John D. Gist, Director of Facilities Planning, The Wichita State University, 1845 Fairmount, Campus Box 113, Wichita 67208-1595, (316) 689-3015, on or before May 29. An original and four copies of the firm's SF 255 form plus attachments should be submitted with letters of interest.

Roger D. Lowe
Project Manager and
Vice President for
Administration and Finance

Doc. No. 011992

State of Kansas

Wichita State University

Notice to Bidders

The Wichita State University is accepting bids on the following item:

Closing May 26, 1992
Quotation #920519-1

Servo hydraulic test stand

Bids must be submitted to The Wichita State University, Office of Purchasing, Morrison Hall, Room 021, 1845 N. Fairmount, Wichita 67208, by 2 p.m. C.D.T. on the above specified closing date. Please refer to the above quotation number on all correspondence. For additional information contact the Office of Purchasing, (316) 689-3080.

Gary D. Link
Director of Purchasing

Doc. No. 011991

State of Kansas

Kansas Water Office

Notice of Hearings

The Kansas Water Office has scheduled two formal public hearings on the fiscal year 1994 working draft Kansas Water Plan.

The first hearing will be at 1 p.m. Tuesday, June 2, at the Hays Public Library, 1205 Main (basement). The second hearing will be at 1 p.m. Thursday, June 4, in the Old Supreme Court Chamber (Room 313-S), State Capitol, Topeka.

The working draft will have one proposed policy subsection for public review and comment for FY 1994. This proposal would emphasize the continued identification of valuable and vulnerable water resources and the role of state and local government in this effort.

All groups and individuals with an interest and concern for the state's water resources are encouraged to attend one or both of the public hearings. Written comments are invited. Those attending the hearings may present their comments in writing or orally.

The FY 1994 working draft of the Kansas Water Plan will be sent to individuals and organizations currently on the Kansas Water Office mailing list by May 18. A copy of the draft also may be obtained by contacting the Kansas Water Office, 109 S.W. 9th, Topeka 66612-1249, (913) 296-3185.

Stephen A. Hurst
Director

Doc. No. 011974

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

Tuesday, May 26, 1992

RFQ 92 1149

Image capture and analysis system with video and computer systems

RFQ 92 1150

Binary gradient HPLC system

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

Doc. No. 011987

State of Kansas

Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced by the 1992 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka 66612, (913) 296-4096.

Bills Introduced April 29-May 6:

House Bills

HB 3209, by Committee on Appropriations: An act creating the Kansas sheep council; relating to the powers and duties thereof; levying an assessment on sheep or wool, or their products.

HB 3210, by Committee on Appropriations: An act concerning the state treasurer; relating to the pooled money investment board and the administration thereof; relating to employees thereof; amending K.S.A. 75-4222 and repealing the existing section; also repealing K.S.A. 75-3109.

HB 3211, by Committee on Appropriations: An act concerning the university of Kansas school of medicine; establishing the Kansas medical residency bridging program; prescribing guidelines and limitations therefor; authorizing certain loans and agreements thereunder.

HB 3212, by Committee on Appropriations: An act concerning the department of social and rehabilitation services; relating to support enforcement services and contracts for legal services therefor; amending K.S.A. 1991 Supp. 39-756 and repealing the existing section.

HB 3213, by Committee on Appropriations: An act relating to elections; amending K.S.A. 25-203, 25-306a, 25-3203 and 25-3205 and K.S.A. 1991 Supp. 25-305, 25-1220, 25-3904 and 25-3904a and K.S.A. 1991 Supp. 25-205, as amended by section 1 of 1992 Senate Bill No. 789, and repealing the existing sections.

HB 3214, by Committee on Appropriations: An act concerning the KanWork act; relating to contracts for certain services; amending K.S.A. 1991 Supp. 39-7,104 and repealing the existing section.

HB 3215, by Committee on Appropriations: An act making and concerning appropriations for the fiscal years ending June 30, 1992, June 30, 1993, and June 30, 1994; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending section 12 of chapter

17 of the 1991 Session Laws of Kansas, section 11 of 1992 House Bill No. 2707, section 10 of 1992 House Bill No. 2722, section 2 of 1992 Senate Bill No. 504, section 9 of 1992 Senate Bill No. 504, section 10 of 1992 Senate Bill No. 504, section 4 of 1992 Senate Bill No. 525, section 5 of 1992 Senate Bill No. 525, section 8 of 1992 Senate Bill No. 525 and section 3 of 1992 Senate Bill No. 538 and repealing the existing sections.

HB 3216, by Committee on Appropriations: An act concerning elevator safety; establishing the Kansas elevator safety board; prescribing powers, duties and functions for the board and secretary of human resources; authorizing fees for registrations and permits; prohibiting certain acts and prescribing penalties therefor; amending K.S.A. 1991 Supp. 75-3170a, as amended by section 4 of 1992 House Bill No. 2611, and repealing the existing section.

HB 3217, by Committee on Appropriations: An act concerning catchment areas for state mental health institutions; authorizing certain rules and regulations; amending K.S.A. 1991 Supp. 39-1602 and 59-2902 and repealing the existing sections.

House Concurrent Resolutions

HCR 5061, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

HCR 5062, A proposition to amend article 14 of the constitution of the state of Kansas by adding a new section thereto, relating to amendment of the constitution by propositions initiated by registered voters of the state.

HCR 5063, A proposition to amend article 2 of the constitution of the state of Kansas by adding a new section thereto, authorizing initiation and enactment of laws by the registered voters of the state.

House Resolutions

HR 6131, A resolution congratulating and commending the City of Frankfort on its 125th anniversary.

HR 6132, A resolution congratulating and commending William C. Swisher, Jr. for winning the Muscular Dystrophy Association Kansas State Personal Achievement Award.

HR 6133, A resolution congratulating and commending Ali Soleimani for winning the 1992 All-Kansas Spelling Bee Championship.

HR 6134, A resolution congratulating and commending the Oakland Presbyterian Church of Topeka on its 100th anniversary.

HR 6135, A resolution congratulating and commending Dane Britton on being selected a 1992 Eisenhower Fellow.

HR 6136, A resolution congratulating and commending the McPherson High School boys' basketball team and Coaches Mike Henson, Gordon Peck and Scott Schaefer for winning the 1992 Class 5A State Basketball Championship in Kansas.

HR 6137, A resolution congratulating and commending Dee and Bill Cauble for their contributions to international health care.

HR 6138, A resolution congratulating and commending Herndon High School on winning the Odyssey of the Mind State Competition.

HR 6139, A resolution congratulating and commending The Reverend Frances B. Manson on her retirement.

HR 6140, A resolution congratulating and commending Billie Stephenson for being named one of the 1992 Top Ten Business Women.

HR 6141, A resolution in memory of Jimmy Lee March.

HR 6142, A resolution congratulating and commending Betty D. Allen for winning the Kansas 1992 National Home Economics Teacher of the Year Award.

HR 6143, A resolution congratulating and commending the City of Coffeyville for being selected a semifinalist for the 1991 Midland Community Spirit Award.

HR 6144, A resolution congratulating and commending Dr. Marjorie Hamon Warta for being selected the 1992 Outstanding Home Economist.

HR 6145, A resolution congratulating and commending Cindy Evans for being selected as the 1992 Kansas Home Economics Association New Achiever.

HR 6146, A resolution congratulating and commending the Walton Elementary School for winning first place in the National Reading Is Fundamental Program.

HR 6147, A resolution congratulating and commending the City of Oswego on its 125th anniversary.

HR 6148, A resolution congratulating and commending the Emporia State University Debate Team and Coach Glen Strickland for

finishing in second place in the 1992 National Collegiate Debate Rankings.

HR 6149, A resolution congratulating and commending Bill and Grace Brown on their 50th wedding anniversary.

HR 6150, A resolution making a specific exception to the limitation prescribed by subsection (k) of Joint Rule 4 of the house of representatives and senate.

HR 6151, A resolution congratulating and commending Max McCoy on winning a Western Writers of America National Award.

HR 6152, A resolution congratulating and commending the Garden City Community College Criminal Justice Team for winning the Criminal Justice National Championship.

HR 6153, A resolution congratulating and commending Dr. Melvin H. Snyder on his retirement from Wichita State University.

HR 6154, A resolution congratulating and commending Dr. Glen Zumwalt on his retirement from Wichita State University.

Senate Bills

SB 798, by Committee on Ways and Means: An act concerning public records; relating to disclosure of settlement agreements involving public agencies and funds; amending K.S.A. 45-217 and 74-4907 and K.S.A. 1991 Supp. 74-4904 and repealing the existing sections.

SB 799, by Committee on Ways and Means: An act concerning crimes and punishment; creating the crime of misapplication of entrusted property; prescribing penalties therefor.

SB 800, by Committee on Ways and Means: An act concerning limitations of actions; relating to the Kansas public employees retirement system; amending K.S.A. 1991 Supp. 17-1267 and 21-3106 and repealing the existing sections.

SB 801, by Committee on Ways and Means: An act repealing K.S.A. 75-5391 as amended by section 1 of 1992 House Bill No. 2925 and as amended by section 49 of Substitute for 1992 Senate Bill No. 471, 75-5392 as amended by section 2 of 1992 House Bill No. 2925, 75-5393 as amended by section 3 of 1992 Senate Bill No. 474, 75-5394 as amended by section 4 of 1992 House Bill No. 2925, 75-5395 as amended by section 5 of 1992 House Bill No. 2925, 75-5396 as amended by section 6 of 1992 House Bill No. 2925, 75-5397 as amended by section 7 of 1992 House Bill No. 2925, 75-5397a as amended by section 8 of 1992 Senate Bill No. 474, 75-5397b as amended by section 9 of 1992 House Bill No. 2925, 75-5397c as amended by section 10 of 1992 House Bill No. 2925, 75-5397d as amended by section 11 of 1992 House Bill No. 2925, and K.S.A. 1991 Supp. 39-1103 as amended by section 13 of 1992 House Bill No. 3136, 39-1108 as amended by section 14 of 1992 House Bill No. 3136, and New Section 12 of 1992 House Bill No. 3136, relating to persons with disabilities.

SB 802, by Committee on Ways and Means: An act repealing K.S.A. 74-2807 as amended by section 2 of 1992 House Bill No. 3102, relating to the advisory committee on podiatry.

SB 803, by Committee on Ways and Means: An act concerning the real estate appraisal board; rescinding applicability of the Kansas sunset law; amending K.S.A. 1991 Supp. 58-4104 as amended by section 1 of 1992 Senate Bill No. 515, and repealing the existing section; also repealing K.S.A. 1991 Supp. 58-4104 as amended by section 29 of Substitute for 1992 Senate Bill No. 471.

SB 804, by Committee on Ways and Means: An act concerning contracts of employment of teachers and administrators; relating to notice of continuation in effect, termination or nonrenewal of such contracts; amending K.S.A. 72-5411, as amended by section 1 of 1991 House Bill No. 2594 as enacted by the legislature during the 1992 regular session, and 72-5437, as amended by section 2 of 1991 House Bill No. 2594 as enacted by the legislature during the 1992 regular session, and K.S.A. 1991 Supp. 72-5452, as amended by section 3 of 1991 House Bill No. 2594 as enacted by the legislature during the 1992 regular session, and repealing the existing sections.

SB 805, by Committee on Ways and Means: An act concerning the Kansas uniform commercial drivers' license act; providing for a seasonal commercial driver's license; amending K.S.A. 8-2,133 and repealing the existing section.

SB 806, by Committee on Ways and Means: An act concerning cities and counties; relating to planning and zoning; amending K.S.A. 12-756 and repealing the existing section.

SB 807, by Committee on Ways and Means: An act authorizing boards of county commissioners to extend time for payment of property taxes and to waive interest and penalties for certain persons.

SB 808, by Committee on Federal and State Affairs: An act concerning criminal procedure; relating to jurors; amending K.S.A. 22-3408 and repealing the existing section.

Senate Concurrent Resolutions

SCR 5007, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

Senate Resolutions

SR 1876, A resolution congratulating and commending Adult Student Service Association at Fort Hays State University for its efforts on behalf of Adult/Nontraditional Students.

SR 1877, A resolution congratulating and commending Herndon High School on winning the Odyssey of the Mind State Competition.

SR 1878, A resolution congratulating and commending the Emporia State University Debate Team and Coach Glen Strickland for finishing in second place in the 1992 National Collegiate Debate Rankings.

SR 1879, A resolution in memory of Fred C. Bramlage.

SR 1880, A resolution congratulating and commending the City of Frankfort on its 125th anniversary.

SR 1881, A resolution congratulating and commending the Emmanuel Foursquare Gospel Church on its dedication celebration.

SR 1882, A resolution in memory of Eva A. Jessye.

SR 1883, A resolution congratulating and commending the Oakland Presbyterian Church of Topeka on its 100th anniversary.

SR 1884, A resolution congratulating and commending the Kansas Master Teachers for 1992.

SR 1885, A resolution congratulating and commending Janie Wagstaff on qualifying for the United States swimming team to compete in the 100 meter and 200 meter backstroke at the 1992 Summer Olympic Games.

SR 1886, A resolution in memory of Wade Holt.

SR 1887, A resolution in memory of Jimmy Lee March.

SR 1888, A resolution congratulating and commending The Reverend Frances B. Manson on her retirement.

SR 1889, A resolution designating the week of May 3-9, 1992, as Kansas Corrections Officers' Week.

SR 1890, A resolution congratulating and commending Jeffrey W. Jarman for winning the National Debate Championship.

SR 1891, A resolution congratulating and commending Danny McCaul on being promoted to National Sales Manager for the Vulcan Materials Company.

SR 1892, A resolution congratulating and commending school superintendent Max O. Heim for receiving the 1992 Governor's Award.

SR 1893, A resolution congratulating and commending Judge E. Newton Vickers on his retirement.

SR 1894, A resolution making a specific exception to the limitation prescribed by subsection (k) of Joint Rule 4 of the house of representatives and senate.

SR 1895, A resolution congratulating and commending Billie Stephenson for being named one of the 1992 Top Ten Business Women.

SR 1896, A resolution congratulating and commending the Junction City Junior Baseball Association on its 40th anniversary.

SR 1897, A resolution congratulating the Wichita Chapter of the National Association for the Advancement of Colored People on its 72nd Anniversary.

SR 1898, A resolution congratulating and commending the First Infantry Division on its 75th anniversary.

Doc. No. 011989

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

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

Tuesday, May 26, 1992

29495 (Rebid)

University of Kansas—Toner and toner boxes

28958

Department of Transportation—Bituminous plant mix (I-35 repairs)

28959

Department of Wildlife and Parks—Rock, Kanopolis State Park

28965

Kansas State University—Laboratory equipment services

92160

Kansas State University—Tractor, Mound Valley

92161

Kansas State University—Autosampler for gas chromatograph

92162

Kansas State University—Gas chromatograph

92163

Kansas State University—Gas chromatograph

92164

Department of Transportation—Tool boxes, various locations

92232

University of Kansas Medical Center—Furnish and install color film recorder with software

92259

University of Kansas—Paper, printing and binding

92260

Winfield State Hospital and Training Center—High-speed photocopier

92261

University of Kansas Medical Center—Engraving services

92262

University of Kansas—Unix workstation and peripherals

92263

Board of Agriculture—Tags, seals, wire and hand presses

92264

University of Kansas—Underground storage tank

Wednesday, May 27, 1992

A-5164(b)

University of Kansas—New exit doors, Science and Technology Library

A-6863

University of Kansas—Laboratory remodel, Dyche Hall

28956

Emporia State University—Cleaning chemicals, supplies, and equipment

28961

Statewide—Blue printing services

28963

Department of Health and Environment—STD culture supplies

92170

Wichita State University—Waste compactors

92183

Department of Transportation—Steel fence posts, Hutchinson

92184

Department of Transportation—Corrugated steel pipe, Hutchinson

92185

Kansas State University—Salina—Software—drafting

92195

Kansas State University—Revolving reel oven

Thursday, May 28, 1992

A-6675

Osawatomie State Hospital—Gasoline underground storage tank

A-6733

University of Kansas—Install handicapped ramp, Dyche Hall

A-6802

Department of Social and Rehabilitation Services—Repair concrete drives, sidewalks, and curbs, Wichita

28941

Kansas State University—Satellite transponder time

28957

University of Kansas—Cleaning chemicals and supplies

92186

Department of Social and Rehabilitation Services—Software

92202

Larned State Hospital—Institutional chairs

92211

University of Kansas—Color workstations

92212

University of Kansas—Monochrome diskless workstations

92213

University of Kansas—Color X-terminals/monochrome X-terminals

92219

University of Kansas Medical Center—Gateway server

92224

Fort Hays State University—Software analysis system

92225

University of Kansas Medical Center—UV/VIS spectrophotometer

92226
 Department of Transportation—Wood signposts,
 Garden City

92227
 Department of Transportation—Steel signposts,
 Chanute

92228
 University of Kansas, Unix Graphics workstation
 and peripherals

92229
 University of Kansas Medical Center—Furnish and
 construct snow deflector

Friday, May 29, 1992

28955
 University of Kansas—Dry ice

92196
 Kansas State University—Microcomputers 80486/
 33MHZ ISA

92197
 Kansas State University—Microcomputers 80486/
 33MHZ ISA

92210
 State Corporation Commission—Touch screen
 program

92230
 Fort Hays State University—Tray rail brackets and
 tubes

92231
 University of Kansas Medical Center—Optical
 software and equipment

92237
 Kansas State University—Pesticide storage
 structure

92238
 Kansas State University—Salina—Flexible
 manufacturing system

92239
 Fort Hays State University—High pressure liquid
 chromatograph

92246
 Fort Hays State University—Printing of viewbook

92247
 Department of Administration, Division of
 Information Systems and Communications—Amdahl
 main storage memory

92248
 University of Kansas Medical Center—Graphic
 supercomputer system

92249
 University of Kansas—1.2 gigabytes SCSI-2 disk
 drives

92250
 Fort Hays State University—Miscellaneous kitchen
 equipment

Monday, June 1, 1992

92265
 Department of Social and Rehabilitation Services—
 LAN

Tuesday, June 2, 1992

A-6736
 University of Kansas—Chiller replacement and
 variable frequency drive installation

92251
 Department of Health and Environment—
 Reclamations project, Crawford County

Thursday, June 4, 1992

A-6719
 Department of Transportation—Remodeling of area
 building (district number 4), Pittsburg

Friday, June 26, 1992

28962
 University of Kansas Medical Center—Aircraft
 insurance

Request for Proposals

Wednesday, May 27, 1992

28960
 Visitors hospitality centers for the Department of
 Corrections

Monday, June 1, 1992

28964
 Alcohol and drug treatment services for the
 Department of Corrections

Jack R. Shipman
 Director of Purchases

Doc. No. 011995

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 Commis-
 sion, 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 Com-
 mission, 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 June 2, 1992
 Application for Certificate of Convenience
 and Necessity:

Be-Mac Transport) Docket No. 180,762 M
 Company, Inc.)
 7400 N. Broadway)
 St. Louis, MO 63147) MC ID No. 104195
 Applicant's Attorney: Frank W. Taylor, Jr., 4420

(continued)

Madison Ave., Kansas City, MO 64111
 General commodities,
 Between all points in the state of Kansas.

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

Ken Chandler, dba) Docket No. 180,763 M
 Chandler Trucking)
 422 S. Center)
 Mankato, KS 66956) MC ID No. 141460

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka
 Blvd., Topeka, KS 66603-3294

*General commodities (except household goods, classes A and
 B explosives and all hazardous materials as defined by
 49 CFR 172.101 et seq.),*

Between all points and places in the state of Kansas.

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

Meadowlark Transportation,) Docket No. 180,765 M
 Inc.)
 HCR 2, Box 28)
 Fowler, KS 67844) MC ID No. 144086

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

*Hay, grain, dry feed, dry feed ingredients, dry fertilizer,
 seeds, salt, building and construction materials, fencing ma-
 terials, machinery, food, meat and meat products (restricted,
 however, to transport no hazardous commodities),*

Between points and places in Cheyenne, Sherman,
 Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins,
 Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant,
 Haskell, Stevens, Seward, Decatur, Sheridan, Gove,
 Lane, Gray, Meade, Norton, Graham, Trego, Ness,
 Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush,
 Pawnee, Edwards, Kiowa, Comanche, Smith, Os-
 borne, Russell, Barton, Stafford, Pratt, Barber, Jewell,
 Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman,
 Harper, Republic, Cloud, Ottawa, Saline, McPherson,
 Harvey, Sedgwick, Sumner, Washington, Marshall,
 Clay, Riley, Dickinson, Geary, Morris, Marion, Butler
 and Cowley counties.

Also,

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

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

John Shepherd, dba) Docket No. 180,764 M
 Jo-Car Trucking)
 P.O. Box 303)
 Pretty Prairie, KS 67570) MC ID No. 144624

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

*Livestock, hay, grain, dry feed, dry feed ingredients, dry
 fertilizer (except ammonium nitrate), salt, seeds, building
 and construction materials, fencing materials and machinery
 (restricted, however, to transport no hazardous commodities),*

Between points and places in Cheyenne, Sherman,
 Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins,
 Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant,
 Haskell, Stevens, Seward, Decatur, Sheridan, Gove,
 Lane, Gray, Meade, Norton, Graham, Trego, Ness,
 Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush,
 Pawnee, Edwards, Kiowa, Comanche, Smith, Os-
 borne, Russell, Barton, Stafford, Pratt, Barber, Jewell,
 Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman,
 Harper, Republic, Cloud, Ottawa, Saline, McPherson,
 Harvey, Sedgwick, Sumner, Washington, Marshall,
 Clay, Riley, Dickinson, Geary, Morris, Marion, Butler
 and Cowley counties.

Also,

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

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

Roy Sneed, dba) Docket No. 178,813 M
 Sneed Grain & Trucking)
 315 S. Allen)
 Chanute, KS 66720) MC ID No. 105358

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

*Hay, grain, dry feed, dry feed ingredients, dry fertilizer,
 seeds, salt, livestock, fencing materials and building
 materials, and machinery,*

Between all points and places in the state of Kansas.

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

Fast Transportation, Inc.) Docket No. 144,132 M
 1700 E. Iron)
 Salina, KS 67401) MC ID No. 120894

Applicant's Attorney: None

Portion of authority to be abandoned is as follows:
Grain, feeds, seeds, feed ingredients, fertilizer and salt,

Between all points and places in Reno, Sedgwick,
 Saline, McPherson, Sumner and Harvey counties, Kan-
 sas, on the one hand, and on the other, all points and
 places in the state of Kansas.

Applicant retains authority to transport:

*Grain, dry feeds, seeds, dry feed ingredients,
 dry fertilizer and salt,*

Between all points and places in the state of Kansas.

Don Carlile
 Administrator
 Transportation Division

Doc. No. 011990

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for 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 staff review, applying the appropriate standards, regulations, and effluent 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.

Public Notice No. KS-AG-92-41/44

Name and Address of Applicant	Legal Description	Receiving Water
Gary Benteman Route 1, Box 190 Clifton, KS 66937	NE/4 Section 29, Township 5S, Range 1E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-S023

The proposed facility will have capacity for approximately 600 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Eric Featherston Route 1, Box 310 Holton, KS 66436	NE/4 Section 34, Township 5S, Range 15E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-H002 Federal Permit No. KS-0088919

The proposed facility will have capacity for approximately 9,540 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage ponds will provide 63 acre-feet capacity, substantially in excess of minimum requirements.

Compliance Schedule: None.

Name and Address of Applicant	Legal Description	Receiving Water
Phillip L. Gjerstad 1808 Burr Parkway Dodge City, KS 67801	NW/4 Section 7, Township 27S, Range 24W, Ford County	Arkansas River Basin

Kansas Permit No. A-UAFO-B006

The feedlot has capacity for approximately 900 cattle and a contributing drainage area of approximately 6 acres. This is a new facility.

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

Compliance Schedule: A shallow groundwater monitoring well shall be installed along the northeast side of the wastewater impoundment (as shown on approved plans). The well shall be constructed by a Kansas licensed well contractor in accordance with state standards. The well shall be screened in the top 10 feet of the water table.

Name and Address of Applicant	Legal Description	Receiving Water
Mann's A.T.P., Inc. Clyde Edward Mann, Jr. Route 1, Box 45 Potwin, KS 67123	W/2 NW/4 Section 27, Township 24S, Range 4E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-C007 Federal No. KS-0088901

The feedlot has capacity for approximately 4,000 cattle and a contributing drainage area of approximately 25.5 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Storage capabilities are provided in excess of 17.3 acre-feet.

Compliance Schedule:

- 1) Dewatering equipment shall be obtained, by August 1, 1992, through purchase or written rental agreement, with a minimum capacity to pump 750 gallons per minute as specified in Section A, Permit Limitations.
- 2) A livestock waste management plan for the facility shall be developed. The plans shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Written comments on the proposed determinations may be submitted to Angela Buie, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to June 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-92-41/44) 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 Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are

(continued)

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.

Azzie Young
Secretary of Health
and Environment

Doc. No. 011996

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 8 a.m. Saturday, June 13, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of proposed temporary and permanent changes to K.A.R. 100-11-1.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit comments prior to the hearing to the address above. All interested parties also will be given a reasonable opportunity at the hearing to present their views, orally

or in writing, concerning the adoption of the proposed regulation. In order to give all persons an opportunity to present their views, it may be necessary to limit oral presentations to five minutes.

The following is a brief summary of the purpose of the proposed changes to the regulation and the anticipated fiscal impact of each proposed change:

K.A.R. 100-11-1. Amount. The following fees are being established: \$35 to convert an exempt license to a license to practice the healing arts (approximately 20 per year for a total fiscal impact of \$700); \$150 to renew an institutional license on a two-year basis (approximately 15 per year for a annual fiscal impact of \$2250); \$1000 for reinstatement of a revoked license (approximately one per year for a fiscal impact of \$1000); \$150 for a visiting clinical professor license (approximately 12 per year for a total fiscal impact of \$1800); and \$115 for annual renewal of a visiting clinical professor license (approximately 12 per year for a total fiscal impact of \$1380).

Copies of the full text of the proposed changes and the economic impact statement may be obtained by writing to the executive director of the Kansas State Board of Healing Arts at the address above.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 011979

State of Kansas

Office of Judicial Administration

Supreme Court Docket

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

Monday, May 18, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,171	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney	Sedgwick
	v. Veryl Crawford, Appellant.	J. Patrick Lawless, Assistant Appellate Defender	
67,030	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney	Sedgwick
	v. Eugene R. Henry, Appellant.	Steven R. Zinn, Assistant Appellate Defender	
67,096	State of Kansas, Appellant,	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney	Sedgwick
	v. Gene M. Nolan, Appellee.	Richard Sanborn	
66,090	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney	Sedgwick
	v. Jaycee R. Deggs, Appellant.	Jessica R. Kunen, Chief Appellate Defender	On Petition for Review

1:30 p.m.

66,065	State of Kansas, Appellee, v. Edwin T. Witte, Appellant.	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney Geary N. Gorup	Sedgwick
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Tuesday, May 19, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,580	George Ray Mills, <i>et al.</i> , Appellants, v. City of Overland Park, Kansas, <i>et al.</i> , Appellees.	Timothy P. Orrick Daniel B. Denk Roger Penner	Johnson
67,159	Resolution Trust Corporation, Receiver for Anchor Federal Savings and Loan Association, Appellee, v. Edward O. Bopp, <i>et al.</i> (Hazel Wells Sharp, <i>et al.</i> , Appellants).	Robert L. Hamann Michael S. Martin	Johnson On Petition for Review
66,992	State of Kansas, Appellee, v. Brian G. Bailey, Appellant.	Robert T. Stephan, Attorney General Paul J. Morrison, District Attorney Rick Kittel, Assistant Appellate Defender	Johnson
67,091	State of Kansas, Appellant, v. Robert D. McClanahan, Jr., Appellee.	Robert T. Stephan, Attorney General Paul J. Morrison, District Attorney Andrew L. Warren	Johnson

1:30 p.m.

66,644	State of Kansas, Appellee, v. LaJuan E. Clemons, Appellant.	Robert T. Stephan, Attorney General Paul J. Morrison, District Attorney Wendy Rhyne Slayton, Assistant Appellate Defender	Johnson
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Wednesday, May 20, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,704	In the Matter of the Marriage of Mark E. Mosier, Appellee, and Kathleen M. Mosier, Appellant.	Curt T. Schneider Sally Pokorny	Montgomery
67,017	State of Kansas, Appellee, v. Stanley Gartleman, Appellant.	Robert T. Stephan, Attorney General Timothy J. Chambers, County Attorney Lucille Marino, Assistant Appellate Defender	Reno
66,957	State of Kansas, Appellant, v. Willie Bowen, Appellee.	Robert T. Stephan, Attorney General Timothy J. Chambers, County Attorney Thomas Jacquinet, Assistant Appellate Defender	Reno

(continued)

66,897 State of Kansas, Appellee, Robert T. Stephan, Attorney General Kingman
Francis E. Meisenheimer, County Attorney
v.
Steve Hammond, Appellant. Wendy Rhyne Slayton,
Assistant Appellate Defender

Thursday, May 21, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,287	Randall T. Cerretti, <i>et al.</i> , Appellees,	Jay W. Vander Velde Jerry R. Palmer David P. Madden	Lyon
	v. Flint Hills Rural Electric Cooperative Association, a Kansas Cooperation, <i>et al.</i> , Appellants.	Steven R. Fabert	
65,921	Ann Marie Tamplin, a Minor, <i>et al.</i> , Appellees,	Arden J. Bradshaw	Sedgwick
	v. Star Lumber & Supply Co., Inc., Appellant.	John J. Murphy	On Petition for Review *
66,075	St. Francis Regional Medical Center, Inc., Appellee,	Troy H. Gott	
	v. Tamara Bowles, <i>et al.</i> , Appellants.	John S. Black	On Petition for Review

Friday, May 22, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,481	James P. House, Appellant,	Kathryn D. Myers	Shawnee
	v. American Family Mutual Insurance Company, Appellee.	Steven R. Fabert	On Petition for Review
66,290	Leslie W. Blevins, Sr., <i>et al.</i> , Appellants,	Donald G. Strole Robert V. Eye	Douglas
	v. The Board of County Commissioners of the County of Douglas, Appellee.	Robert W. Fairchild	On Petition for Review
67,413	In the Matter of John E. Wilkinson, Respondent.	Bruce E. Miller, Disciplinary Administrator John E. Wilkinson, <i>pro se</i> Eugene T. Hackler	Original
67,819	In the Matter of Paul W. Dwight, Respondent.	Stanton A. Hazlett, Deputy Disciplinary Administrator Paul W. Dwight, <i>pro se</i>	Original
67,866	In the Matter of William Scott Morris, Respondent.	Bruce E. Miller, Disciplinary Administrator William Scott Morris, <i>pro se</i>	Original

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 011952

(Published in the Kansas Register, May 14, 1992.)

Summary Notice of Bond Sale
Haven, Kansas
\$500,000
General Obligation Bonds
Series 1992-1

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated May 4, 1992, sealed bids will be received by the city clerk of Haven, Kansas (the issuer), on behalf of the governing body at City Hall, 118 S. Kansas, Haven, KS 67543, until 11 a.m. C.D.T. on May 26, 1992, for the purchase of \$500,000 principal amount of General Obligation Bonds, Series 1992-1. 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 June 1, 1992, and will become due on June 1 in the years as follows:

Year	Principal Amount
1993	\$20,000
1994	20,000
1995	25,000
1996	25,000
1997	25,000
1998	30,000
1999	30,000
2000	35,000
2001	35,000
2002	35,000
2003	40,000
2004	40,000
2005	45,000
2006	45,000
2007	50,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1993.

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 issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 10, 1992, 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 1991 is \$3,886,497. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$614,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, 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, (316) 465-3618, or from the financial advisor, First Securities Company of Kansas, Inc., 200 Hardage Center, 100 S. Main, Wichita, KS 67202, Attention: Theron Froggatte, (316) 262-4411.

Dated May 4, 1992.

City of Haven, Kansas

Doc. No. 011994

(Published in the Kansas Register, May 14, 1992.)

Notice of Call for Redemption
to the holders of

The Kansas Secretary of Health and Environment
Sewage Treatment Construction
Grant Revenue Bonds, Series "D"
Dated December 1, 1976

Notice is hereby given pursuant to the provisions of the Bond Resolution dated November 23, 1976, that the above mentioned bonds maturing June 1, 1993, and thereafter, as described herein, and all unmatured coupons appertaining thereto, have been called for redemption and payment on June 15, 1992 (the redemption date), at the principal corporate office of BANK IV Kansas, N.A., Wichita, Kansas, successor by merger to BANK IV Topeka, N.A.

Maturity Date	Principal Amount	Interest Rate	Cusip Number
6/1/93	155,000	5.6	485450 AS9
6/1/94	165,000	5.7	485450 AT7
6/1/95	130,000	5.75	485450 AU4
6/1/96	155,000	5.75	485450 AV2

On the redemption date there shall become due and payable, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto, the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds and all unmatured coupons appertaining thereto so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent. Bonds should be surrendered at BANK IV Kansas, N.A., Corporate Trust Operations, P.O. Box

(continued)

48850, or 100 N. Broadway, 3rd Floor Exchange Place, Wichita, KS 67201.

Tax identification form W-9 or and exemption certificate is required or tax will be withheld from payment.

Dated May 4, 1992.

Kansas Secretary of Health and
Environment
By BANK IV Kansas, N.A., Successor by
Merger to BANK IV Topeka, N.A.

Doc. No. 011988

(Published in the Kansas Register, May 14, 1992.)

Notice of Partial Redemption

City of Peabody, Kansas
First Mortgage Elderly Housing Revenue Bonds
Series 1977

Notice is hereby given that pursuant to Section 3.01 of the Indenture of Trust and Mortgage from the city of Peabody, Kansas, and the Housing Authority of the city of Peabody, Kansas, to Highland Park Bank and Trust, Trustee, dated December 15, 1977, the Authority has called for redemption on June 15, 1992 (the redemption date), all of the outstanding Series 1977 Term Bonds having a maturity date of December 15, 2007. All such outstanding bonds shall have a redemption price of 102 percent of the principal amount thereof. All such outstanding bonds are to be paid interest accrued thereon to the redemption date.

On and after June 15, 1992, interest on the called Series 1977 Term Bonds shall cease to accrue.

Upon presentation and surrender of the coupon bonds to be redeemed with all appurtenant coupons maturing after the redemption date, payment of the redemption price thereof will be made on or after June 15, 1992. Coupons maturing on and prior to the redemption date should be detached and surrendered for payment in the usual manner.

The Series 1977 Term Bonds with a maturity date of December 15, 2007, called for redemption should be surrendered for payment of the redemption price on or before the redemption date to the Highland Park Bank & Trust, Trust Department, 2100 S.E. 29th, P.O. Box 5228, Topeka, KS 66605-2460.

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before the redemption date to the address above. The method of delivery of the bonds for payment is at the election and risk of the holder, but if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

Dated May 15, 1991.

By Highland Park Bank & Trust
as Trustee

Doc. No. 011978

State of Kansas

Kansas Racing Commission

Temporary Administrative Regulations

Article 9.—PARIMUTUEL WAGERING

112-9-41. (Authorized by K.S.A. 1988 Supp. 74-8804(p); implementing K.S.A. 1988 Supp. 74-8819(b); effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 2, 1989; revoked, T-112-9-26-91, Sept. 26, 1991; revoked, T-112-1-21-92, Jan. 21, 1992; revoked, T-112-4-27-92, April 27, 1992.)

112-9-41a. Twin trifecta. (a) The twin trifecta requires selection of the first three finishers, in their exact order, in each of two designated contests. Each winning ticket for the first twin trifecta contest must be exchanged for a free ticket for the second twin trifecta contest in order to remain eligible for the second-half twin trifecta pool. These tickets may be exchanged only at attended ticket windows prior to the second twin trifecta contest. Winning first-half twin trifecta wagers will receive both an exchange and a monetary payoff. Both of the designated twin trifecta contests shall be included in only one twin trifecta pool.

(b) After wagering closes for the first-half of the twin trifecta and commissions have been deducted from the pool, the net pool then shall be divided into separate pools: the first-half twin trifecta pool and the second-half twin trifecta pool.

(c) In the first twin trifecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin trifecta contest:

(1) as a single price pool to those whose combination finishes in the same sequence as the first three betting interests; but if there are no such wagers, then

(2) as a single price pool to those whose combination includes, in correct sequence, the first two betting interests; but if there are no such wagers, then

(3) as a single price pool to those whose combination correctly selects the first-place betting interest only; but if there are no such wagers, then

(4) the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second-half shall be canceled.

(d) If no first-half twin trifecta ticket selects the first three finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half twin trifecta pool. In such case, the second-half twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool.

(e) Winning tickets from the first-half of the twin trifecta shall be exchanged for tickets selecting the first three finishers of the second-half of the twin trifecta. The second-half twin trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin trifecta contest:

(1) as a single price pool, including any existing carryover monies, to those whose combination finished

in the same sequence as the first three betting interests; but if there are no such tickets, then

(2) the entire second-half twin trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half twin trifecta pool of the next consecutive performance.

(f) If a winning first-half twin trifecta ticket is not presented for cashing and exchange prior to the second-half twin trifecta contest, the ticket holder may collect the monetary value associated with the first-half twin trifecta pool, but forfeits all rights to any distribution of the second-half twin trifecta pool.

(g) Except for live races, coupled entries and mutuel fields shall be prohibited in twin trifecta contests.

(h) If a betting interest in the first-half of the twin trifecta is scratched, those twin trifecta wagers, including the scratched betting interest, shall be refunded.

(i) If a betting interest in the second-half of the twin trifecta is scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for the exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin trifecta contest, the ticket holder forfeits all rights to the second-half twin trifecta pool.

(j) If, due to a late scratch, the number of betting interests in the second-half of the twin trifecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half twin trifecta pool for that contest as a single price pool, but not the twin-trifecta carryover.

(k) If there is a dead heat or multiple dead heats in either the first- or second-half of the twin trifecta, all twin trifecta wagers selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in the first-half of the twin trifecta, the payoff shall be calculated as a profit split. In the case of a dead heat occurring in the second-half of the twin trifecta, the payoff shall be calculated as a single price pool.

(l) If either of the twin trifecta contests is canceled prior to the first twin trifecta contest or if the first twin trifecta contest is declared a "no contest," the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest, and the second-half of the twin trifecta shall be canceled.

(m) If the second-half twin trifecta contest is canceled or declared "no contest," all exchange tickets and outstanding first-half winning twin trifecta tickets shall be entitled to the net twin trifecta pool for that contest as a single price pool, but not to the twin-trifecta carryover. If there are no such tickets, the net twin trifecta pool shall be distributed as described in subparagraph (c) of this regulation.

(n) The twin-trifecta carryover may be capped at a designated level as provided in these racing regulations.

(o) An organization licensee may request permission to distribute the twin trifecta jackpot on a specific per-

formance. The request shall be submitted to the commission in writing and shall include justification for the distribution, an explanation of the benefit to be derived and the intended date and performance when the distribution will be made.

(p) If the twin trifecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in determining winning tickets for the second-half of the twin trifecta after completion of the first-half of the twin trifecta:

(1) as a single price pool to those whose combination finishes in the same sequence as the first three betting interests; but if there are no such wagers, then

(2) as a single price pool to those whose combination includes, in correct sequence, the first two betting interests; but if there are no such wagers, then

(3) as a single price pool to those whose combination correctly selects the first-place betting interest only; but if there are no such wagers, then

(4) as a single price pool to holders of valid exchange tickets, but if there are no holders of valid exchange tickets, then

(5) as a single price pool to holders of outstanding first-half winning tickets.

(q) Notwithstanding the provisions of this regulation, during a performance designated to distribute the twin trifecta carryover, exchange tickets shall be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the twin trifecta. If there are no wagers correctly selecting the first-, second-, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place betting interests. If there are no wagers correctly selecting the first- and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half of the twin trifecta, all first-half tickets shall become winners and shall receive 100 percent of that day's net twin trifecta pool and any existing twin trifecta carryover as a single price pool.

(r) The twin trifecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(1) upon written approval from the commission as provided in subparagraph (o) of this regulation; or

(2) upon written approval from the commission when there is a change in the carryover cap or when the twin trifecta is discontinued; or

(3) on the closing performance of the meeting or split meeting.

(s) If, for any reason, the twin trifecta carryover must be carried over to the corresponding twin trifecta pool of a subsequent meeting, the jackpot shall be deposited in an interest-bearing account approved by the commission. The twin trifecta carryover and accrued interest then shall be added to the second-half twin trifecta pool of the following meeting on a date and performance designated by the commission.

(continued)

(t) Providing information to any person regarding covered combinations, amounts wagered on specific combinations or number of tickets sold is prohibited. This shall not prohibit any necessary communication for the processing of pool data between totalisator and parimutuel department employees.

(u) The organization licensee shall obtain written approval from the commission concerning the scheduling of twin trifecta contests, the percentages of the net pool added to the first-half pool and second-half pool and the designated amount of any cap to be set on the carryover. Any modification of the approved twin trifecta procedures requires prior approval from the commission. (Authorized by K.S.A. 1991 Supp. 74-8804(p); implementing K.S.A. 1991 Supp. 74-8819(b); effective, T-112-9-26-91, Sept. 26, 1991; effective, T-112-1-14-92, Jan. 25, 1992; effective, T-112-4-27-92, April 27, 1992.)

Dana Nelson
Executive Director

Doc. No. 011980

State of Kansas

The Kansas Lottery

Temporary Administrative Regulations

Article 4.—INDIVIDUAL GAME RULES

111-4-405. Name of Drawings. The Kansas Lottery shall conduct a series of drawings, entitled the "Kansas Lottery Heartland Championship Drawings." The "Kansas Lottery Heartland Championship Drawings" shall take place on Sunday, May 24, 1992, at Heartland Park, 1805 SW 71st, Topeka, Kansas 66619. Rules applicable are contained in K.A.R. 111-3-1 *et seq.* and 111-4-405 through 111-4-413. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-406. Prerequisites for a Drawing. Before the "Kansas Lottery Heartland Championship Drawings" may be validly conducted, a location and the receptacle(s) or drum(s) must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-407. Prizes. The winners selected at the "Kansas Lottery Heartland Championship Drawings" conducted pursuant to K.A.R. 111-4-405 *et seq.* shall receive prizes as follows.

Eight tickets shall be drawn, one at a drawing prior to each race final. Prizes shall be determined by the winning driver's speed in each of the eight different classes with the winning dollar amount representing the actual speed of the Heartland Championship winning driver with the minimum and maximum dollar amounts as follows:

Class	Minimum Dollar Amount	Maximum Dollar Amount
Top Alcohol Dragster	175	275
Top Alcohol Funny Car	175	275
Competition Eliminator	125	225
Super Stock	75	175
Stock Eliminator	50	150
Super Street	50	150
Super Gas	75	175
Super Camp	100	200

All prize awards are subject to lottery validation, set-offs and deductions provided by law. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-408. Entry into Drawings. Entry into the "Kansas Lottery Heartland Championship Drawings" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant lottery ticket;
(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Kansas Lottery Heartland Championship Drawings," and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning a drawing and the holder of the ticket may enter the "Kansas Lottery Heartland Championship Drawings."

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it.

(e) The holder of the ticket need not be present to win at the time of the "Kansas Lottery Heartland Championship Drawings."

(f) There is no limit to the number of entries a participant may make.

(g) For the racing events occurring on May 22, 23 and 24, 1992, the receptacle(s) or drum(s) shall open at 8:00 a.m. and close immediately preceding the final racing events identified in K.A.R. 111-4-407 on May 24, 1992.

(h) The holder of a non-winning ticket must take each non-winning ticket with the information form on the back completed, to the location of either of two receptacle(s) or drum(s) at the "Kansas Lottery Heartland Championship Drawings" and place it in the receptacle(s) or drum(s) provided by the lottery.

(i) On Sunday, May 24, 1992, the Kansas lottery will sponsor its "Kansas Lottery Heartland Championship Drawings." Players enter the drawings by placing non-winning tickets into either of the two receptacle(s) or drum(s) located inside the admission gate at Heartland Park. One will be located inside the admission gate in the concession area on the west side of the track, and the second will be near the pit area. Eight tickets will be drawn from the combined contents of the two receptacle(s) or drum(s). Following validation by lottery security personnel, the winners' names shall be announced.

(j) Prior to the Heartland Park drawings for prizes on May 24, 1992, set forth in K.A.R. 111-4-407 or 111-4-413, the contents of the receptacle(s) or drum(s) shall

be combined under the supervision of lottery personnel present, and the drawings shall be from the receptacle or drum containing all the tickets. Drawings shall be held on the track in front of Heartland Park tower. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-5-4-92, April 30, 1992.)

111-4-409. Determination of Winners. (a) The receptacle or drum shall be sealed and mixed to ensure random selection.

(b) The executive director shall designate one individual of his choice to participate in the selection process.

(c) The selection of the "Kansas Lottery Heartland Championship Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket at a time from the combined contents of the receptacle(s) or drum(s) for each of the eight drawings. Lottery security shall review the selected ticket to determine if the ticket is valid and the name stated on the information form located on the back of the selected ticket is legible. If the ticket is valid and the name is determined to be legible, the name shall be announced to the audience.

(d) The named person need not be present at a drawing, but must in any event provide proper identification in order to claim the "Kansas Lottery Heartland Championship Drawings" prize.

(e) The person whose ticket has been drawn from the receptacle or drum shall be determined the "Kansas Lottery Heartland Championship Drawings" winner, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Kansas Lottery Heartland Championship Drawings" has made, he or she shall not be eligible to win more than one prize.

(f) The winner shall be given a prize claim form to be completed and returned to the lottery;

(g) If the ticket is not valid or the name on the ticket is not legible, the ticket drawn will be void and the selection process shall be repeated until a winner is selected. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-410. Security of Drawings. (a) The receptacle(s) or drum(s) located at Heartland Park, into which drawing entries are placed, shall be monitored from the commencement of ticket entries until completion of the event by lottery security.

(b) The actual drawing events shall be recorded on both audio and video tape by lottery security. The audio and video tape shall contain no other material than the actual drawings beginning with the sealing of the receptacle or drum and continuing through the announcement and verification of the winner. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-411. Ticket Disqualification. Any non-winning Kansas instant game lottery ticket entered into the "Kansas Lottery Heartland Championship Draw-

ings" shall become the property of the Kansas lottery and is disqualified from any other Kansas lottery prize or drawing. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-412. Co-sponsor Drawings. Co-sponsors of the "Kansas Lottery Heartland Championship Drawings" may hold co-sponsor drawings in conjunction with local retailers, businesses and organizations at a drawing event. In no instance shall these drawings take place prior to the "Kansas Lottery Heartland Championship Drawings." Such drawings, if conducted, shall be a part of the lottery "Kansas Lottery Heartland Championship Drawings" and prizes, in addition to cash prizes presented by the lottery, may be donated by the co-sponsor(s). The person drawing tickets for the lottery may draw additional tickets for the co-sponsor(s) prizes. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

111-4-413. Cancellation of Race/Drawing. (a) If any Kansas Lottery Heartland Championship drawing is not held due to the Heartland Park race being cancelled because of rain out, power failure or any other unforeseen circumstance beyond the control of the Kansas lottery and Heartland Park after entries have been placed in the receptacle(s) or drum(s), it will be rescheduled. Any rescheduled drawing will be held as soon as practicable and at a location and time determined by the executive director or the person designated by the executive director and the minimum prizes identified in K.A.R. 111-4-407 will be awarded for each prize class which is rescheduled.

(b) Lottery security personnel or designated security personnel will, upon cancellation of any Kansas Lottery Heartland Championship drawing which is rescheduled, take possession of and secure the receptacle(s) or drum(s) containing all entries for the cancelled Kansas Lottery Heartland Championship drawing and hold all ticket entries contained therein until the rescheduled drawing.

(c) The winner of a rescheduled Kansas Lottery Heartland Championship drawing need not be present at the time of that drawing to be determined a winner.

(d) If a Heartland Park race is cancelled before the gates are open to the public, no entries will be allowed, and the Kansas Lottery Heartland Championship drawing will also be cancelled. If a Kansas Lottery Heartland Championship drawing is cancelled under (d), it will not be rescheduled. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992.)

Ralph Decker
Executive Director

Doc. No. 011984

State of Kansas

Department of Health
and EnvironmentTemporary Administrative
Regulations

Article 29.—SOLID WASTE MANAGEMENT

28-29-28. Definitions. As used in K.A.R. 28-29-28 through K.A.R. 28-29-36 unless otherwise specified:

(a) "Dispose" means to deposit, dump, spill, or place any waste tire on any land or into any water.

(b) "Financial assurance" means a performance bond, letter of credit, cash deposit, insurance policy, or other instrument approved by the department for the purpose of guaranteeing a required regulatory action that must be performed by the permittee or the department.

(c) "Recycle" or "recycling" means any process by which solid waste materials are transformed into new products in such a manner that the original products lose their identity.

(d) "Retreader" means a person engaged in the business of recapping tire casings to produce recapped tires for sale to the public.

(e) "Rick" means stacking tires securely by overlapping so that the center of a tire is offset from the center of the tire below it.

(f) "Tire collector" means a person who transports waste tires to a permitted tire collection center, processing facility, or permitted solid waste disposal facility for the purpose of storage, processing, or disposal of waste tires. The term "tire collector" does not include the following:

(1) Solid waste collectors collecting mixed residential solid waste and who transport fewer than 5 tires at a time from any location.

(2) Persons who transport fewer than five tires for disposal.

(g) "Tire monofill" means a permitted solid waste landfill or landfill cell in which only processed waste tires are placed.

(h) "Tire processor" means a person engaged in the processing of waste tires.

(i) "Tire derived products" means tire chips or other usable materials produced from the physical processing of a waste tire.

(1) "Truck tire" means a tire with a rim diameter of between 18 and 24.5 inches.

(j) "Waste tires generated in Kansas" means those tires which first become a waste tire in Kansas. A tire casing imported into Kansas for potential recapping, but which proves unusable for that purpose, is a waste tire generated in Kansas. Other examples of waste tires generated in Kansas include but are not limited to:

(1) Tires accepted by a Kansas tire retailer at the time of exchange for new replacement; and

(2) Tires removed from a junked motor vehicle at a wrecking yard in Kansas. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992.)

28-29-29. Unprocessed waste tire disposal prohibited. (a) A person shall not dispose of, or offer for disposal, waste tires in a solid waste disposal site unless:

(1) The waste tires are processed in accordance with the standards in section (b) of this regulation; or

(2) The waste tires are received from a person exempt from the requirement to obtain a waste tire collector permit under K.A.R. 28-29-32(c)(1) and (c)(2).

(b) To be landfilled under subsection (a)(1) of this regulation, waste tires must be processed to reduce volume by at least 50 percent by:

(1) shredding;

(2) cutting in half circumferentially;

(3) cutting into at least four parts with no part being greater than $\frac{1}{4}$ of the original tire size;

(4) chipping;

(5) crumbing; or

(6) an equivalent volume reduction process that has received prior approval, in writing, from the department.

(c) Only the following facilities may accept waste tires for recycling, processing, or disposal.

(1) Solid waste disposal facilities authorized to receive, store, and dispose of solid waste that have been issued a solid waste disposal area permit under the provisions of K.S.A. 65-3401 et seq. and amendments, provided that the waste tires will be processed and disposed or transported for processing in accordance with these regulations;

(2) Waste tire monofills which have been issued a solid waste disposal permit under the provisions of K.S.A. 65-3407 et seq. and amendments, provided that the waste tires will be stored, processed, and disposed of in compliance with these regulations;

(3) Waste tire processing facilities designed to shred, grind, utilize for a fuel source, or otherwise provide processing of waste tires and which have been issued a permit under the provisions of K.A.R. 28-29-30; or

(4) Waste tire collection centers where fewer than 1,000 waste tires are kept on the premises on any given day prior to being offered for recycling and which have been issued a permit under the provisions of K.A.R. 28-29-30.

(d) A person shall not dispose of waste tires in a site other than those listed in paragraph (c). (Authorized by K.S.A. 1991 Supp. 3424h; implementing K.S.A. 1991 Supp. 65-3424a; effective, T-28-4-27-92, April 27, 1992.)

28-29-30. Waste tire management permit required. (a) On or after December 31, 1991, a person who accumulates or stores waste tires for processing or recycling is required to have a waste tire processing facility permit or a collection center permit.

(b) Permit applications for waste tire processing facilities or collection centers shall be submitted to the department not less than 90 days before beginning of facility construction.

(c) The following are exempt from the permit requirement of this regulation:

(1) A permitted sanitary landfill, provided that the landfill complies with K.A.R. 28-29-31 (a) through (h)

of these regulations and the waste tires are processed and disposed or transported for processing in accordance with these regulations.

(2) A person using waste tires for containment walls, for composting, commercial operations, traffic control, bumpers for boat docks or boats, or other beneficial use approved by the department.

(3) An owner of a pile of tire-derived products, provided the owner demonstrates to the satisfaction of the department that the tire products have an economic value. Tire derived products that have been stored for over six months at any one period shall be presumed by the department to have no economic value, and the site operator must either:

(A) Store the tire products in accordance with the requirements of K.A.R. 28-29-31(a) through (e) and demonstrate to the satisfaction of the department that the tire products do have an economic value by presenting receipts, orders, or other documentation acceptable to the department; or

(B) Remove the products for recycling, further processing, or disposal.

(d) In order to receive a waste tire processing facility permit, a waste tire processing facility must demonstrate compliance with the requirements of this regulation, K.A.R. 28-29-31, and any special permit conditions required by the department. An application for a waste tire processing facility shall be submitted on forms provided by the department and shall include all information required by the department. A waste tire processing facility permit application shall include, but not be limited to, the following:

(1) The zoning designation of the site and a written statement of compatibility of the proposed waste tire processing facility with the acknowledged local comprehensive plan and zoning requirements from the local government unit or units having jurisdiction;

(2) A description of the land use within a one-half mile radius of the facility, identifying any buildings and surface waters;

(3) A management program for operation of the site, which includes:

(A) Anticipated maximum number of waste tires to be stored until processed at the site for any given one year period;

(B) Proposed methods and schedule for processing or disposal;

(C) Procedures the facility proposes to use to meet the technical tire processing standards in K.A.R. 28-29-29(b) for tires currently stored on the site and tires to be accepted; and

(D) Procedures the facility proposes to use to meet the mosquito and rodent control requirements of K.A.R. 28-29-31(b)(5) and 28-29-31(b)(11);

(4) A contingency plan to minimize damage from fire or other emergencies at the site which shall include procedures to be followed by facility personnel, including measures to be taken to minimize the occurrence or spread of fires;

(5) The following maps:

(A) A site location map showing section, township, range, and site boundaries;

(B) A site layout drawing, showing size and location of all pertinent man-made and natural features of the site including roads, fire lanes, ditches, berms, waste tire storage areas, structures, wetlands, floodways, and surface waters; and

(C) A topographic map using a scale of no less than one inch equals 2,000 feet, with 10 foot intervals on 7.5 minute series showing site boundaries;

(6) Proof that the applicant holds financial assurance in an amount acceptable to the department as necessary for waste tire removal, processing, or other measures to protect the environment and the public health and safety;

(7) Proof that the applicant owns or has a long-term lease of the site;

(8) An application fee of \$250;

(9) A closure plan. The closure plan shall include:

(A) When or under what circumstances the site will close, including any phase-in of the closure;

(B) How all waste tires and tire-derived products will be removed from the site or otherwise properly disposed of upon closure;

(C) A schedule for the applicable closure procedures, including the time period for completing the closure procedures; and

(D) A plan for site rehabilitation, if required by the department.

(e) An application for a collection center permit shall be submitted on forms provided by the department and shall include all information required by the department. This application shall include, but not be limited to, the following:

(1) The zoning designation of the site and a written statement of compatibility of the proposed collection center with the acknowledged local comprehensive plan and zoning requirements from the local government unit or units having jurisdiction;

(2) A description of the land use within a one-half mile radius of the facility, identifying any buildings and surface waters;

(3) A site layout drawing, showing size and location of all pertinent man-made and natural features of the site;

(4) A management program for operation of the site, which includes:

(A) Proposed methods and schedule for storage before transportation and recycling;

(B) Procedures the applicant proposes to use to comply with the mosquito and rodent control requirements of K.A.R. 28-29-31(b)(5) and 28-29-31(b)(11); and

(5) An application fee of \$100.

(f) A waste tire processing facility or collection center permit shall be issued for a one year period. A waste tire processing facility or collection center permittee who wants to renew the permit shall apply to the department for permit renewal at least 90 days before the permit expiration date. The renewal application shall be submitted on forms provided by the department and shall include all information required by the department. It shall include a permit renewal fee of

(continued)

\$100 for waste tire processing facilities or \$50 for waste tire collection centers.

(g) A waste tire processing facility or collection center permittee may request from the department a permit modification to modify the operations authorized in an unexpired permit. A permit modification request shall include all information required by the department. The procedure for modifying permits contained in K.A.R. 28-29-8 shall apply.

(h) Notice of plans to transfer ownership of any facility permitted under these regulations must be reported to the department not less than 30 days before said transfer. Permits are issued only for the premises and persons named in the permit. Permits shall not be transferable or assignable.

(i) The owner or operator of any facility permitted under these regulations must allow duly authorized representatives of the department access to both property and records pertaining to the site so that inspections may be completed in accordance with the procedures in K.A.R. 28-29-16 and for other purposes as required to implement the provisions of these regulations.

(j) The owner or operator of any facility permitted under these regulations shall submit for the department's approval an amount of financial assurance required by K.A.R. 28-29-30(d)(6), except that collection centers are exempt from this requirement.

(1) The waste tire processing facility permittee shall base the amount of financial assurance on the estimated cost of cleanup for the maximum number of waste passenger tire equivalents allowed by the facility permit to be stored for processing, disposal, or recycling in one month, and on the estimated cost of fire suppression.

(2) The department will accept as financial assurance only those instruments complying with requirements of 28-29-30(d)(6). Evidence of the required financial assurance shall be filed with the department. Proposed cancellation of any required financial assurance instruments shall be reported to the department 30 days prior to cancellation.

(k) The waste tire processing facility or collection center permittee shall prepare and file a semi-annual operations report with the department on a form provided by the department on or before January 15 and July 15 of each year. These reports will be maintained at the facility for a period of not less than three years. The report must:

(1) Include the total quantity of whole waste tires at the facility and the quantity added and removed since the previous report;

(2) Identify the location to which any whole waste tires have been taken and the quantity transported;

(3) Identify any environmental problems, fires, or significant changes or progress toward the ultimate disposal of or use of waste tires received or located at the facility; and

(4) Identify pesticides and quantities used during the reporting period.

(l) The owner or operator of a permitted waste tire processing facility or collection center shall cease to

accept waste tires and shall close the waste tire site in compliance with any special closure conditions established in the facility permit and these regulations, if:

(1) The owner or operator declares the site closed;

(2) The storage, processing, or disposal permit expires or is revoked;

(3) A department order to cease operations is issued; or

(4) A permit compliance schedule specifying closure is to begin.

(m) The owner or operator of a permitted waste tire processing facility or collection center shall comply with the applicable standards for storage and operation in K.A.R. 28-29-31.

(n) Any person who fails to manage waste tires according to the conditions, limitations, or terms of a permit or these regulations, or who fails to obtain a permit, is in violation of these regulations and shall be subject to penalties as provided in K.S.A. 65-3409, as amended by L. 1991, Ch. 197, Sec. 8, and K.S.A. 1990 Supp. 65-3419, or to any other enforcement action provided by law.

(o) The department may suspend any permit issued under this regulation. The procedure for suspension of permits contained in K.A.R. 28-29-9 shall apply.

(p) The department may deny an application or revoke any permit issued under this regulation. The reasons for denial or revocation of permits contained in K.A.R. 28-29-10 shall apply.

(q) Any waste tire processing facility or collection center in operation on December 31, 1991, may continue operation on an interim basis provided the facility or center:

(1) Receives an interim permit from the department. The facility or center shall make a written application, on forms furnished by the department, for the interim permit;

(2) Continues the operation of the facility or center in substantial compliance with the applicable requirements of K.A.R. 28-29-31; and

(3) Makes written application for a regular permit in accordance with the provisions of this regulation within 60 days of receipt of an interim permit.

(r) Interim permits issued under subsection (q) of this regulation shall remain in effect for a period not to exceed 180 days from the date of issuance and shall automatically expire upon issuance or denial of the regular permit. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992.)

28-29-31. Standards for waste tire sites, processing facilities, and collection centers. (a) A waste tire site or processing facility to which this section applies shall not be operated in a wetland, waterway, floodway, 25-year floodplain, or any area where it may be subjected to submersion in water.

(b) Operation. A waste tire site or processing facility shall be operated in compliance with the following standards:

(1) An outdoor waste tire pile shall not exceed the following maximum dimensions:

(A) Width: 50 feet;

- (B) Area: 5,000 square feet; and
 (C) Height: six feet.
- (2) A 50-foot fire lane shall be developed around the perimeter of each waste tire pile. An approach and access road to the waste tire storage site shall be maintained passable for any vehicle at all times. Access to the site shall be controlled through the use of fences, gates, or other means of controlling access. Access to the fire lane for emergency vehicles must be unobstructed at all times.
- (3) Waste tire sites shall be located at least 60 feet from buildings.
- (4) Waste tires to be stored for one month or longer shall be ricked unless the department waives this requirement.
- (5) The permittee shall operate and maintain the site in a manner which controls mosquitoes and rodents.
- (6) A sign shall be posted at the entrance of the site stating permit number, operating hours, cost of disposal, and site rules if the site receives tires from persons other than the operator of the site.
- (7) Activities involving the use of open flames, smoking materials, or other ignition sources shall not be conducted within 25 feet of a waste tire site. Vegetation within 100 feet of a waste tire site shall be maintained at a maximum height of four inches.
- (8) If required by local authorities, the waste tire site shall be screened from public view.
- (9) An attendant shall be present at all times when the waste tire site is open for business, if the site receives tires from persons other than the operator of the site.
- (10) The waste tire site shall be bermed or otherwise protected to prevent any liquid runoff from potential tire fires from entering waterways.
- (11) Between March 1 and November 1 of each calendar year a waste tire processing facility, collection center, or waste tire site shall not accumulate or maintain an accumulation of waste tires unless the tires are:
- (A) Drained of water on the day of generation or receipt and kept dry by being:
- Placed within a closed container or structure;
 - Covered by material impermeable to water; or
 - Drained or otherwise managed so as to remove water within 24 hours after each precipitation event;
- (B) Drained of water on the day of generation or receipt and processed within 14 days; or
- (C) Drained of water on the day of generation or receipt and treated within 14 days, with a pesticide appropriate to prevent the development of mosquito larvae and pupae, and treated again as often as necessary to prevent such development, taking into account the persistence (effective life) of the pesticide utilized; or
- (D) Treated on the day of generation or receipt with a pesticide appropriate to prevent the development of mosquito larvae and pupae and treated again as often as necessary to prevent such development, taking into account the persistence (effective of life) of the pesticide utilized.
- (c) Persons applying pesticides shall comply with the Kansas Pesticide Act K.S.A. 1990 Supp. 2-2438a et seq. Whenever any restricted use pesticide is specified as a part of a vector control program, then the person applying said pesticide shall possess a commercial ap-

pliator's certificate as required by K.S.A. 2-2441a in the category of public health pest control in K.S.A. 2-2444a (a)(8).

(d) If pyrolytic oil from a tire fire is released at the waste tire site, the permittee shall remove the oil and contaminated soil in accordance with applicable rules of solid and hazardous waste governing the removal, transportation and disposal of the material.

(e) The department may impose additional requirements for any individual waste tire site which are reasonably necessary to protect the public health or the environment.

(f) Waste tires stored indoors at a waste tire processing facility shall be stored in compliance with the "Standards for Storage of Rubber Tires," NFPA 231D, 1989 edition, published by the National Fire Protection Association, Quincy, Massachusetts.

(g) The department may approve exceptions to the preceding technical and operational standards for a person processing waste tires if:

(1) The average time of storage of a waste tire on that site is 14 days or less; and

(2) The department and the local fire authority are satisfied that the permittee has sufficient fire suppression equipment, materials, or both on site to extinguish any potential tire fire within an acceptable length of time.

(h) Waste tire collection centers are subject to the storage standards in subsections (a), (b)(2), (b)(4) through (b)(9), (d), and (g) and the closure provisions in subsection (j) of this regulation.

(i) Tire-derived products shall be subject to the standards in subsections (a) through (e) of this regulation.

(j) Persons operating waste tire sites, including waste tire monofills, solid waste landfills, processing facilities or collection centers, may be required by the department to close the waste tire site. In closing the waste tire site, the permittee shall:

(1) Close public access to the waste tire site for tire storage;

(2) Post a notice indicating to the public that the site is closed and, if the site had accepted waste tires from the public, indicating the nearest site where waste tires can be deposited;

(3) Notify the department and local government having jurisdiction over the site of the closing of the site;

(4) Remove all waste tires and tire-derived products to a waste tire site, waste tire processing facility, solid waste disposal site authorized to accept waste tires, or other facility approved by the department;

(5) Remove any solid waste to a permitted solid waste disposal site; and

(6) Submit certification to the department that the site closure is complete.

(k) Any financial assurance not needed for the closure or for other purposes under K.A.R. 28-29-30(j)(1) shall be released to the permittee by the department. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992.)

28-39-32. Waste tire collector permit required. (a) After December 31, 1991, a person shall not collect or transport waste tires or advertise or represent them-

(continued)

selves as being in business as a waste tire collector without first obtaining a waste tire collector permit from the department.

(b) After December 31, 1991, any person who contracts or arranges with another person to collect or transport waste tires for storage, processing, or disposal shall only employ a person holding a waste tire collector permit from the department, unless the person is exempted from permitting requirements by K.A.R. 28-29-30(c).

(c) The following persons are exempt from the requirement to obtain a waste tire collector permit:

(1) Solid waste collectors hauling mixed municipal solid wastes and who collect fewer than five tires at any one time from a residential premise;

(2) Persons transporting fewer than five tires;

(3) Persons transporting tire-derived products to a market;

(4) Tire retailers or retreaders who transport waste tires in company owned vehicles between company-owned or franchised retail tire outlets and company-owned or franchised retread facilities;

(5) Tire retailers or retreaders who transport used tires or waste tire casings between their retail tire outlet or retread operation and their customers; and

(6) The United States, the state of Kansas, any county, city, town, or municipality in this state, or any department of any of the above except when a vehicle they own or operate is used as a waste tire collector for hire.

(d) Persons who transport waste tires for the purpose of storage, processing, or disposal must apply to the department for a waste tire collector permit within 90 days of the effective date of this regulation. Persons who want to begin transporting waste tires for the purpose of storage, processing, or disposal must apply to the department for a waste tire collector permit at least 90 days before beginning to transport the waste tires. Such persons shall obtain a permit before transporting waste tires.

(e) Applications shall be made on a form provided by the department. It shall include but not be limited to:

(1) A description, license number, and registered vehicle owner for each vehicle to be used for transporting waste tires;

(2) Information on the permitted locations where the waste tires will be transported for storage, processing, or disposal; and

(3) Any additional information required by the department.

(f) An application for a waste tire collector permit shall include a \$100 non-refundable application fee.

(g) The application for a waste tire collector permit shall also include a financial assurance instrument issued in favor of the department in the amount of a departmentally approved estimate for disposal of the average number of tires transported in one month by the permittee.

(1) Any financial assurance instrument submitted under conditions of this rule shall remain in effect for not less than two years following termination of the waste tire collector permit.

(2) The surety bond or other financial assurance shall be filed with the department and shall provide that:

(A) In performing services as a waste tire collector, the applicant shall comply with the provisions of this rule; and

(B) Any person injured by the failure of a permittee to comply with the provisions of this rule shall have a right of action on the bond or other financial assurance in the name of the person, provided such right of action shall be made to the principal or the surety company within two years after the injury.

(h) A waste tire collector permit shall be issued for a one year period. Waste tire collector permittees who want to renew their permits shall apply to the department for permit renewal 90 days before the permit expiration date. The renewal application shall be submitted on a form provided by the department and shall include all information required by the department and a permit renewal fee of \$50.

(i) A corporation which has more than one separate business location may submit one waste tire collector permit application which provides for services to all the locations.

(j) A waste tire collector permittee may add another vehicle, whether leased for a long term period of time or purchased, to its permitted waste tire collector fleet if it does the following before using the vehicle to transport waste tires:

(1) Submits to the department the information required in section (e) of this rule; and

(2) Carries in each additional vehicle a copy of the waste tire collector permit from the department pursuant to K.A.R. 28-29-33(a) and (b).

(k) A waste tire collector permittee may lease additional vehicles to use under its waste tire collector permit without adding that vehicle to its fleet if the vehicle is leased for less than 30 days, provided:

(1) The permittee notifies the department that it will use vehicles leased for a short-term period of time and carries a copy of the permittee's permit in each leased vehicle;

(2) The permittee keeps a daily record of all vehicles leased for a short period of time which includes, with beginning and ending dates used, license numbers, registration and the person from whom the vehicles were leased. The daily record must be kept current at all times and is subject to verification by the department. The daily record shall be maintained at the principal Kansas office of the permittee. The daily record shall be submitted to the department each year as a part of the permittee's annual report required by K.A.R. 28-29-33(f).

(l) The department may suspend any permit issued under this regulation. The procedure for suspension of permits contained in K.A.R. 28-29-9 shall apply.

(m) The department may deny an application or revoke any permit issued under this regulation. The reasons for denial or revocation of permits contained in K.A.R. 28-29-10 shall apply.

(n) Any waste tire collector in operation on December 31, 1991, may continue operation on an interim basis provided the collector:

(1) Received an interim permit from the department. The collector shall make written application, on forms furnished by the department, for the interim permit;

(2) Continues operation in substantial compliance with the applicable requirements of K.A.R. 28-29-33; and

(3) Makes written application for a regular permit in accordance with the provisions of this regulation within 60 days of receipt of an interim permit.

(o) Interim permits issued under subsection (n) of this regulation shall remain in effect for a period not to exceed 180 days from the date of issuance and shall automatically expire upon issuance or denial of the regular permit. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992.)

28-29-33. Waste tire collector standards. (a) Each person required to obtain a waste tire collector permit shall:

(1) Display a current permit issued by the department in each vehicle which transports waste tires; and

(2) Maintain the financial assurance required under K.A.R. 28-29-32 (g).

(b) When a waste tire collector permit expires or is revoked or suspended, the former permittee shall immediately remove all waste tire permits from its vehicles. The permittee shall surrender a revoked or suspended permit, and certify in writing to the department within fourteen days of revocation or suspension that all department permits have been removed from all vehicles.

(c) A waste tire collector only shall leave waste tires at a waste tire facility authorized to accept them under K.A.R. 28-29-29 or at another site approved by the department, such as a site authorized to accept waste tires under the laws or regulations of another state.

(d) Waste tire collector permittees shall record and maintain for three years the following information regarding their activities for each month of operation:

(1) The number of waste tires collected;

(2) Name and location from which the waste tires were collected; and

(3) Where the waste tires were deposited. The waste tire collector shall keep receipts or other written materials documenting where all tires were delivered.

(e) Interstate transportation. Persons who engage in the transportation of waste tires in Kansas, from Kansas to other states or countries, or from other states or countries to Kansas, shall comply with all of the requirements for collectors contained in these sections. Persons who engage in the transportation of waste tires which do not originate or terminate in Kansas are exempt from these regulations.

(f) Waste tire collector permittees shall submit to the department an annual report on a form provided by the department that summarizes the information collected under section (d) of this regulation. This report shall be submitted to the department annually upon application for permit renewal and as a condition of holding a permit. The annual permit renewal fee is \$50.

(g) The permittee shall provide evidence of required financial assurance when the annual renewal fee is submitted. (Authorized by K.S.A. 1991 Supp. 65-3424h;

implementing K.S.A. 1991 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992.)

28-29-34. Waste tire management grants. (a) A multi-county region, county, city, or private business, individually or collectively, is eligible to apply to the department for a waste tire management grant.

(b) Waste tire management grants shall be subject to the availability of funding.

(c) Each county or city or multi-county region in the state that has a solid waste plan established under the provisions of K.S.A. 65-3405 is eligible to receive grant funds for the development and implementation of a base waste tire management program based upon the following formula, except that the minimum grant shall be \$5,000:

(1) Maximum base program grant—(population) × (generation factor) × (\$0.50) where:

(2) "Population" is the population of the jurisdictional area of the applicant as determined by the 1990 U.S. census for the state of Kansas; and

(3) "Generation factor" is the estimate of the quantity of tires generated per capita subject to the excise tax imposed by K.S.A. 1990 Supp. 65-3424d, as amended by L. 1991, Ch. 197, Sec. 4, as determined by the department for the jurisdictional area of the applicant. For the purpose of this regulation, the generation factor shall be presumed to be 1.0 tires per capita per year statewide unless modified by the department.

(d) Eligible projects. Projects eligible for a waste tire management grant include projects whose primary purpose is to divert the stream of waste tires from unlawful stockpiling by effectively managing the transportation, storage, processing, and disposal of waste tires. Eligible waste tire management projects may include the following:

(1) Development and implementation of a waste tire collection, abatement, recycling, and disposal program;

(2) Development and operation of an education program to promote waste tire management and recycling; and

(3) Enforcement of state and local laws relating to waste tire collection and disposal.

(e) Ineligible projects. Projects that are not eligible for a waste tire management grant include, but are not limited to, the following:

(1) Waste tire projects designed principally for research and development; and

(2) Experimental waste tire process testing, piloting, and designing of an experimental process, plant, or system.

(f) Eligible costs. Eligible costs for the waste tire management grant include the reasonable and necessary costs of:

(1) Personnel;

(2) In-state travel and out-of-state travel, except that out-of-state travel must receive prior approval by the department;

(3) Equipment rental and operation related to processing, disposal, or transportation of tires;

(4) Professional assistance with project planning, finance, legal affairs, marketing, engineering, and environmental evaluations, when performed in

(continued)

conjunction with the operation of a program, process, or system for waste tire management;

(5) Costs associated with the printing of brochures and other public educational material; and

(6) Specific costs of capital equipment and construction directly related to waste tire management and as approved by the department.

(g) Ineligible costs. Ineligible costs for the waste tire management grant include, but are not limited to the following:

(1) The costs of preparing permit applications;

(2) Permit fees;

(3) The costs of waste tires purchased as a raw material or feedstock, except as a part of a waste tire abatement project approved by the department;

(4) Costs incurred prior to the issuance of a grant award by the department, unless such costs are associated with the completion of a waste tire abatement project approved by the department; and

(5) Costs incurred after the expiration date of the grant award.

(g) Additional funds may be requested by an applicant to abate waste tire sites which pose a threat to the public health, property, or the environment. Applications for abatement grant funds submitted by private firms shall be approved by the county or city responsible for implementing the solid waste plan approved by the department under the provisions of K.S.A. 65-3405 for the area in which the grant project is to be located prior to submittal to the department. The approval will verify that the project is consistent with the provisions of the local solid waste management plan. Abatement grant funds shall be awarded by the department on the basis of the following criteria:

(1) The size of the waste tire site;

(2) The fire hazard posed by the waste tire site;

(3) The public health and welfare threat posed by the waste tire site due to mosquito or rodent infestation;

(4) The proximity of the waste tire site to populated areas;

(5) The natural resources that may be adversely affected by the waste tire site; and

(6) The likelihood that the waste tire site will be abated without grant assistance. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424f; effective, 28-4-27-92, April 27, 1992.)

28-29-35. Waste tire grant application. An application for a waste tire management grant shall be submitted on forms provided by the department and shall contain the following information:

(a) An application signed by the governing body or management which:

(1) Authorizes the application and identifies an authorized representative to act on behalf of the applicant;

(2) Assures that the applicant will carry out all proposed activities as described in the grant application and approved for grant funding by the department;

(3) Assures that the applicant will maintain and submit records substantiating program expenditures and activities as required by the department; and

(4) Authorizes department employees access to inspect project sites and records upon request during normal business hours;

(b) A description of the proposed project identifying the location of the activity, the sources and estimated amount of waste tires to be used or managed, the activity or processes involved, the expected goals or products to be produced, and the estimated market potential for any products which may result from the project;

(c) A project budget, including proposed funding sources, detailed estimates of the total project cost and proposed eligible costs, and documentation of how the estimate was made;

(d) A proposed timetable for completion of the project showing the estimated dates of completing major project components; and

(e) Other information as requested by the department to determine compliance with this regulation. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424f; effective, T-28-4-27-92, April 27, 1992.)

28-29-36. Grant awards. (a) The department may issue a waste tire management grant award after it has determined that the project is eligible.

(b) The grant award project period shall expire one year from the date of issuance of the grant award unless an extension is requested by the grantee and approved in writing by the department.

(c) The department may amend a grant award for major changes in project scope if it determines that the changes are necessary to meet the objectives of these regulations. A request for a grant amendment shall be made and fully documented by the grantee. Any amendments to a grant award shall be made in writing and mutually agreed to by the grantee and the department. The department's approval of grant amendments shall be subject to the availability of funds.

(d) The department may cancel a grant award if the grantee does not accept the grant award within 45 days of issuance by the department.

(e) The department may terminate an accepted grant and the grantee shall return the full amount of payments received, if any, if the department determines that:

(1) There has been no substantial performance on the project;

(2) There is substantial evidence that the grant was obtained by fraud; or

(3) There is substantial evidence of gross abuse or corrupt practices by the grantee in carrying out the project. (Authorized by K.S.A. 1991 Supp. 65-3424h; implementing K.S.A. 1991 Supp. 65-3424f; effective, T-28-4-27-92, April 27, 1992.)

Azzie Young
Secretary of Health
and Environment

Doc. No. 011951

State of Kansas

Department of Education

Permanent Administrative
Regulations

Article 1.—CERTIFICATE REGULATIONS

91-1-27d. Visiting scholar certificate. (a) Notwithstanding any other requirement for certification, any person may be issued a visiting scholar certificate valid only through June 30 of the school year for which the certificate is issued.

(b) Any person wanting a visiting scholar certificate shall submit to the commissioner of education:

(1) an application for a visiting scholar certificate and the appropriate certification fee;

(2) written verification from an administrator of an accredited or approved local education agency that the applicant will be employed if the certificate is issued; and

(3) documentation of exceptional talent or outstanding distinction in one or more subjects or fields.

(c) Upon receipt of an application for a visiting scholar certificate:

(1) The application and documentation submitted shall be reviewed by the commissioner of education or the commissioner's designee. As deemed necessary, other steps shall be taken by the commissioner of education or the commissioner's designee to determine the applicant's qualifications to be issued a visiting scholar certificate; and

(2) A recommendation to the state board on whether such a certificate should be issued to the applicant shall be made by the commissioner of education or the commissioner's designee.

(d) The question of whether a visiting scholar certificate shall be issued to any applicant shall be decided by the state board. (Authorized by and implementing Article 6, Sec. 2(a) of the Kansas Constitution; effective June 29, 1992.)

Article 12.—SPECIAL EDUCATION

91-12-23. State approval of special education services. (a) General criteria for state approval. State approval of any special education services to be offered shall require that the agency proposing to provide the services has made provision for:

(1) The employment of personnel properly certificated and endorsed in their assigned categories of exceptionality and level of instruction;

(2) compliance with pupil-teacher ratios;

(3) the special education and related services identified in the individual education program of each student;

(4) facilities comparable to those provided non-exceptional children;

(5) compliance with identification, individualized education program, placement, and review procedures;

(6) appropriate licensed or certificated support personnel;

(continued)

(7) other necessary related services; and
(8) an approvable delivery model or models. The following plans for delivering special education services may be approved:

(A) Home-based instruction;

(B) regular education with support services only;

(C) consulting teacher plan;

(D) resource room plan;

(E) self-contained special class;

(F) special day school;

(G) residential school;

(H) hospital instruction; or

(I) homebound instruction.

With the exception of home-based and homebound instruction, these models may be implemented through either categorical or interrelated service units. Combinations of delivery models also may be approved.

(b) Request for approval of innovative delivery models. Local education agencies shall submit a written plan to the special education administration section for review and approval, or disapproval, of innovative delivery models for which there are no standards. Each plan shall include:

(1) The name by which the model may be identified;

(2) a statement of the specific purpose or special education need or needs to which this delivery model will respond;

(3) a description of the type of special education services to be provided and the projected length of time the services will be provided;

(4) the procedures for selecting students to be served;

(5) the number of children to be served; and

(6) the instructional level or levels to be included.

(c) Requests for waiver.

(1) Requests for a waiver of any requirement provided in article 12 of these regulations may be granted or denied by the state commissioner of education or his designee. Requests for a waiver shall be made, in writing, to the state commissioner of education or his designee. The local education agency shall show good cause for the granting of such a waiver and shall present an alternative to the requirement which will ensure that the objectives of these regulations will be achieved. Written notice of the decision of the state commissioner of education or his designee to grant or deny the request shall be given to the local education agency requesting the waiver. If the request is denied, the notice shall specify the reason or reasons for the denial of the request and advise the local education agency of the appeal procedure provided for in paragraph two of this subsection.

(2) Any local education agency may appeal the denial of its request for a waiver to the state board of education within 15 calendar days of the date written notice was sent to the local education agency. Upon receiving an appeal, an appeal committee of at least three department of education members shall be appointed by the commissioner on behalf of the state board of education to review the denial of the request and to consider the information from the local edu-

(continued)

cation agency. The appeal process shall be completed within 30 calendar days of the appeal request from the local education agency. A recommendation shall be given to the state board of education within 15 days after the appeal process has been completed. The recommendation shall be considered by the state board of education at its next meeting.

(3) If the commissioner of education or his designee grants the request for waiver, such action shall be subject to confirmation or rejection by the state board of education at its next meeting.

(4) Any waiver shall be granted for a period not exceeding 12 months. (Authorized by and implementing K.S.A. 72-963; effective May 1, 1983; amended, T-87-23, Oct. 1, 1986; amended May 1, 1987; amended, T-88-40, Oct. 27, 1987; amended May 1, 1988; amended July 1, 1990; amended June 29, 1992.)

91-12-61. Paraprofessionals in special education.

(a) No special education paraprofessional shall:

(1) Be solely responsible for a classroom, professional support or related service;

(2) be responsible for selecting or administering formal diagnostic or psychological instruments or for interpreting the results of those instruments unless authorized under K.A.R. 91-12-62;

(3) be responsible for programming or prescribing educational activities or materials for the students without the supervision and guidance of the teacher;

(4) be solely responsible for preparing lesson plans or initiating original concept instruction;

(5) be assigned to work with one or more of the most difficult students the majority of the school day merely for the convenience of the teacher;

(6) be employed in lieu of needed itinerant special education personnel;

(7) be utilized as a substitute teacher, unless the paraprofessional possesses the appropriate certificate; or

(8) be enrolled as an elementary or secondary school student.

(b) Assignment.

(1) Any paraprofessional may be assigned to a regular classroom program where one or more special education students are being maintained, but that paraprofessional shall be supervised by a special education teacher who meets the requirements in K.A.R. 91-12-22 (rr) (1) through (4), and shall be assigned duties that relate solely to the education of exceptional children.

(2) Each local education agency shall obtain individual approval from the special education administration section for any paraprofessional whose only assignment is to assist students with one or more hearing, physical or visual impairments in a regular classroom program.

(3) No more than three paraprofessionals, whether full time or part time, shall be assigned to a single professional, unless otherwise prescribed in these rules and regulations. No paraprofessional shall be assigned to more than two professionals.

(4) Except for paraprofessionals providing supervised occupational, physical or speech therapy, any

paraprofessional assigned to a professional may work with an exceptional child when the professional is not in the building only if the professional works directly with both that child and the paraprofessional at least twice each week. The paraprofessional providing supervised occupational or physical therapy must receive direct supervision by a professional occupational or physical therapist twice each month. The paraprofessional providing supervised speech therapy must receive direct supervision by a professional speech language clinician once each week. If the professional is not present each day, the paraprofessional shall be assigned to, and supervised by, a designated principal or regular classroom teacher.

(5) Each paraprofessional who is assigned to a work site that is off school property shall be assigned to a special education teacher.

(A) The special education teacher shall work with the paraprofessional and the student a minimum of twice a week.

(B) A designated person at the off-school property location shall monitor the paraprofessional when the special teacher is not present.

(c) Approval of paraprofessional programs.

(1) Inservice program standards. Each local education agency shall file with the special education administration section a plan for inservice training for special education instructional paraprofessionals. At the conclusion of each school year, a report shall be filed that describes the training that occurred during the school year.

(2) Each inservice training program shall include:

(A) An orientation session; and

(B) inservice training specifically related to the area and type of program in which the special education instructional paraprofessional is employed. Each special education instructional paraprofessional shall receive no less than 20 clock hours of inservice training per school year.

(d) Each special education instructional paraprofessional shall possess a paraprofessional I, II, or III permit.

(1) The requirements for a Paraprofessional I permit shall be participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year. The local education agency may choose to substitute all or part of the above requirements with an equivalent amount of appropriate college coursework taken during the school year. Each paraprofessional, without prior experience as an instructional paraprofessional, shall be approved and shall receive a paraprofessional I permit after participation in 20 clock hours of inservice training.

(2) The requirements for a paraprofessional II permit shall be:

(A) Two years experience as an instructional paraprofessional;

(B) (i) completion of 30 semester college hours of approved academic work;

(ii) an equivalent 450 clock hours of approved inservice training; or

(iii) a combination of (i or ii) totaling 450 clock hours; and
 (C) participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year.
 (3) The requirements for a paraprofessional III permit shall be:
 (A) Three years experience as an instructional paraprofessional;
 (B) (i) completion of 60 semester college hours of approved academic work;
 (ii) an associate degree from an approved training program for instructional paraprofessionals;
 (iii) a certificate from an approved training program for instructional paraprofessionals from a vocational technical school;

(iv) an equivalent 900 clock hours of approved inservice training; or
 (v) a combination of (i-iv) totaling 900 clock hours; and
 (C) participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year. (Authorized by and implementing K.S.A. 72-963; effective May 1, 1983; amended May 1, 1985; amended May 1, 1986; amended July 1, 1990; amended June 29, 1992.)

Dr. Lee Droegemueller
 Commissioner of Education

Doc. No. 011983

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 1991 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-30	New	V. 11, p. 278
1-2-81	Revoked	V. 11, p. 278
1-5-15	Amended	V. 10, p. 1688
1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
1-6-2	Amended	V. 11, p. 278
1-6-29	Amended	V. 10, p. 1689
1-6-32	Amended	V. 11, p. 278
1-9-4	Amended	V. 10, p. 1690
1-9-5	Amended	V. 10, p. 1691
1-9-7a	Amended	V. 10, p. 382, 760
1-9-19a	Amended	V. 11, p. 279
1-9-21	Amended	V. 10, p. 1692
1-16-18	Amended	V. 10, p. 1470, 1497
1-17-1	Amended	V. 10, p. 1471
1-17-2	Amended	V. 10, p. 1471
1-17-2a	Amended	V. 10, p. 1471
1-45-16	Amended	V. 10, p. 1692
1-49-1	Amended	V. 10, p. 1472

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-3-47	Amended	V. 10, p. 1319
4-3-49	Amended	V. 10, p. 1319
4-7-2	Amended	V. 10, p. 1319
4-7-510	Amended	V. 10, p. 1319
4-7-513	Amended	V. 10, p. 1319
4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
4-7-532	New	V. 10, p. 1319
4-7-533	New	V. 10, p. 1320
4-7-716	Amended	V. 11, p. 555
4-7-717	Amended	V. 10, p. 1320
4-7-719	Amended	V. 11, p. 63
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	New	V. 10, p. 1320
4-8-27	Amended	V. 11, p. 555
4-8-30	Amended	V. 10, p. 1321
4-8-39	Amended	V. 10, p. 1321
4-8-40	Amended	V. 10, p. 1321
4-8-41	New	V. 11, p. 555

4-13-28	New	V. 10, p. 1321
4-15-2	Amended	V. 11, p. 555
4-16-300 through 4-16-305	New	V. 11, p. 556, 557
4-17-300 through 4-17-305	New	V. 11, p. 557, 558*
4-33-1	Amended	V. 10, p. 1315, 1321
4-33-2	New	V. 10, p. 1315, 1321

AGENCY 5: BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-23-3	Amended	V. 10, p. 1194
5-23-4a	New	V. 10, p. 1195
5-24-2	Amended	V. 10, p. 976
5-24-5	Amended	V. 10, p. 977
5-40-1	Amended	V. 11, p. 15, 40
5-42-1	Amended	V. 11, p. 40, 361
5-42-3	Amended	V. 11, p. 361
5-44-1 through 5-44-6	New	V. 11, p. 15-17, 40-42
5-45-1 through 5-45-4	Amended	V. 11, p. 42-44, 361-363
5-45-6	Amended	V. 11, p. 44, 363
5-45-7	Amended	V. 11, p. 44, 363
5-45-12	Amended	V. 11, p. 44, 363
5-45-13	Amended	V. 11, p. 45, 364
5-45-14 through 5-45-17	New	V. 11, p. 45, 364, 365

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 10, p. 728
7-32-2	New	V. 10, p. 728

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-13-1 through 9-13-3	Revoked	V. 10, p. 1821, 1822
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1822
9-19-1 through 9-19-11	New	V. 10, p. 1822-1827
9-20-1	New	V. 10, p. 1827
9-20-2	New	V. 10, p. 1828
9-20-3	New	V. 10, p. 1828
9-21-1	New	V. 10, p. 1828
9-21-2	New	V. 10, p. 1829
9-21-3	New	V. 10, p. 1829
9-22-1	New	V. 10, p. 1829
9-22-2	New	V. 10, p. 1830
9-22-3	New	V. 10, p. 1830
9-23-1	New	V. 10, p. 1830
9-23-2	New	V. 10, p. 1831
9-23-3	New	V. 10, p. 1831

9-24-1	New	V. 10, p. 1831
9-24-2	New	V. 10, p. 1832
9-24-3	New	V. 10, p. 1832

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

Reg. No.	Action	Register
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690
14-21-9	Amended	V. 10, p. 690
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-17	Amended	V. 10, p. 1768
17-11-18	Amended	V. 10, p. 1768
17-11-21	Amended	V. 10, p. 1768
17-12-1	Amended	V. 10, p. 1768
17-12-2	Amended	V. 10, p. 1769
17-14-1	Amended	V. 10, p. 1769
17-15-1	Amended	V. 10, p. 1769
17-16-1	Amended	V. 10, p. 1772
17-16-2	Amended	V. 10, p. 1772
17-16-3	Amended	V. 10, p. 1772
17-16-5	Amended	V. 10, p. 1773
17-16-6	Amended	V. 10, p. 1773
17-16-8	Amended	V. 10, p. 1773
17-16-9	Amended	V. 10, p. 1773
17-18-4	Amended	V. 10, p. 1773
17-20-1	New	V. 10, p. 1773

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Reg. No.	Action	Register
19-1-1	Amended	V. 11, p. 714
19-1-11	Amended	V. 11, p. 714
19-3-2	Amended	V. 11, p. 714
19-4-2	Amended	V. 11, p. 715
19-20-2	Amended	V. 11, p. 715
19-27-2	Amended	V. 11, p. 715
19-29-2	Amended	V. 11, p. 716
19-29-4	Amended	V. 11, p. 717
19-29-5	New	V. 11, p. 717
19-30-4	Amended	V. 11, p. 717
19-40-3a	Amended	V. 11, p. 718
19-40-5	New	V. 11, p. 718
19-41-1	Amended	V. 11, p. 718
19-60-3	Amended	V. 11, p. 719
19-61-1	Amended	V. 11, p. 720
19-61-2	Amended	V. 11, p. 720
19-61-3	Revoked	V. 11, p. 720
19-62-1	Amended	V. 11, p. 721
19-62-2	Amended	V. 11, p. 721
19-63-2	Amended	V. 11, p. 721
19-63-3	Amended	V. 11, p. 721
19-63-4	Amended	V. 11, p. 722
19-63-6	New	V. 11, p. 722

(continued)

81-4-1 Amended V. 10, p. 1245, 1316
 81-4-2 New V. 10, p. 172
 81-4-3 New V. 10, p. 1440
 81-5-8 Amended V. 10, p. 1245
 81-5-9 New V. 10, p. 1440
 81-6-1 Amended V. 10, p. 173

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No. Action Register
 82-3-101 Amended V. 10, p. 887
 82-3-103 Amended V. 11, p. 38
 82-3-106 Amended V. 11, p. 38
 82-3-307 Amended V. 10, p. 976
 82-3-600 Amended V. 10, p. 890
 82-3-600b New V. 10, p. 890
 82-3-601 Revoked V. 10, p. 891
 82-3-601a New V. 10, p. 891
 82-3-601b New V. 10, p. 891
 82-3-602 Amended V. 10, p. 891
 82-3-605 New V. 10, p. 892
 82-4-1 Amended V. 10, p. 1121
 82-4-2 Amended V. 10, p. 1121
 82-4-3 Amended V. 10, p. 1122
 82-4-6a Amended V. 10, p. 1122
 82-4-6b Revoked V. 10, p. 1122
 82-4-6d Amended V. 10, p. 1122
 82-4-19a Revoked V. 10, p. 1123
 82-4-20 Amended V. 10, p. 1123
 82-4-27 Amended V. 10, p. 1123
 82-4-27a Amended V. 10, p. 1124
 82-4-27c Amended V. 10, p. 1124

AGENCY 86: REAL ESTATE COMMISSION

Reg. No. Action Register
 86-1-4 Amended V. 10, p. 1466
 86-1-5 Amended V. 10, p. 531
 86-1-11 Amended V. 10, p. 1466
 86-3-10 Amended V. 10, p. 1467
 86-3-21 Amended V. 10, p. 1467

AGENCY 88: BOARD OF REGENTS

Reg. No. Action Register
 88-2-1 Amended V. 10, p. 1467
 88-2-2 Amended V. 10, p. 1467
 88-2-3 Amended V. 10, p. 1467
 88-2-4 Amended V. 10, p. 1468
 88-3-1 Amended V. 10, p. 1468
 88-3-2 Amended V. 10, p. 1508
 88-3-3 Amended V. 10, p. 1469
 88-3-5 Amended V. 10, p. 1469
 88-3-8 Amended V. 10, p. 1469
 88-3-9 Amended V. 10, p. 1469
 88-3-10 Amended V. 10, p. 1469
 88-3-11 Amended V. 10, p. 1469
 88-3-12 Amended V. 10, p. 1470

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No. Action Register
 91-1-68 Revoked V. 10, p. 1046
 91-1-68a New V. 10, p. 1046
 91-1-68b New V. 10, p. 1047
 91-1-68c New V. 10, p. 1048
 91-1-68d New V. 10, p. 1049
 91-1-69 Revoked V. 10, p. 1050
 91-1-101b Amended V. 10, p. 1050
 91-1-112a Amended V. 10, p. 1051
 91-1-150 Amended V. 10, p. 1051
 91-10-1 Revoked V. 10, p. 1051
 91-10-1a New V. 10, p. 1052
 91-12-22 Amended V. 10, p. 1052
 91-12-25 Amended V. 10, p. 1055
 91-12-51 Amended V. 10, p. 1056
 91-12-73 Amended V. 10, p. 1056
 91-31-7 Amended V. 10, p. 686
 91-35-1 through 91-35-4 New V. 10, p. 909, 910
 91-37-1 through 91-37-4 New V. 10, p. 910, 911

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No. Action Register
 92-12-112 New V. 11, p. 559
 92-51-34 Amended V. 11, p. 559
 92-52-9 Amended V. 11, p. 559
 92-52-9a New V. 11, p. 560
 92-55-2a New V. 10, p. 531, 587

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No. Action Register
 93-5-1 New V. 11, p. 554

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

Reg. No. Action Register
 99-8-8 Amended V. 10, p. 1322
 99-8-9 Amended V. 10, p. 1322
 99-25-1 Amended V. 10, p. 1322
 99-25-2 Amended V. 10, p. 1322
 99-25-3 Amended V. 10, p. 1322
 99-30-2 Amended V. 10, p. 1322
 99-30-3 Amended V. 10, p. 1323
 99-30-4 Amended V. 10, p. 1323
 99-30-5 Amended V. 10, p. 1323
 99-30-6 Amended V. 10, p. 1323
 99-31-3 Amended V. 10, p. 1323
 99-31-4 Amended V. 10, p. 1323
 99-32-1 through 99-32-6 Revoked V.10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No. Action Register
 100-10a-4 Amended V. 10, p. 653
 100-11-1 Amended V. 10, p. 653

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No. Action Register
 109-1-1 Amended V. 11, p. 131
 109-2-7 Amended V. 10, p. 1789
 109-5-1 Amended V. 10, p. 1789
 109-5-4 New V. 10, p. 1790
 109-7-1 Amended V. 10, p. 1790
 109-8-1 Amended V. 10, p. 1791
 109-9-1 Amended V. 10, p. 1791
 109-9-4 Amended V. 10, p. 1791
 109-9-5 New V. 11, p. 133
 109-11-2 Amended V. 10, p. 1792
 109-11-6 Amended V. 10, p. 1792
 109-11-9 New V. 10, p. 1792

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No. Action Register
 110-4-1 through 110-4-4 New V. 11, p. 502-504

AGENCY 111: THE KANSAS LOTTERY

Reg. No. Action Register
 111-1-2 Amended V. 7, p. 1190
 111-1-5 Amended V. 8, p. 586
 111-2-1 Amended V. 7, p. 1995
 111-2-2 Amended V. 9, p. 1675
 111-2-2a Revoked V. 9, p. 1675
 111-2-6 Amended V. 11, p. 136
 111-2-7 Revoked V. 10, p. 1210
 111-2-13 Revoked V. 10, p. 881
 111-2-14 New V. 9, p. 30
 111-2-15 Revoked V. 10, p. 881
 111-2-16 Revoked V. 10, p. 1210
 111-2-17 Revoked V. 10, p. 1210
 111-2-18 Revoked V. 11, p. 413
 111-2-19 Revoked V. 11, p. 413
 111-2-20 New V. 11, p. 199
 111-3-1 Amended V. 10, p. 1210
 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. 10, p. 12
 111-3-13 Amended V. 10, p. 1014
 111-3-14 Amended V. 10, p. 12
 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. 10, p. 1211
 111-3-21 Amended V. 10, p. 882
 111-3-22 Amended V. 10, p. 882
 111-3-23 Revoked V. 10, p. 883
 111-3-25 Amended V. 10, p. 883
 111-3-27 Amended V. 10, p. 883
 111-3-29 Amended V. 10, p. 883
 111-3-31 Amended V. 8, p. 209
 111-3-32 Amended V. 10, p. 883
 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. 10, p. 1211
 111-4-101 Amended V. 10, p. 1211
 111-4-102 Amended V. 10, p. 1211
 111-4-103 Amended V. 10, p. 1211
 111-4-104 Amended V. 10, p. 1212
 111-4-105 Amended V. 10, p. 1410
 111-4-106 Amended V. 10, p. 1212
 111-4-106a Amended V. 10, p. 1213
 111-4-107 Amended V. 9, p. 1366
 111-4-108 Amended V. 10, p. 1213
 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 Revoked V. 10, p. 1213
 111-4-217 Amended V. 9, p. 986
 111-4-221 through 111-4-224 Revoked V. 10, p. 1585
 111-4-225 through 111-4-228 Revoked V. 10, p. 1585
 111-4-229 through 111-4-236 Revoked V. 10, p. 1585, 1586
 111-4-237 through 111-4-240 Revoked V. 11, p. 413
 111-4-241 through 111-4-244 New V. 9, p. 1812
 111-4-245 through 111-4-248 New V. 10, p. 200
 111-4-249 through 111-4-252 New V. 9, p. 1813
 111-4-253 through 111-4-256 New V. 10, p. 530
 111-4-257 through 111-4-286 Revoked V. 11, p. 413, 414
 111-4-287 through 111-4-300 New V. 10, p. 883-886
 111-4-301 through 111-4-307 New V. 10, p. 1015, 1016
 111-4-308 through 111-4-320 New V. 10, p. 1214, 1215
 111-4-308 Amended V. 10, p. 1472
 111-4-311 Amended V. 10, p. 1472
 111-4-312 Amended V. 10, p. 1472
 111-4-322 through 111-4-331 New V. 10, p. 1411-1413
 111-4-332 through 111-4-335 New V. 10, p. 1473
 111-4-336 through 111-4-345 New V. 10, p. 1526-1528
 111-4-346 through 111-4-361 New V. 10, p. 1586-1589
 111-4-362 through 111-4-365 New V. 10, p. 1723
 111-4-362 Amended V. 11, p. 13

111-4-366		
through		
111-4-379	New	V. 11, p. 136-139
111-4-380		
through		
111-4-383	New	V. 11, p. 477, 478
111-4-384		
through		
111-4-387	New	V. 11, p. 414
111-4-388		
through		
111-4-400	New	V. 11, p. 478-481
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-11	Amended	V. 9, p. 505
111-5-12	Amended	V. 11, p. 415
111-5-17	Amended	V. 8, p. 211
111-5-18	Amended	V. 10, p. 13
111-5-19	Amended	V. 8, p. 212
111-5-21		
through		
111-5-33	New	V. 11, p. 415-418
111-5-22	Amended	V. 11, p. 481
111-5-23	Amended	V. 11, p. 481
111-5-24	Amended	V. 11, p. 482
111-5-25	Amended	V. 11, p. 482
111-5-27	Amended	V. 11, p. 482
111-5-28	Amended	V. 11, p. 483
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 10, p. 1474
111-6-3	Amended	V. 9, p. 200
111-6-4	Amended	V. 10, p. 1413
111-6-5	Amended	V. 10, p. 14
111-6-6	Amended	V. 10, p. 1474
111-6-9	Amended	V. 10, p. 1217
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-17	Revoked	V. 10, p. 1475
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 10, p. 1475
111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 9, p. 1569
111-7-11	Amended	V. 10, p. 1475
111-7-12		
through		
111-7-32	New	V. 7, p. 1194-1196
111-7-33		
through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44		
through		
111-7-54	New	V. 9, p. 1367-1370
111-7-46	Amended	V. 10, p. 1476
111-7-54	Amended	V. 10, p. 1476
111-7-55		
through		
111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64		
through		
111-7-75	New	V. 11, p. 13, 14
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886

111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5		
through		
111-8-13	New	V. 7, p. 1634
111-9-1		
through		
111-9-12	New	V. 7, p. 1714-1716
111-9-1		
through		
111-9-6	Revoked	V. 9, p. 1680
111-9-13		
through		
111-9-18	Revoked	V. 9, p. 1680
111-9-25		
through		
111-9-30	New	V. 9, p. 699, 700
111-9-31		
through		
111-9-36	New	V. 10, p. 262
111-9-37		
through		
111-9-48	New	V. 10, p. 1439, 1440
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
112-4-1	Amended	V. 11, p. 36, 86
112-4-4	Amended	V. 11, p. 165
112-4-14b	New	V. 10, p. 162
112-4-21	New	V. 10, p. 162
112-6-1		
through		
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-6	Amended	V. 10, p. 165
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-11a	New	V. 11, p. 560
112-9-12		
through		
112-9-21	Revoked	V. 11, p. 560, 561
112-9-12a	New	V. 11, p. 561
112-9-13a	New	V. 11, p. 561
112-9-14a	New	V. 11, p. 561
112-9-15a	New	V. 11, p. 562
112-9-16a	New	V. 11, p. 563
112-9-16b	New	V. 11, p. 563
112-9-17a	New	V. 11, p. 564
112-9-18a	New	V. 11, p. 564
112-9-19a	New	V. 11, p. 565
112-9-21a	New	V. 11, p. 566
112-9-22	Revoked	V. 11, p. 566
112-9-22a	New	V. 11, p. 566
112-9-39	Revoked	V. 11, p. 568
112-9-39a	New	V. 11, p. 568
112-9-40	Revoked	V. 11, p. 568
112-9-40a	New	V. 11, p. 568
112-9-41	Revoked	V. 11, p. 570
112-9-41a	New	V. 11, p. 570
112-9-42	New	V. 11, p. 571
112-9-43	New	V. 11, p. 573
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 10, p. 170
112-10-36	Revoked	V. 11, p. 165
112-10-36a	New	V. 11, p. 37, 135
112-11-21	Amended	V. 10, p. 263, 531
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170

112-13-4	New	V. 10, p. 171
112-13-5	New	V. 10, p. 171
112-16-1		
through		
112-16-14	New	V. 10, p. 1316-1318
112-18-2		
through		
112-18-19	New	V. 11, p. 722-726

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 11, p. 599
115-2-1	Amended	V. 11, p. 600
115-2-3	Amended	V. 11, p. 601
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 11, p. 601
115-4-5	Amended	V. 11, p. 602
115-4-6	Amended	V. 11, p. 603
115-4-7	Amended	V. 11, p. 605
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-9	Amended	V. 10, p. 1820
115-12-3	New	V. 10, p. 1821
115-13-1		
through		
115-13-5	New	V. 10, p. 917-919
115-14-1		
through		
115-14-10	New	V. 10, p. 1441-1443
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-10		
through		
115-17-13	New	V. 10, p. 461, 462
115-17-14	New	V. 11, p. 607
115-18-8	New	V. 11, p. 608
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1		
through		
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 11, p. 657, 722
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956
117-7-1	Amended	V. 11, p. 657

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-2-1	New	V. 11, p. 554

AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

State of Kansas

Secretary of State

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

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

Bill Graves
Secretary of State

(Published in the Kansas Register, May 14, 1992.)

SENATE BILL No. 569

AN ACT relating to election campaign finance; concerning the use of campaign contributions; amending K.S.A. 1991 Supp. 25-4157a and repealing the existing section.

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

Section 1. K.S.A. 1991 Supp. 25-4157a is hereby amended to read as follows: 25-4157a. (a) No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for legitimate campaign purposes or for expenses of holding political office.

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

(b) No candidate or candidate committee shall accept from any other candidate or candidate committee for any candidate for local, state or national office, any moneys received by such candidate or candidate committee as a campaign contribution. *The provisions of this subsection shall not be construed to prohibit a candidate or candidate committee from accepting moneys from another candidate or candidate committee if such moneys constitute a reimbursement for one candidate's proportional share of the cost of any campaign activity participated in by both candidates involved. Such reimbursement shall not exceed an amount equal to the proportional share of the cost directly benefiting and attributable to the personal campaign of the candidate making such reimbursement.*

(c) At the time of the termination of any campaign and prior to the filing of a termination report in accordance with K.S.A. 25-4157 and amendments thereto all residual funds not otherwise obligated for the payment of expenses incurred in such campaign or the holding of office shall be contributed to a charitable organization, as defined by the laws of the state, contributed to a party committee or returned as a refund in whole or in part to any contributor or contributors from whom received or paid into the general fund of the state.

Sec. 2. K.S.A. 1991 Supp. 25-4157a is hereby repealed.

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

(Published in the Kansas Register, May 14, 1992.)

SENATE BILL No. 767

AN ACT concerning congressional districts; providing for the reapportionment thereof; repealing K.S.A. 4-127.

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

Section 1. Whenever a county is included in any congressional district under the provisions of this act, the district shall include the territory within such county as constituted on January 1, 1992.

Sec. 2. Congressional district one shall consist of the following counties: Barber, Barton, Chase, Cheyenne, Clark, Clay, Cloud, Comanche, Decatur, Dickinson, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Jewell, Kearny, Kiowa, Lane, Lincoln, Logan, Lyon, McPherson, Marion, Marshall, Meade, Mitchell, Morris, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Thomas, Trego, Wabaunsee, Wallace, Washington and Wichita.

Sec. 3. Congressional district two shall consist of the following counties: Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Doniphan, Franklin, Geary, Jackson, Jefferson, Labette, Leavenworth, Linn, Nemaha, Neosho, Osage, Pottawatomie, Riley, Shawnee, Wilson and Woodson.

Sec. 4. Congressional district three shall consist of the following counties: Douglas, Johnson, Miami and Wyandotte.

Sec. 5. Congressional district four shall consist of the following counties: Butler, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Montgomery, Sedgwick and Sumner.

Sec. 6. The provisions of this act shall not affect the term of any representative to congress elected to represent a district at the general election of 1990 or the term of any successor elected to succeed such representative for an unexpired term, and all such representatives shall continue to serve the districts from which elected until the representatives elected from the congressional districts established by this act commence their terms of office in January, 1993.

Sec. 7. K.S.A. 4-127 is hereby repealed.

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

(Published in the Kansas Register, May 14, 1992.)

HOUSE BILL No. 3083

AN ACT concerning state legislative districts; providing for the reapportionment of representative and senatorial districts; repealing K.S.A. 4-3,401 through 4-3,529 and 4-4,101 through 4-4,142.

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

Section 1. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 125 single member state representative districts. Such districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 2. (a) As used in sections 1 through 128, "voting district" means a voting district (VTD) identified on the official U.S. 1990 decennial census maps.

(b) Voting districts are referred to in sections 1 through 128 by the four-character alphanumeric code by which they are identified on the official U.S. 1990 decennial census maps and data lists.

(c) The boundaries of counties and voting districts referred to in sections 1 through 128 are those boundaries as they exist and are identified on the official U.S. 1990 decennial census maps.

Sec. 3. (a) If a county or voting district is not included within a representative district established by this act, such county or voting district shall be attached to the state representative district to which it is contiguous and, if contiguous to more than one state representative district, it shall be attached to the contiguous state representative district which has the least total population.

(b) If a county or voting district is included in two or more state representative districts established by this act, such county or voting district shall be attached to and become a part of the state representative district which has the least total population.

Sec. 4. Representative district one shall consist of the following voting districts in Cherokee county: (0010), (003B), (0090), (0160), (0170), (0180), (0190), (020A), (020B), (0210), (022A), (022B), (022C), (0230), (0240), (0250), (0260), (0270), (0290), (030A), (030D), (030E), (0310), (0320), (033A), (033B), (0340), (0350), (0360), (0370), (038A), (038B), (0390), (0400), (0410), (042A), (042B), (043A), (043B).

Sec. 5. Representative district two shall consist of the following voting districts in Cherokee county: (0020), (003A), (0040), (0050), (0060), (0070), (0080), (0100), (0110), (012A), (012B), (0130), (0140), (0150); the following voting districts in Crawford county: (0010), (0020), (0030), (0040), (0050), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (016A), (016B), (0170), (018A), (018B), (019A), (019B), (0200), (0210), (0220), (0230), (0240), (0250), (0290), (0300), (046A), (046B), (0470), (048A), (0490); and the following voting districts in Neosho county: (0210), (0220).

Sec. 6. Representative district three shall consist of the following voting districts in Crawford county: (0260), (0270), (0280), (031A), (031B), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (041A), (041B), (0420), (0430), (0440), (0450).

Sec. 7. Representative district four shall consist of all of Bourbon county; the following voting district in Crawford county: (0060); and the following voting districts in Linn county: (0060), (0100), (0110), (0120), (0130).

Sec. 8. Representative district five shall consist of the following voting districts in Anderson county: (0010), (0020), (0030), (0040), (005A), (005C), (005D), (0060), (007A), (007B), (0080), (0090), (010A), (010B), (0120), (0130), (0140), (0150); the following voting districts in Franklin county: (0050), (0170), (0180), (0200), (0210), (0220), (0230), (0240), (0250), (0260); the following voting districts in Linn county: (0010), (0020), (0030), (0040), (0050), (0070), (0080), (0090); and the following voting districts in Miami county: (0100), (0220), (0230), (0240), (0250), (0260).

Sec. 9. Representative district six shall consist of the following voting districts in Miami county: (0010), (002A), (002B), (002C), (002D), (002E), (002F), (0030), (0040), (0050), (0060), (007A), (007B), (0080), (0090), (0110), (012A), (012B), (013A), (014A), (014B), (0150), (0160), (0170), (0180), (0190), (0200), (0210).

Sec. 10. Representative district seven shall consist of the following voting districts in Labette county: (0010), (0020), (003A), (003B), (0040), (0050), (0060), (0070), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0200), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370).

Sec. 11. Representative district eight shall consist of the following voting districts in Allen county: (0140), (015A), (015B), (015C), (016A), (016B), (0170), (0210); and the following voting districts in Neosho county: (0010), (0020), (0030), (0040), (0050), (0060), (007A), (007B), (008A), (008B), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (018A), (018B), (018C), (018D), (0190), (0200), (0230), (0240).

Sec. 12. Representative district nine shall consist of the following voting districts in Allen county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (009A), (0100), (0110), (012A), (012B), (013A), (0180), (0190), (0200); the following voting districts in Anderson county: (0110), (0160), (0170), (0180), (0190); and the following voting districts in Coffey county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (008A), (008C), (0090), (010A), (010B), (010C), (0110), (0120), (0130), (0140).

Sec. 13. Representative district 10 shall consist of the following voting districts in Douglas county: (0490), (0500), (0510); and the following voting districts in Franklin county: (0010), (0020), (0030), (0040), (006A), (006B), (007A), (007B), (007C), (0080), (0090), (0100), (0110), (0120), (013A), (013B), (0140), (0160), (0190).

Sec. 14. Representative district 11 shall consist of the following voting districts in Labette county: (0080), (0090), (0210), (0220), (0230); and the following voting districts in Montgomery county: (0130), (014A), (014B), (0150), (0160), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0390).

Sec. 15. Representative district 12 shall consist of the following voting districts in Montgomery county: (0010), (0020), (0050), (0060), (0070), (008A), (008B), (008C), (0090), (0100), (0110), (0120), (021A), (021B), (0220), (0230), (024A), (024B), (0250), (0410), (0420), (042X),

(0430), (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520).

Sec. 16. Representative district 13 shall consist of the following voting districts in Coffey county: (0150), (0160), (0170); the following voting districts in Montgomery county: (0030), (004A), (004B), (0170), (0180), (0190), (0200); all of Wilson county; and all of Woodson county.

Sec. 17. Representative district 14 shall consist of the following voting districts in Johnson county: (098C), (098D), (098E), (0990), (183A), (183B), (183C), (185A), (186A), (197A), (2040), (2050), (2060).

Sec. 18. Representative district 15 shall consist of the following voting districts in Johnson county: (188C), (189A), (1920), (193A), (195A), (196A), (198A), (199A).

Sec. 19. Representative district 16 shall consist of the following voting districts in Johnson county: (1050), (1070), (1080), (1410), (143A), (1440), (1450), (1460), (1470), (1790), (1800).

Sec. 20. Representative district 17 shall consist of the following voting districts in Johnson county: (007B), (009A), (044A), (045A), (0460), (0470), (0890), (0900), (0910), (0920), (093A), (094B), (095A).

Sec. 21. Representative district 18 shall consist of the following voting districts in Johnson county: (0080), (009B), (010A), (0110), (0380), (0390), (0400), (0410), (042A), (043A), (0480), (0490).

Sec. 22. Representative district 19 shall consist of the following voting districts in Johnson county: (1340), (135A), (136A), (1370), (1380), (139A), (1400), (1500), (1520), (1530), (1730), (1740).

Sec. 23. Representative district 20 shall consist of the following voting districts in Johnson county: (1320), (1330), (1540), (1550), (1560), (1570), (1580), (1590), (1600), (1610), (1620), (171A), (171B), (171C), (171D), (1720).

Sec. 24. Representative district 21 shall consist of the following voting districts in Johnson county: (056A), (057A), (0710), (0760), (0770), (0780), (079A), (081A), (1160), (1180), (1190), (1200), (1210), (1220), (1230), (1240).

Sec. 25. Representative district 22 shall consist of the following voting districts in Johnson county: (0830), (084A), (086A), (1090), (110A), (1110), (112A), (114A), (1150), (1170), (1280), (1290), (1300).

Sec. 26. Representative district 23 shall consist of the following voting districts in Johnson county: (0120), (0350), (0360), (0370), (0500), (0510), (0520), (0530), (0540), (0550), (0870), (0880).

Sec. 27. Representative district 24 shall consist of the following voting districts in Johnson county: (0130), (0140), (0150), (0160), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0590), (0600), (0610), (0620), (0630).

Sec. 28. Representative district 25 shall consist of the following voting districts in Johnson county: (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0640), (0650), (0660), (0670), (0680), (069B), (0700), (0720), (0730), (0740), (0750), (1310).

Sec. 29. Representative district 26 shall consist of the following voting districts in Johnson county: (2010), (2020), (2030), (219A), (220A), (222A), (2230), (2240), (226A), (226B), (226C).

Sec. 30. Representative district 27 shall consist of the following voting districts in Johnson county: (171E), (1820), (207A), (207C), (208A), (214A), (214B), (214C), (214D), (214G), (214H), (215A), (216A), (218A), (2250), (2350), (2360).

Sec. 31. Representative district 28 shall consist of the following voting districts in Johnson county: (1250), (1260), (1270), (1630), (1640), (1650), (1660), (1670), (1680), (1690), (1700), (2090), (2100), (2110), (2120), (213A), (213B).

Sec. 32. Representative district 29 shall consist of the following voting districts in Johnson county: (1480), (1490), (1510), (175A), (176A), (177A), (1780), (181A), (207B).

Sec. 33. Representative district 30 shall consist of the following voting districts in Johnson county: (094A), (095B), (100A), (1010), (1020), (1030), (1040), (1060), (2370).

Sec. 34. Representative district 31 shall consist of the following voting districts in Wyandotte county: (1310), (1320), (1330), (1340), (1350), (1400), (1410), (1420), (1430), (1440), (1450), (1460), (1470), (1490), (1500), (1510), (1520).

Sec. 35. Representative district 32 shall consist of the following voting districts in Wyandotte county: (1140), (1150), (1160), (1170),

(continued)

(1180), (1190), (1360), (1370), (1380), (1390), (1530), (1540), (1550), (1560), (1570), (1580).

Sec. 36. Representative district 33 shall consist of the following voting districts in Wyandotte county: (0800), (0900), (0910), (0920), (0930), (1200), (1220), (1230), (1240), (1250), (1260), (1270), (1280), (1290), (1300), (1480).

Sec. 37. Representative district 34 shall consist of the following voting districts in Wyandotte county: (0170), (0430), (0470), (0480), (0490), (0510), (0520), (0530), (0540), (0550), (0560), (0570), (0580), (0590), (0600), (0610), (0620), (0640), (0650), (0660), (0670), (0680), (0690), (0700), (0710).

Sec. 38. Representative district 35 shall consist of the following voting districts in Wyandotte county: (0060), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0420), (0440), (0450), (0460), (0500).

Sec. 39. Representative district 36 shall consist of the following voting districts in Wyandotte county: (0040), (0050), (0250), (0260), (0270), (0280), (0290), (0390), (0400), (0410), (0720), (0730), (0740), (0750), (0760), (0940), (0950), (1210).

Sec. 40. Representative district 37 shall consist of the following voting districts in Wyandotte county: (0630), (0960), (0970), (0980), (0990), (1000), (1010), (1020), (1030), (1040), (1050), (1060), (1070), (1080), (1090), (1100), (1110), (1120), (1130).

Sec. 41. Representative district 38 shall consist of the following voting districts in Wyandotte county: (0010), (0020), (0030), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0770), (0780), (0790), (0810), (082B), (0880), (0890).

Sec. 42. Representative district 39 shall consist of the following voting districts in Johnson county: (0030), (0040), (005A), (005B), (005C), (006A), (006B), (006C), (096A), (096B), (097A), (097B), (098A), (188B), (189B), (190B), (190D); the following voting districts in Leavenworth county: (0340), (0350), (0380); and the following voting districts in Wyandotte county: (082A), (082C), (0830), (0840), (0850), (0860), (0870).

Sec. 43. Representative district 40 shall consist of the following voting districts in Leavenworth county: (003A), (003B), (003C), (003D), (003E), (003F), (003G), (003H), (003J), (0040), (0099), (0100), (0110), (0160), (020A), (0210), (0240).

Sec. 44. Representative district 41 shall consist of the following voting districts in Leavenworth county: (003K), (003L), (0050), (0060), (0070), (0090), (0120), (0130), (0140), (0150), (0170), (0180), (0190).

Sec. 45. Representative district 42 shall consist of the following voting districts in Leavenworth county: (0010), (0020), (0080), (020B), (0220), (0230), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0360), (0370).

Sec. 46. Representative district 43 shall consist of the following voting districts in Johnson county: (001A), (001C), (002A), (002D), (002E), (002F), (002G), (002H), (002J), (190A), (190C), (190E), (190F), (190G), (191A), (2270), (228A), (228B), (2290), (230A), (2310), (2320), (2330), (234A), (234B), (234C), (234D), (234E).

Sec. 47. Representative district 44 shall consist of the following voting districts in Douglas county: (003B), (003C), (0090), (0100), (011A), (0120), (0130), (0140), (0150), (0160), (0170), (0270), (0280), (0290).

Sec. 48. Representative district 45 shall consist of the following voting districts in Douglas county: (0010), (0020), (003A), (004A), (004B), (004C), (005A), (005B), (006A), (0080), (011B), (030A), (0310), (0350), (0360), (0450), (0460), (0470), (0480), (0540).

Sec. 49. Representative district 46 shall consist of the following voting districts in Douglas county: (0070), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0320), (0330), (0340), (0370), (038A).

Sec. 50. Representative district 47 shall consist of the following voting districts in Douglas county: (006B), (006C), (006D), (038B), (038C), (038D), (0390), (0400), (0410), (0420), (044A); and the following voting districts in Jefferson county: (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0120).

Sec. 51. Representative district 48 shall consist of all of Atchison county; and the following voting district in Jefferson county: (0010).

Sec. 52. Representative district 49 shall consist of the following

voting districts in Brown county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (008A), (0090), (010A), (010B), (0110), (0120), (0130), (0140), (0150), (0160), (017A), (017B), (017C), (0180); and all of Doniphan county.

Sec. 53. Representative district 50 shall consist of all of Jackson county; and the following voting districts in Shawnee county: (0040), (0050), (0060), (0080), (0090), (0150), (038B).

Sec. 54. Representative district 51 shall consist of the following voting districts in Pottawatomie county: (0180), (0190); and the following voting districts in Shawnee county: (0010), (0020), (0030), (0100), (0110), (0120), (0130), (097B), (099A), (099B), (100A), (1530), (1540), (1550), (1560), (157A), (157B), (1580), (1590), (1600), (1620), (1660).

Sec. 55. Representative district 52 shall consist of the following voting districts in Shawnee county: (0740), (0770), (0780), (0790), (0920), (0930), (0940), (0950), (0960), (097A), (0980), (1010), (1020), (1030), (1040), (1220), (1230), (1240), (1250), (1260), (1270), (1280), (1460), (1470).

Sec. 56. Representative district 53 shall consist of the following voting districts in Shawnee county: (0070), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0270), (0280), (0290), (112B), (1130), (138A), (138B), (1400), (1510), (1520), (1615), (161A), (161B), (161C), (161D), (1630), (1640).

Sec. 57. Representative district 54 shall consist of the following voting districts in Shawnee county: (1170), (1180), (1190), (1210), (1290), (1300), (1310), (1320), (1330), (1340), (1410), (1420), (1430), (1440), (1450), (1480), (1490), (1500), (1650).

Sec. 58. Representative district 55 shall consist of the following voting districts in Shawnee county: (0670), (0700), (0710), (0800), (0810), (0820), (0830), (0840), (0850), (0860), (0870), (0880), (0890), (0900), (0910), (1050), (1060), (1070), (1140), (1200), (1670).

Sec. 59. Representative district 56 shall consist of the following voting districts in Shawnee county: (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520), (0530), (0540), (0550), (0560), (0570), (0580), (0680), (0690), (0720), (0730), (0750), (0760).

Sec. 60. Representative district 57 shall consist of the following voting districts in Shawnee county: (0140), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (038A), (0390), (0400), (0410), (0420), (0430), (0590), (0600), (0610).

Sec. 61. Representative district 58 shall consist of the following voting districts in Shawnee county: (0240), (0250), (0260), (0620), (0630), (0640), (0650), (0660), (1080), (1090), (1100), (1110), (112A), (1150), (1160), (1350), (1360), (1370), (1390).

Sec. 62. Representative district 59 shall consist of the following voting districts in Lyon county: (0050), (0070), (010C), (011A), (0270), (0310), (0320); and all of Osage county.

Sec. 63. Representative district 60 shall consist of the following voting districts in Lyon county: (010B), (011B), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0250), (0260), (0280), (0290), (0300).

Sec. 64. Representative district 61 shall consist of the following voting districts in Pottawatomie county: (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0130), (0140), (0150), (0160), (0170), (0200), (0210), (0220), (0230), (024A), (024B), (0260), (0270), (0280); and all of Wabaunsee county.

Sec. 65. Representative district 62 shall consist of the following voting districts in Riley county: (0100), (0110), (0120), (014B), (0150), (0160), (017A), (017B), (017X), (0180), (0190), (0200), (021A), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410), (0420), (0430).

Sec. 66. Representative district 63 shall consist of the following voting districts in Brown county: (006B), (009B); the following voting districts in Marshall county: (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (011A), (011B), (0120), (0130), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0280), (0290), (0300); all of Nemaha county; and the following voting districts in Pottawatomie county: (0010), (0020), (0030), (0110), (0120).

Sec. 67. Representative district 64 shall consist of the following voting districts in Clay county: (0020), (0030), (0040), (0050), (0060), (008A), (008B), (009A), (0100), (0110), (0120), (0180), (0190); the following voting districts in Dickinson county: (0040), (0050), (0160), (0170), (0180), (0190); the following voting districts in Geary county:

(001A), (001B), (001C), (001D), (001E), (001F), (001G), (001K), (001L), (001M), (001N), (001P), (001Q), (001R), (001V), (001W), (001X), (008B), (009B), (014D), (019C), (019D), (019E), (020B), (023A), (023E), (023F), (0240); and the following voting districts in Riley county: (0091), (0092), (009P), (009Q), (009R).

Sec. 68. Representative district 65 shall consist of the following voting districts in Geary county: (001T), (001U), (0030), (0040), (0050), (0060), (0070), (008A), (009A), (0100), (011A), (011B), (0120), (0130), (014A), (014B), (014C), (0150), (016A), (016B), (0170), (0180), (019A), (019B), (020A), (0210), (0220), (023B), (023C), (023H), (0250), (0260).

Sec. 69. Representative district 66 shall consist of the following voting districts in Riley county: (0130), (014A), (014C), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0440), (0450).

Sec. 70. Representative district 67 shall consist of the following voting districts in Dickinson county: (0090), (0210), (0220), (0310), (0320); the following voting districts in Ellsworth county: (0060), (0070), (0080), (0090), (0100), (011A), (011B), (0120), (0170), (0180), (0190), (0200), (0210), (0220); the following voting district in McPherson county: (0010); and the following voting districts in Saline county: (0010), (0020), (0030), (0040), (0050), (0060), (007A), (008B), (022B), (022C), (0390), (0400), (0410), (042A), (042B), (043A), (043B), (043C), (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520), (0530).

Sec. 71. Representative district 68 shall consist of the following voting districts in Dickinson county: (010A), (010B), (010C), (011A), (011B), (0120), (0130), (0140), (0150), (0200), (0230), (0240), (0250), (0260), (0270), (028A), (0290), (0300); the following voting districts in Lyon county: (0010), (0020), (0030), (0080); and all of Morris county.

Sec. 72. Representative district 69 shall consist of the following voting districts in Saline county: (0090), (0100), (0110), (0120), (0130), (0140), (0160), (0180), (0190), (0200), (0210), (0340), (0370), (0380).

Sec. 73. Representative district 70 shall consist of the following voting districts in Butler county: (0030), (0040), (0050), (016B), (0210), (0220); all of Chase county; the following voting district in Lyon county: (0090); the following voting districts in McPherson county: (0090), (0100), (0280), (0370); and all of Marion county.

Sec. 74. Representative district 71 shall consist of the following voting districts in Saline county: (007B), (008A), (0150), (0170), (022A), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0350), (0360).

Sec. 75. Representative district 72 shall consist of the following voting districts in Harvey county: (009A), (009B), (0100), (011A), (011B), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230).

Sec. 76. Representative district 73 shall consist of the following voting districts in McPherson county: (0020), (0030), (0040), (0050), (006A), (0070), (0080), (0110), (0120), (0130), (0160), (017A), (017B), (018A), (018B), (0190), (020A), (020B), (0210), (0220), (0230), (024A), (024B), (0250), (0260), (0270).

Sec. 77. Representative district 74 shall consist of the following voting districts in Butler county: (0010), (0020), (0060), (0070), (0090); the following voting districts in Harvey county: (0010), (0020), (003A), (0040), (0050), (0060), (0070), (0080), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320); and the following voting districts in McPherson county: (0290), (0300), (0310), (0340), (0350), (0360).

Sec. 78. Representative district 75 shall consist of the following voting districts in Butler county: (0080), (0100), (011A), (011B), (0120), (0130), (0140), (0150), (016A), (016C), (0170), (0180), (0190), (0200), (0230), (0240), (0250), (026B), (026D), (027A).

Sec. 79. Representative district 76 shall consist of all of Chautauqua county; all of Elk county; all of Greenwood county; and the following voting districts in Lyon county: (010A), (0240), (0330), (0350).

Sec. 80. Representative district 77 shall consist of the following voting districts in Butler county: (028A), (0290), (0300), (0310), (032A), (0330), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410), (0420), (0430), (0440).

Sec. 81. Representative district 78 shall consist of the following voting districts in Butler county: (0450); and the following voting districts in Cowley county: (0010), (0020), (0030), (0040), (0050),

(0060), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (014A), (014B), (0150), (0160), (0170), (0180), (019A), (0200), (0210), (0220), (023A), (024A), (0250), (0260), (0270), (0280).

Sec. 82. Representative district 79 shall consist of the following voting districts in Cowley county: (019B), (0290), (0300), (0310), (032A), (033A), (033B), (033C), (0340), (0350), (0360), (0370), (0380), (0390), (0410), (0420), (0430), (0440), (0450), (046A), (046B), (0470), (0480), (049A), (049B), (0500), (0510), (0520), (0530), (054A), (054B), (0550), (0560).

Sec. 83. Representative district 80 shall consist of the following voting districts in Sumner county: (0030), (0040), (0050), (0070), (0080), (0090), (0100), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410).

Sec. 84. Representative district 81 shall consist of the following voting districts in Sedgwick county: (205A), (205B), (2060), (2070), (208A), (208B), (2170), (219A), (219B), (2200); and the following voting district in Sumner county: (0060).

Sec. 85. Representative district 82 shall consist of the following voting districts in Sedgwick county: (198A), (198B), (199A), (199B), (199C), (199D), (199E), (199F), (200A), (200B), (200C), (200D), (200E), (200F), (201A), (201B), (201C), (201D), (201E), (201F), (202A), (202B), (202D), (202G), (202H), (202J), (202K), (202L), (202M), (218B), (218C).

Sec. 86. Representative district 83 shall consist of the following voting districts in Sedgwick county: (030A), (030B), (031A), (031B), (031C), (032A), (032B), (047A), (0480), (0900), (0910), (092A), (092B), (0930), (0940), (0950), (0980), (0990), (1310), (1930).

Sec. 87. Representative district 84 shall consist of the following voting districts in Sedgwick county: (0500), (0510), (0520), (0820), (0830), (0840), (0850), (0860), (0870), (1000), (1010).

Sec. 88. Representative district 85 shall consist of the following voting districts in Sedgwick county: (006B), (0070), (008A), (0090), (0100), (011A), (0130), (026B), (026C), (029A), (029B), (029C), (029D), (030C), (047B), (0960), (0970), (135A), (135B), (1940).

Sec. 89. Representative district 86 shall consist of the following voting districts in Sedgwick county: (1250), (1260), (1270), (1280), (1300), (1440), (1450), (1540), (1550), (1570).

Sec. 90. Representative district 87 shall consist of the following voting districts in Sedgwick county: (1290), (1320), (1330), (1340), (1370), (1380), (1420), (1430), (165A), (165B), (166A), (166B), (166C).

Sec. 91. Representative district 88 shall consist of the following voting districts in Sedgwick county: (1390), (1400), (1410), (1580), (1590), (1600), (1610), (1620), (1630), (1640), (1680).

Sec. 92. Representative district 89 shall consist of the following voting districts in Sedgwick county: (026A), (0270), (0280), (0330), (0340), (0350), (0360), (0370), (0460), (0490), (0880), (0890).

Sec. 93. Representative district 90 shall consist of the following voting districts in Sedgwick county: (0020), (0030), (0040), (012A), (0140), (0150), (0160), (020A), (022A), (023A), (023B), (2210), (2220), (2230).

Sec. 94. Representative district 91 shall consist of the following voting districts in Sedgwick county: (0240), (0400), (0410), (0420), (0430), (0570), (0580), (0590), (0600), (0610), (0740), (0750), (0760).

Sec. 95. Representative district 92 shall consist of the following voting districts in Sedgwick county: (0530), (0540), (0550), (0560), (0770), (0780), (0790), (0800), (0810), (1050), (1060), (1070).

Sec. 96. Representative district 93 shall consist of the following voting districts in Sedgwick county: (0010), (0170), (0180), (0190), (0210), (022B), (192E), that part of (1890) which is wholly surrounded by (2090), (2090), (2100), (2110), (2120), (2130), (2140), (2150), (2160).

Sec. 97. Representative district 94 shall consist of the following voting districts in Sedgwick county: (0730), (1090), (110A), (110B), (1110), (1120), (1130), (1140), (1150), (116A), (1170), (1490), (192C), (192D), (192F), (192K).

Sec. 98. Representative district 95 shall consist of the following voting districts in Sedgwick county: (1080), (1180), (1190), (1200), (1210), (1220), (1230), (1470), (1480), (1510).

Sec. 99. Representative district 96 shall consist of the following
(continued)

voting districts in Sedgwick county: (1720), (1780), (1800), (1810), (186A), (186B), (1870), (1880), (1890) except that part which is wholly surrounded by (2090), (190A), (190B), (1910).

Sec. 100. Representative district 97 shall consist of the following voting districts in Sedgwick county: (1460), (1500), (1520), (1530), (1730), (1740), (1750), (1760), (1770), (1790).

Sec. 101. Representative district 98 shall consist of the following voting districts in Sedgwick county: (1560), (169A), (1700), (1710), (1820), (1830), (1840), (185A), (185B), (185C), (2030), (2040).

Sec. 102. Representative district 99 shall consist of the following voting districts in Butler county: (026A), (026C), (027B); and the following voting districts in Sedgwick county: (0050), (006A), (136A), (136B), (136C), (1670), (1950), (196A), (196B), (1970), (200C), (202C), (202E), (218A).

Sec. 103. Representative district 100 shall consist of the following voting districts in Sedgwick county: (020B), (0620), (063A), (063B), (063C), (064A), (064B), (0650), (066A), (066B), (067A), (067B), (0680), (0690), (0700), (0710), (0720), (192A), (192B), (192C), (192H), (192I), (192J), (192W), (192X).

Sec. 104. Representative district 101 shall consist of the following voting districts in Reno county: (0040), (0080), (012B), (0180), (0270), (0290), (0410), (0420), (0430), (0440), (0450), (0460), (0470), (0530), (0540), (0550), (0560), (0570), (0580), (0590), (0600), (0610), (0660), (0670), (0680), (0690), (0700), (0710).

Sec. 105. Representative district 102 shall consist of the following voting districts in Reno county: (0220), (0230), (0240), (0250), (0290), (0300), (0310), (0320), (0330), (0340), (0360), (0370), (0380), (0390), (040A).

Sec. 106. Representative district 103 shall consist of the following voting districts in Sedgwick county: (0250), (0380), (0390), (0440), (0450), (1020), (1030), (1040), (1240).

Sec. 107. Representative district 104 shall consist of the following voting districts in Reno county: (0050), (0060), (007A), (0090), (010A), (0110), (012A), (0130), (0140), (0150), (0160), (0170), (0190), (0200), (0210), (0260).

Sec. 108. Representative district 105 shall consist of all of Barber county; all of Comanche county; all of Harper county; the following voting districts in Kingman county: (0220), (0230), (0240), (0250), (0260), (0270); and the following voting districts in Sumner county: (0010), (0020), (0110), (0120), (0130), (0320), (0330).

Sec. 109. Representative district 106 shall consist of the following voting districts in Geary county: (001H), (001J), (001Y); the following voting districts in Marshall county: (0010), (0020), (0140), (0150), (0240), (0250), (0260), (0270); the following voting districts in Republic county: (0060), (008B), (0130), (014A), (014B), (015A), (015B), (0160), (0170), (0180), (0190), (020A), (020B), (0210); the following voting districts in Riley county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0090), (0093), (009A), (009B), (009C), (009D), (009E), (009F), (009G), (009H), (009K), (009M), (009N), (009T), (009U), (009V), (009W), (009X), (009Y); and all of Washington county.

Sec. 110. Representative district 107 shall consist of the following voting districts in Clay county: (0010), (0070), (0130), (0140), (0150), (0160), (0170), (0200), (0210), (0220); all of Cloud county; the following voting districts in Dickinson county: (0010), (0020), (0030), (0060), (0070), (0080); and all of Ottawa county.

Sec. 111. Representative district 108 shall consist of the following voting districts in Kingman county: (0010), (0020), (0030), (004A), (004B), (004C), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210); all of Kiowa county; and all of Pratt county.

Sec. 112. Representative district 109 shall consist of all of Jewell county; the following voting districts in Osborne county: (0040), (0050), (0060); the following voting districts in Phillips county: (0030), (0040), (0050), (0060), (0070), (0080), (0130), (0140), (015A), (015B), (0160), (0170), (0180), (0190), (0200), (0210), (0260), (0270), (0280); the following voting districts in Republic county: (0010), (0020), (0030), (0040), (0050), (0070), (008A), (0090), (0100), (0110), (0120), (0220), (0230); and all of Smith county.

Sec. 113. Representative district 110 shall consist of the following voting districts in Barton county: (0010), (0020), (0130), (0140), (0150), (0160), (0170); the following voting districts in Ellis county: (0010),

(0020), (0030), (004A), (004B), (0050), (0060), (0070), (0270), (0280), (0290), (0300), (0310); the following voting districts in Rooks county: (0020), (0030), (0040), (0050), (0120), (0130), (0140); the following voting districts in Rush county: (0020), (0030), (0040), (0050), (0060), (0070), (0110), (0120), (0130); and the following voting districts in Russell county: (0010), (0070), (0080), (0090), (0100), (011A), (011B), (011C), (0120), (0130), (0140), (0150).

Sec. 114. Representative district 111 shall consist of the following voting districts in Ellis county: (0080), (009A), (010A), (0110), (0120), (0130), (0140), (015A), (015D), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260).

Sec. 115. Representative district 112 shall consist of the following voting districts in Barton county: (021A), (021B), (0220), (0230), (0240), (0250), (0260), (0270), (028A), (028B), (0290), (0300), (0310), (0320), (033A), (033B), (034A), (034B), (0350), (0360), (0370), (0380).

Sec. 116. Representative district 113 shall consist of the following voting districts in Barton county: (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0120), (0180), (0190), (0200), (0390); the following voting districts in McPherson county: (0140), (0150), (0320), (0330); and all of Rice county.

Sec. 117. Representative district 114 shall consist of all of Edwards county; all of Pawnee county; the following voting districts in Reno county: (0010), (0020), (0030), (0480), (0490), (0500), (0510), (0520), (0620), (0630), (0640), (0650); and all of Stafford county.

Sec. 118. Representative district 115 shall consist of all of Clark county; the following voting districts in Ford county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (012B), (012C), (0200), (024A), (0250), (0260), (0270), (0280), (0290), (0300), (0310); all of Gray county; the following voting districts in Haskell county: (0020), (0030), (0040), (0050), (0060); and the following voting districts in Meade county: (0010), (0020), (0030), (0040), (0050), (0080), (0090).

Sec. 119. Representative district 116 shall consist of the following voting districts in Ford county: (012A), (0130), (0140), (015A), (015B), (015C), (015D), (0160), (0170), (0180), (0190), (0210), (0220), (023A), (023B), (024B), (0320).

Sec. 120. Representative district 117 shall consist of the following voting districts in Finney county: (0010), (0020), (0030), (0070), (016A), (016B), (0220), (0240), (0250), (0260), (0270); all of Hodgeman county; all of Lane county; all of Ness county; and the following voting districts in Rush county: (0010), (0080), (0090), (0100).

Sec. 121. Representative district 118 shall consist of all of Gove county; the following voting districts in Graham county: (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0140), (0150), (0160), (0170), (0180), (0190); all of Logan county; the following voting districts in Rooks county: (0010), (0060), (0070), (0080), (0090), (0100), (0110); all of Trego county; all of Wallace county; and the following voting districts in Wichita county: (0010), (0020).

Sec. 122. Representative district 119 shall consist of the following voting districts in Ellsworth county: (0010), (0020), (0030), (0040), (0050), (0130), (0140), (0150), (0160), (0230), (0240); all of Lincoln county; all of Mitchell county; the following voting districts in Osborne county: (0010), (0020), (0030), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270); and the following voting districts in Russell county: (0020), (0030), (0040), (0050), (0060), (0160).

Sec. 123. Representative district 120 shall consist of all of Cheyenne county; all of Decatur county; all of Norton county; the following voting districts in Phillips county: (0010), (0020), (0090), (0100), (0110), (0120), (0220), (0230), (0240), (0250); and all of Rawlins county.

Sec. 124. Representative district 121 shall consist of the following voting districts in Graham county: (0010), (0090), (0100), (0110), (0120), (0130); all of Sheridan county; all of Sherman county; and all of Thomas county.

Sec. 125. Representative district 122 shall consist of the following voting districts in Finney county: (0040), (0050), (0060), (009B), (010B); all of Greeley county; all of Hamilton county; all of Kearny county; all of Scott county; and the following voting district in Wichita county: (0030).

Sec. 126. Representative district 123 shall consist of the following voting districts in Finney county: (0080), (009A), (010A), (0110), (0120), (0130), (0140), (0150), (0170), (0180), (0190), (0200), (0210), (0230).

Sec. 127. Representative district 124 shall consist of all of Grant county; the following voting districts in Haskell county: (0010), (0070), (0080); all of Morton county; all of Stanton county; and all of Stevens county.

Sec. 128. Representative district 125 shall consist of the following voting districts in Meade county: (0060), (0070); and all of Seward county.

Sec. 129. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 40 single member state senatorial districts. Such districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 130. (a) As used in sections 129 through 171, "voting district," "tract," "block group" or "block" means, respectively, a voting district (VTD), tract, block group or block identified on the official U.S. 1990 decennial census maps.

(b) Voting districts, tracts, block groups and blocks are referred to in sections 129 through 171 by the alphanumeric code by which they are identified on the official U.S. 1990 decennial census maps and data lists.

(c) The boundaries of counties, voting districts, tracts, block groups and blocks referred to in sections 129 through 171 are those boundaries as they exist and are identified on the official U.S. 1990 decennial census maps.

Sec. 131. (a) If a county, voting district, tract, block group or block is not included within a senatorial district established by this act, such county, voting district, tract, block group or block shall be attached to the state senatorial district to which it is contiguous and, if contiguous to more than one state senatorial district, it shall be attached to the contiguous state senatorial district which has the least total population.

(b) If a county, voting district, tract, block group or block is included in two or more state senatorial districts established by this act, such county, voting district, tract, block group or block shall be attached to and become a part of the state senatorial district which has the least total population.

Sec. 132. Senatorial district one shall consist of all of Atchison, Brown, Doniphan and Jackson counties; and the following voting districts in Pottawatomie county: (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (024A), (024B), (0260).

Sec. 133. Senatorial district two shall consist of the following voting districts in Douglas county: (003A), (003B), (003C), (004A), (004B), (004C), (005A), (005B), (006A), (006B), (006C), (006D), (0070), (0080), (0090), (0100), (011A), (011B), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (030A), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (038A), (038B), (038C), (038D), (0390), (0400), (0410), (0420), (044A), (0450), (0490).

Sec. 134. Senatorial district three shall consist of all of Jefferson county; and the following voting districts in Leavenworth county: (0010), (0020), (003A), (003B), (003C), (003D), (003E), (003F), (003G), (003H), (003J), (003K), (003L), (0040), (0050), (0060), (0070), (0080), (0090), (0099), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (020A), (0210), (0270), (0280), (0290), (0300), (0310).

Sec. 135. Senatorial district four shall consist of the following voting districts in Wyandotte county: (0060), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0390), (0400), (0410), (0420), (0430), (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520), (0530), (0540), (0550), (0560), (0570), (0580), (0590), (0600), (0610), (0620), (0630), (0640), (0650), (0660), (0670), (0680), (0690), (0700), (0710), (0950), (0960), (0970), (0980), (0990), (1000), (1010), (1020), (1030), (1040), (1160), (1360), (1370), (1380), (1560).

Sec. 136. Senatorial district five shall consist of the following

voting district in Johnson county: (0030); the following voting districts in Leavenworth county: (020B), (0220), (0230), (0240), (0250), (0260), (0320), (0330), (0340), (0350), (0360), (0370), (0380); and the following voting districts in Wyandotte county: (0010), (0020), (0030), (0040), (0050), (0070), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0720), (0730), (0740), (0750), (0760), (0770), (0780), (0790), (0800), (0810), (082A), (082B), (082C), (0830), (0840), (0850), (0860), (0870), (0880), (0890), (0900), (0910).

Sec. 137. Senatorial district six shall consist of the following voting districts in Wyandotte county: (0920), (0930), (0940), (1050), (1060), (1070), (1080), (1090), (1100), (1110), (1120), (1130), (1140), (1150), (1170), (1180), (1190), (1200), (1210), (1220), (1230), (1240), (1250), (1260), (1280), (1290), (1300), (1310), (1320), (1330), (1340), (1350), (1390), (1400), (1410), (1420), (1430), (1440), (1450), (1460), (1470), (1480), (1490), (1500), (1510), (1520), (1530), (1540), (1550), (1570), (1580).

Sec. 138. Senatorial district seven shall consist of the following voting districts in Johnson county: (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (057A), (0600), (0610), (0620), (0630), (0640), (0650), (0660), (0670), (0680), (069B), (0700), (0710), (0720), (0730), (0740), (0750), (0760), (0770), (0780), (1150), (1160), (1170), (1180), (1190), (1200), (1210), (1220), (1230), (1240), (1250), (1260), (1270), (1280), (1290), (1300), (1310), (1630), (1640), (1650).

Sec. 139. Senatorial district eight shall consist of the following voting districts in Johnson county: (079A), (0830), (084A), (086A), (1070), (1080), (1090), (110A), (1110), (112A), (114A), (1320), (1330), (1340), (135A), (136A), (1370), (1380), (139A), (1400), (1410), (143A), (1440), (1450), (1460), (1470), (1480), (1490), (1500), (1510), (1520), (1530), (1540), (1550), (1560), (1570), (1590), (1600), (1790).

Sec. 140. Senatorial district nine shall consist of the following voting districts in Johnson county: (001A), (001C), (002A), (002D), (002E), (002F), (002G), (002H), (002J), (005C), (006A), (006B), (0890), (0900), (0910), (0920), (093A), (094A), (094B), (095A), (095B), (096A), (096B), (097A), (097B), (098A), (098C), (098D), (098E), (0990), (100A), (1010), (1020), (1030), (1040), (1050), (1060), (185A), (186A), (188B), (188C), (189A), (189B), (190B), (190C), (190D), (190E), (190F), (191A), (197A), (198A), (230A), (2310), (2370).

Sec. 141. Senatorial district 10 shall consist of the following voting districts in Johnson county: (0040), (005A), (005B), (006C), (007B), (0080), (009A), (009B), (010A), (0110), (0120), (0130), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410), (042A), (043A), (044A), (045A), (0460), (0470), (0480), (0490), (0500), (0510), (0520), (0530), (0540), (0550), (056A), (0590), (081A), (0870), (0880); and the following voting district in Wyandotte county: (1270).

Sec. 142. Senatorial district 11 shall consist of the following voting districts in Johnson county: (1580), (1610), (1620), (1660), (1670), (1680), (1690), (1700), (171A), (171B), (171C), (171D), (171E), (1720), (1730), (1740), (175A), (176A), (177A), (1780), (1800), (181A), (207A), (207B), (207C), (208A), (2090), (2100), (2110), (2120), (213A), (213B), (214A), (214B), (214C), (214G), (214H), (215A), (216A), (2350), (2360).

Sec. 143. Senatorial district 12 shall consist of all of Anderson county; the following voting districts in Bourbon county: (0010), (0020), (0030), (0040), (0060), (0070); all of Franklin and Linn counties; and the following voting districts in Miami county: (0030), (0040), (0050), (0060), (007A), (007B), (0080), (0090), (0100), (0110), (012A), (012B), (013A), (014A), (014B), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260).

Sec. 144. Senatorial district 13 shall consist of the following voting districts in Bourbon county: (0050), (0080), (010A), (010B), (010F), (010G), (010H), (010J), (0110), (012A), (012B), (0130), (014A), (014B), (015A), (015B), (015C), (0160), (0170), (0180), (0190), (0200); the following voting districts in Cherokee county: (0010), (0020), (003A), (003B), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (012A), (012B), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (020A), (020B), (0210), (022A), (022B), (022C), (0230), (0240), (0360), (0370), (038A), (038B), (0390), (0400), (0410), (042A), (042B), (043A), (043B); and all of Crawford county.

Sec. 145. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (0250), (0260), (0270), (0290), (030A),

(continued)

(030D), (030E), (0310), (0320), (033A), (033B), (0340), (0350); all of Labette county; the following voting districts in Montgomery county: (014A), (014B), (0150), (0160), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0390); and all of Neosho county.

Sec. 146. Senatorial district 15 shall consist of all of Allen and Chautauqua counties; the following voting districts in Coffey county: (0070), (008A), (008C), (0090), (010A), (010B), (010C), (0110), (0120), (0130), (0140), (0150), (0160); the following voting districts in Montgomery county: (0010), (0020), (0030), (004A), (004B), (0050), (0060), (0070), (008A), (008B), (008C), (0090), (0100), (0110), (0120), (0130), (0170), (0180), (0190), (0200), (021A), (021B), (0220), (0230), (024A), (024B), (0250), (0410), (0420), (042X), (0430), (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520); and all of Wilson and Woodson counties.

Sec. 147. Senatorial district 16 shall consist of all of Butler, Elk and Greenwood counties.

Sec. 148. Senatorial district 17 shall consist of all of Chase county; the following voting districts in Coffey county: (0010), (0020), (0030), (0040), (0050), (0060), (0170); the following voting districts in Geary county: (0030), (0040), (0050), (0060), (0070), (011B), (016B), (0240), (0250), (0260); all of Lyon county; the following voting districts in Marion county: (0090), (0210), (0220), (023A), (023B), (0310); all of Morris county; the following voting districts in Osage county: (009A), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230); and all of Wabaunsee county.

Sec. 149. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0120); the following blocks in voting district (0130), tract 0024, block group 9, in Shawnee county: block 902B, block 903, block 904, block 905, block 906, block 907B, block 915B; the following blocks in voting district (0130), tract 0036.02, block group 1, in Shawnee county: block 102B, block 103, block 104, block 105, block 106; the following blocks in voting district (0130), tract 0036.02, block group 3, in Shawnee county: block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310; the following voting districts in Shawnee county: (0140), (0150), (0160), (0170), (0180), (0370), (038A), (038B), (0390), (0400), (0410), (0420), (0430), (0440), (0450), (0460), (0470), (0480), (0490), (0500), (0510), (0520), (0530), (0540), (0550), (0560), (0570), (0580), (0670), (0680), (0690), (0700), (0710), (0720), (0730); the following blocks in voting district (0740), tract 0024, block group 2, in Shawnee county: block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 227; the following blocks in voting district (0740), tract 0025, block group 1, in Shawnee county: block 101, block 102; the following voting districts in Shawnee county: (0750), (0760), (0800); the following blocks in voting district (0810), tract 0019, block group 4, in Shawnee county: block 419, block 420; the following blocks in voting district (0810), tract 0020, block group 3, in Shawnee county: block 301, block 302, block 303, block 304, block 305, block 306; the following voting districts in Shawnee county: (0830), (0840), (0850), (0860), (0870), (0880), (0890), (0900); the following blocks in voting district (097A), tract 0024, block group 9, in Shawnee county: block 915A, block 916; and the following voting districts in Shawnee county: (097B), (1140), (1670).

Sec. 150. Senatorial district 19 shall consist of the following voting districts in Douglas county: (0010), (0020), (0460), (0470), (0480), (0500), (0510), (0540); the following voting districts in Osage county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (009B), (0100), (0110), (0120), (0130), (014A); the following voting districts in Shawnee county: (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0590), (0600), (0610), (0620), (0630), (0640), (0650), (0660), (1080), (1090), (1100), (1110), (112A), (112B), (1130), (1150), (1160), (1170), (1180), (1350), (1360), (1370), (138A), (138B), (1390), (1400), (1410); the following blocks in voting district (1520), tract 0030, block group 1, in Shawnee county: block 101, block 103C, block 104B, block 116, block 118, block 122, block 124, block 125, block 128B, block 129, block 130, block 134, block 135; the following blocks in voting district (1520), tract 0030, block group 4, in Shawnee county: block 401B, block 402B; the following blocks in voting district (1520), tract 0030, block group 9, in Shawnee county: block 903D, block 903E, block 903F, block 903G, block 908B, block 909, block

910B, block 911B; the following blocks in voting district (1520), tract 0031, block group 9, in Shawnee county: block 901B, block 902, block 903; and the following voting districts in Shawnee county: (1615), (1630).

Sec. 151. Senatorial district 20 shall consist of the following blocks in voting district (0130), tract 0036.02, block group 1, in Shawnee county: block 107B, block 108B; the following blocks in voting district (0740), tract 0025, block group 1, in Shawnee county: block 106, block 107, block 108, block 123; the following voting districts in Shawnee county: (0770), (0780), (0790); the following blocks in voting district (0810), tract 0019, block group 1, in Shawnee county: block 107, block 118, block 119; the following blocks in voting district (0810), tract 0019, block group 4, in Shawnee county: block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 421, block 422, block 423; the following voting districts in Shawnee county: (0820), (0910), (0920), (0930), (0940), (0950), (0960); the following block groups in voting district (097A), tract 0026.02, in Shawnee county: block group 1, block group 2; the following blocks in voting district (097A), tract 0026.02, block group 4, in Shawnee county: block 401, block 428, block 437, block 438, block 445, block 446; the following block in voting district (097A), tract 0036.02, block group 1, in Shawnee county: block 102A; the following voting districts in Shawnee county: (0980), (099A), (099B), (100A), (1010), (1020), (1030), (1040), (1050), (1060), (1070), (1190), (1200), (1210), (1220), (1230), (1240), (1250), (1260), (1270), (1280), (1290), (1300), (1310), (1320), (1330), (1340), (1420), (1430), (1440), (1450), (1460), (1470), (1480), (1490), (1500), (1510); the following block in voting district (1520), tract 0030, block group 1, in Shawnee county: block 136B; the following block in voting district (1520), tract 0037, block group 3, in Shawnee county: block 301B; the following blocks in voting district (1520), tract 0037, block group 4, in Shawnee county: block 401, block 402B, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 422, block 423, block 424B, block 426A, block 427; the following block group in voting district (1520), tract 0037, in Shawnee county: block group 7; the following blocks in voting district (1520), tract 0037, block group 9, in Shawnee county: block 902, block 916B, block 918; the following blocks in voting district (1520), tract 0038, block group 1, in Shawnee county: block 101A, block 102A, block 102B, block 103, block 104, block 138; and the following voting districts in Shawnee county: (1530), (1540), (1550), (1560), (157A), (157B), (1580), (1590), (1600), (161A), (161B), (161C), (161D), (1620), (1640), (1650), (1660).

Sec. 152. Senatorial district 21 shall consist of all of Clay, Cloud, Marshall and Nemaha counties; the following voting districts in Pottawatomie county: (0010), (0120), (0270), (0280); the following voting districts in Riley county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0090), (0130), (0150), (0180), (0190), (0220), (0230), (0240); and all of Washington county.

Sec. 153. Senatorial district 22 shall consist of the following voting districts in Geary county: (001A), (001B), (001C), (001D), (001E), (001F), (001G), (001H), (001J), (001K), (001L), (001M), (001N), (001P), (001Q), (001R), (001T), (001U), (001V), (001W), (001X), (001Y), (008A), (008B), (009A), (009B), (0100), (011A), (0120), (0130), (014A), (014B), (014C), (014D), (0150), (016A), (0170), (0180), (019A), (019B), (019C), (019D), (019E), (020A), (020B), (0210), (0220), (023A), (023B), (023E), (023F), (023G), (023H); and the following voting districts in Riley county: (0091), (0092), (0093), (009A), (009B), (009C), (009D), (009E), (009F), (009G), (009H), (009K), (009M), (009N), (009P), (009Q), (009R), (009T), (009U), (009V), (009W), (009X), (009Y), (0100), (0110), (0120), (014A), (014B), (014C), (0160), (017A), (017B), (017X), (0200), (021A), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410), (0420), (0430), (0440), (0450).

Sec. 154. Senatorial district 23 shall consist of the following voting districts in Johnson county: (1820), (183A), (183B), (183C), (190A), (190C), (1920), (193A), (195A), (196A), (199A), (2010), (2020), (2030), (2040), (2050), (2060), (214D), (218A), (219A), (220A), (222A), (2230), (2240), (2250), (226A), (226B), (226C), (2270), (228A), (228B), (2290), (2320), (2330), (234A), (234B), (234C), (234D), (234E); and the following voting districts in Miami county: (0010), (002A), (002B), (002C), (002D), (002E), (002F).

Sec. 155. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0210), (0220), (0320); and all of Ottawa and Saline counties.

Sec. 156. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (0420), (0430), (0540), (0550), (0560), (0570), (0580), (0780), (0790), (0800), (1050), (1060), (1210), (1220), (1230), (1240), (1250), (1410), (1420), (1430), (1440), (1450), (1460), (1470), (1480), (1510), (1520), (1530), (1540), (1550), (1560), (1570), (1580), (1590), (1600), (1610).

Sec. 157. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (0010), (0020), (0150), (0160), (0170), (0180), (0190), (020A), (0210), (022B), (023A), (1500); the following blocks in voting district (1890), tract 0054, block group 6, in Sedgwick county: block 615A, block 623A; the following voting districts in Sedgwick county: (199A), (199B), (199C), (199D), (199E), (199F), (200A), (200B), (200C), (200D), (200E), (200F), (200G), (201A), (201B), (201C), (201D), (201E), (201F), (202A), (202B), (202C), (202D), (202E), (202G), (202H), (202J), (202K), (202L), (202M), (205A), (205B), (2060), (2070), (208A), (208B), (2090), (2100), (2110), (2120), (2130), (2140), (2150), (2160), (2170), (218A), (218B), (218C), (219A), (219B), (2200); and the following blocks in voting district (0060), tract 9921, block group 1, in Sumner county: block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111A, block 114A, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 151, block 152, block 153, block 154.

Sec. 158. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (020B), (022A), (0590), (0600), (0610), (0620), (063A), (063B), (063C), (064A), (064B), (0650), (066A), (066B), (067A), (067B), (0680), (0690), (0700), (0710), (0720), (0730), (0740), (0750), (0760), (0770), (070), (1080), (1090), (110A), (110B), (1110), (1120), (1130), (1140), (1150), (116A), (1170), (1180), (1190), (1200), (1490), (192A), (192B), (192C), (192D), (192E), (192F), (192G), (192H), (192I), (192J), (192K), (192W), (192X).

Sec. 159. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (1670), (1680), (169A), (1700), (1710), (1720), (1730), (1740), (1750), (1760), (1770), (1780), (1790), (1800), (1810), (1820), (1830), (1840), (185A), (185B), (185C), (186A), (186B), (1870), (1880); the following blocks in voting district (1890), tract 0054, block group 2, in Sedgwick county: block 201, block 202, block 203, block 204, block 205A; the following block group in voting district (1890), tract 0054, in Sedgwick county: block group 4; the following blocks in voting district (1890), tract 0054, block group 6, in Sedgwick county: block 624A, block 625A, block 627A; and the following voting districts in Sedgwick county: (190A), (190B), (1910), (1970), (198A), (198B), (2030), (2040).

Sec. 160. Senatorial district 29 shall consist of the following voting districts in Sedgwick county: (026A), (0270), (0280), (0330), (0340), (0350), (0360), (0370), (0380), (0390), (0440), (0450), (0460), (0490), (0500), (0510), (0520), (0530), (0810), (0820), (0830), (0840), (0860), (0880), (1020), (1030), (1040), (1260), (1270), (1290), (1320), (1400).

Sec. 161. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (030A), (030B), (030C), (031A), (031B), (031C), (032A), (032B), (047A), (047B), (0480), (0850), (0870), (0890), (0900), (0910), (092A), (092B), (0930), (0940), (0950), (0960), (0970), (0980), (0990), (1000), (1010), (1280), (1300), (1310), (1330), (1340), (135A), (135B), (136A), (136B), (136C), (1370), (1380), (1390), (1620), (1630), (1640), (165A), (165B), (166A), (166B), (166C), (1930), (1940), (1950), (196A), (196B).

Sec. 162. Senatorial district 31 shall consist of all of Harvey county; and the following voting districts in Sedgwick county: (0030), (0040), (0050), (006A), (006B), (0070), (008A), (0090), (0100), (011A), (012A), (0130), (0140), (023B), (0240), (0250), (026B), (026C), (029A), (029B), (029C), (029D), (0400), (0410), (2210), (2220), (2230).

Sec. 163. Senatorial district 32 shall consist of all of Cowley county; the following voting districts in Sumner county: (0010), (0020), (0030), (0040), (0050); the following blocks in voting district (0060), tract 9921, block group 1, in Sumner county: block 101A,

block 101B, block 111B, block 112, block 113, block 114B, block 115, block 116, block 124A, block 124B, block 147, block 148, block 149A, block 149B, block 150; the following blocks in voting district (0060), tract 9921, block group 5, in Sumner county: block 501, block 502, block 503, block 504, block 505, block 506, block 507, block 508, block 509, block 510, block 511, block 512, block 513, block 514, block 515, block 516, block 517, block 518, block 519, block 520, block 521, block 522, block 523, block 524, block 525, block 526, block 527, block 528, block 529, block 530, block 531, block 532, block 533, block 534, block 535, block 536, block 537, block 538, block 539, block 540, block 541, block 542, block 543, block 544, block 545, block 546, block 547, block 548, block 549, block 550A, block 551, block 552, block 553, block 554, block 555A, block 556, block 597A; and the following voting districts in Sumner county: (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0210), (0220), (0230), (0240), (0250), (0260), (0270), (0280), (0290), (0300), (0310), (0320), (0330), (0340), (0350), (0360), (0370), (0380), (0390), (0400), (0410).

Sec. 164. Senatorial district 33 shall consist of all of Barber county; the following voting districts in Barton county: (0200), (021A), (021B), (0220), (0230), (0240), (0250), (0260), (0270), (028A), (028B), (0290), (0300), (0310), (0320), (033A), (033B), (034A), (034B), (0350), (0360), (0370), (0380), (0390); and all of Comanche, Harper, Kingman, Pratt and Stafford counties.

Sec. 165. Senatorial district 34 shall consist of all of Reno county.

Sec. 166. Senatorial district 35 shall consist of the following voting districts in Dickinson county: (010A), (010B), (010C), (011A), (011B), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190), (0200), (0230), (0240), (0250), (0260), (0270), (028A), (0290), (0300), (0310); all of McPherson county; the following voting districts in Marion county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0100), (0110), (012A), (0130), (0140), (015A), (015B), (015C), (0160), (0170), (0180), (0190), (0200), (0240), (0250), (0260), (0270), (0280), (0290), (0300); and all of Rice county.

Sec. 167. Senatorial district 36 shall consist of the following voting districts in Barton county: (0010), (0020), (0030), (0040), (0050), (0060), (0070), (0080), (0090), (0100), (0110), (0120), (0130), (0140), (0150), (0160), (0170), (0180), (0190); and all of Ellsworth, Jewell, Lincoln, Mitchell, Osborne, Phillips, Republic, Russell and Smith counties.

Sec. 168. Senatorial district 37 shall consist of all of Edwards, Ellis, Hodgeman, Kiowa, Lane, Ness, Pawnee, Rooks and Rush counties.

Sec. 169. Senatorial district 38 shall consist of all of Clark, Ford and Gray counties; the following voting districts in Haskell county: (0020), (0030), (0040), (0050), (0060); and all of Meade and Seward counties.

Sec. 170. Senatorial district 39 shall consist of all of Finney, Grant and Hamilton counties; the following voting districts in Haskell county: (0010), (0070), (0080); and all of Kearny, Morton, Stanton and Stevens counties.

Sec. 171. Senatorial district 40 shall consist of all of Cheyenne, Decatur, Gove, Graham, Greeley, Logan, Norton, Rawlins, Scott, Sheridan, Sherman, Thomas, Trego, Wallace and Wichita counties.

Sec. 172. K.S.A. 4-3,401 through 4-3,529 and 4-4,101 through 4-4,142 are hereby repealed.

Sec. 173. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: The following bill was vetoed in its entirety by the Governor. The Governor's veto was subsequently overridden by the Legislature. The Governor's veto message and the Legislature's certificate overriding the bill are printed immediately following the bill.)

(Published in the Kansas Register, May 14, 1992.)

HOUSE BILL No. 2683

AN ACT relating to the Kansas technology enterprise corporation; concerning the composition of the board of directors; prescribing certain powers for the corporation; providing for cooperation with Kansas, Inc. and department of commerce; amending K.S.A. 1991 Supp. 74-8101, 74-8102, 74-8103 and 74-8104 and repealing the existing sections.

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

Section 1. K.S.A. 1991 Supp. 74-8101 is hereby amended to read as follows: 74-8101. (a) There is hereby created a body politic and corporate to be known as the Kansas technology enterprise corporation. The Kansas technology enterprise corporation is hereby constituted a public instrumentality and the exercise of the authority and powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) The corporation shall be governed by a board of ~~16~~ 20 directors who shall be residents of this state. The board shall consist of (1) the governor or, at the discretion of the governor, the secretary of the department of commerce, (2) the secretary of the state board of agriculture, (3) four directors who are members of the legislature appointed as provided in subsection ~~(e)~~ (d)(1), (4) four directors who are appointed by legislative officers as provided in subsection (d)(2), and ~~10~~ (5) ten directors appointed by the governor subject to senate confirmation as provided in K.S.A. 75-4315b, and amendments thereto.

(c) (1) All ~~ten~~ 10 of the directors appointed by the governor shall be persons recognized for outstanding knowledge and leadership in their fields. Six of the directors shall be persons from the private sector and four of the directors shall be engineers or scientists who have extensive experience in managing basic or applied scientific and technological research at Kansas educational institutions. Of the six directors appointed from the private sector:

(A) Four directors shall be persons who represent industries of the Kansas economy including small enterprises which include, but are not limited to:

- (i) Resource-based industries of agriculture, oil and gas;
- (ii) advanced technology industries of aviation, manufacturing, information and design; and
- (iii) emerging industries of telecommunications, computer software, information services and research services; and

(B) two directors shall be persons who represent the private financial sector of whom one shall have experience in the area of high-risk venture investments, and the other shall have commercial banking experience in an industry of special technological importance to the Kansas economy.

(2) In making appointments to the board, the governor shall give consideration to the qualifications of the persons who served as commissioners of the Kansas advanced technology commission and shall give consideration to appropriate geographical representation.

(3) Two directors shall be appointed for a term of one year, two directors shall be appointed for terms of two years, three directors shall be appointed for terms of three years and three directors shall be appointed for terms of four years. Successors to such directors shall be appointed for terms of four years. Each director shall hold office for the term of appointment and until the successor ~~shall have~~ has been appointed and confirmed. In the event of a vacancy, the vacancy shall be filled by the governor in the manner provided for original appointments for the remainder of the unexpired portion of the term.

(d) (1) Four directors shall be members of the legislature as follows: The speaker of the house, the house minority leader, the president of the senate, and the senate minority leader, or legislators who are appointed to represent them and who will provide continuity by virtue of their membership on the house or senate committees on economic development or the joint committee on economic development. Legislative officers designated in this subsection shall serve by virtue of office. Legislators appointed under this subsection shall serve from the dates of their appointment until the first day

of the regular legislative session in odd-numbered years and are eligible for reappointment.

(2) (A) Four directors shall be appointed by legislative officers as follows: (1) One shall be appointed by the speaker of the house, (2) one shall be appointed by the house minority leader, (3) one shall be appointed by the president of the senate, and (4) one shall be appointed by the senate minority leader. The members so appointed shall be persons who are recognized for outstanding knowledge and leadership in their fields, who are from the private sector and who represent industries of the Kansas economy including small enterprises which include, but are not limited to:

- (i) Resource-based industries of agriculture, oil and gas;
- (ii) advanced technology industries of aviation, manufacturing, information and design; and
- (iii) emerging industries of telecommunications, computer software, information services and research services.

(B) Of the directors first appointed by legislative officers under this subsection (d)(2), the directors appointed by the speaker of the house and the president of the senate shall be appointed to a term of four years and the directors appointed by the house minority leader and the senate minority leader shall be appointed to a term of two years. Successors to such directors shall be appointed for terms of four years. Each director shall hold office for the term of appointment and until the successor has been appointed. In the event of a vacancy, the vacancy shall be filled by the legislative officer who appointed the director who created the vacancy in the manner provided for the original appointment for the remainder of the unexpired portion of the term.

(e) Members of the board of directors, in their dealings with enterprises that may receive financing through the corporation, shall declare any potential conflict of interest and abstain from voting prior to taking any actions relating to that transaction.

(f) The board of directors shall conduct a national search and select a corporate president who meets a national standard of experience, ability and initiative for similar positions. The corporate president shall not be a member of the board.

(g) The board of directors shall hold all board meetings within the state of Kansas.

(h) Members of the board of directors are entitled to compensation and expenses as provided in K.S.A. 75-3223, and amendments thereto.

(i) The board shall annually elect from the private sector membership one member as chairperson and one member as vice-chairperson.

(j) The board of directors shall meet at least once during each calendar quarter, and at such other times as may be provided in the rules of the corporation, upon call by the president, the chairperson or upon written request of a majority of the directors.

(k) A majority of the board of directors shall be necessary to transact corporation business, and all actions of the directors shall be by a majority vote of the full number of corporate directors.

(l) The directors shall establish an executive committee composed of the chairperson, vice-chairperson and three additional members chosen by the chairperson from among the remaining directors. The executive committee, in intervals between board meetings, may transact any board business that has been delegated to the executive committee. A majority of the executive committee shall be necessary to transact business and all actions of the executive committee shall be by a majority vote of the committee.

(m) No member of the board of directors is eligible to serve more than two terms of office.

(n) A member appointed to the board of directors by the governor may be removed by the governor for cause, stated in writing, after a hearing thereon.

Sec. 2. K.S.A. 1991 Supp. 74-8102 is hereby amended to read as follows: 74-8102. (a) The purpose of the Kansas technology enterprise corporation is to foster innovation in existing and developing businesses, especially the creation, growth and expansion of Kansas enterprises in a diversified range of primary sectors, which develop value-added products, processes and services including, but not limited to:

- (1) Existing resource-based industries of agriculture, oil, gas, coal and helium;

(2) existing advanced technology industries of aviation, pharmaceuticals, computers and electronics; and

(3) emerging industries of telecommunications, computer software, information services and research services.

(b) The corporation shall achieve the purpose stated in subsection (a) of this section by:

(1) Financing basic research, applied research and development, and technology transfer at Kansas educational institutions which meet competitive standards of excellence as measured by national and international peers, and which create innovative collaboration between Kansas educational institutions and Kansas enterprises;

(2) awarding applied research matching grants to Kansas educational institutions and Kansas private enterprises in order to move innovation and applied research toward commercial application;

(3) engaging in seed-capital financing for the development and implementation of innovations or new technologies for existing resource, technology-based and emerging Kansas businesses; and

(4) providing technical referral services to such small, new, emerging or mature businesses and encouraging Kansas educational institutions to establish technical information data bases and industrial liaison offices which are easily accessible by both private and public sector Kansas organizations.

(c) *The department of commerce, Kansas, Inc. and all other interested state agencies shall cooperate with the Kansas technology enterprise corporation in providing information and other assistance as may be requested for the performance of its duties with respect to the state's economic development strategy.*

Sec. 3. K.S.A. 1991 Supp. 74-8103 is hereby amended to read as follows: 74-8103. As used in this act, *unless the context clearly requires otherwise:*

(a) "Applied research" means those research activities occurring at educational institutions and in private enterprises, which have potential commercial application;

(b) "basic research" means research that has long range generic value to an industry classification or group of companies. Basic research is distinguished from applied research which has more short range present value to a single company or project;

(c) "corporation" means the Kansas technology enterprise corporation;

(d) "educational institutions" means public and private community colleges, colleges and universities in the state;

(e) "enterprise" means a firm with its principal place of business in Kansas which is engaged or proposes to be engaged in this state in agricultural, natural resource-based or other manufacturing, research and development, or the provision of technology-based services;

(f) "new technology" means the development through science or research of methods, processes and procedures, including but not limited to those involving the utilization of agricultural products and by-products and oil and gas and other mineral resources for practical application in industrial and service situations;

(g) "person" means any individual, partnership, corporation or joint venture carrying on business or proposing to carry on business within the state;

(h) "product" means any product, device, technique or process, which is or may be developed or marketed commercially; however, "product" does not refer to basic research but shall apply to such products, devices, techniques or processes which have advanced beyond the theoretical stage and are in a prototype or practice stage;

(i) "qualified security" means any public or private financial arrangement, involving any note, security, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, preorganization certificate or subscription, transferable security, investment contract, certificate of deposit for a security, certificate of interest or participation in a patent or application therefor, or in royalty or other payments under such a patent or application, or, in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing to the extent allowed by law;

(j) "seed capital" means financing that is provided for the development, refinement and commercialization of a product, process or innovation, whether for the startup of a new firm, the expansion or the restructuring of a small firm.

Sec. 4. K.S.A. 1991 Supp. 74-8104 is hereby amended to read as follows: 74-8104. (a) The corporation shall have all the powers necessary to achieve the purposes, specified in K.S.A. ~~1986~~ 1991 Supp. 74-8102, and amendments thereto, including the power to:

(1) Make, amend and repeal bylaws, rules and regulations for the management of its affairs;

(2) sue and be sued;

(3) make contracts and execute all instruments necessary or convenient for carrying out its business;

(4) acquire, own, hold, dispose of and encumber real or personal property of any nature, both tangible and intangible, or any interest therein;

(5) enter into agreements or other transactions with any federal, state, county or municipal agency and with any individual, corporation, enterprise, association or any other entity involving applied research and technology;

(6) acquire real property or an interest therein, by purchase or foreclosure, where such acquisition is necessary or appropriate to protect or secure any investment or loan in which the corporation has an interest;

(7) sell, transfer and convey any such property to a buyer, and in the event such sale, transfer or conveyance cannot be effected with reasonable promptness or at a reasonable price, to lease such property to a tenant;

(8) invest any funds appropriated by the state and held in reserve in funds not required for immediate disbursement, in such investments that may be lawful for fiduciaries in this state, and invest funds received from gifts, grants, donations and other operations of the corporation in such investments as would be lawful for a private corporation having purposes similar to the corporation;

(9) borrow money and give guaranties, provided that the indebtedness and other obligations of the corporation shall be payable solely out of its own resources, and shall not constitute a pledge of the full faith and credit of the state or any of its revenues;

(10) appoint officers, consultants, agents and advisors, and prescribe their duties and compensation;

(11) appear in its own behalf before boards, commissions, departments or other agencies of municipal, county or state government or federal government;

(12) procure insurance against any losses in connection with its properties in such amounts from such insurers as may be necessary or desirable;

(13) consent, subject to the provisions of any contract with note-holders, whenever it considers it necessary or desirable in the fulfillment of the purposes of this act, to the modifications, with respect to the rate of interest, time payment or of any installment, of principal and interest or any terms of any contract or agreement of any kind to which the corporation is a party;

(14) accept any and all donations, grants, bequests and devises, conditional and otherwise, of money, property, services or other things of value which may be received from the United States or any agency thereof, any governmental agency, or any institution, person, firm or corporation, public or private, to be held, used or applied for any or all of the purposes specified in this act, in accordance with the terms and conditions of any such grant;

(15) trade, buy or sell qualified securities, *including without limitation, the powers to guarantee, purchase, take, receive, subscribe for or otherwise acquire, to own, hold, use or otherwise employ; to sell, lease, exchange, transfer or otherwise dispose of; to mortgage, lend, pledge or otherwise deal in and with, qualified securities issued by any other domestic or foreign corporation, partnership, association, limited liability company, or business trust, whether or not such issuer was organized or caused to be organized by the corporation. The corporation, while owner of any such qualified securities, may exercise all of the rights, powers and privileges of ownership, including without limitation the right to vote;*

(16) finance, conduct or cooperate in the financing or conducting of scientific, technological, business, financial or other investigations which are related to or likely to lead to business and economic development, involving natural resources, innovation, applied research and new technology, by making and entering into contracts or other appropriate arrangements, including the provisions of grants, loans and other forms of assistance;

(continued)

Kansas Register

(17) solicit, study and assist in the preparation of business plans and proposals of new or established resource and technologically oriented enterprises of special importance to the Kansas economy;

(18) prepare, publish and distribute such technological studies, reports, bulletins and other materials as it considers appropriate, subject only to the maintenance and responsibility for confidentiality of the client proprietary information, and encourage educational institutions to develop and disseminate similar materials;

(19) organize, conduct, sponsor or cooperate with, and assist both the private sector and educational institutions in the conduct of, special institutes, conferences, demonstrations and studies relating to the stimulation and formulation of innovation, applied science and technologically oriented enterprises and studies relating to the formulation of resource and technologically oriented enterprises and industry endeavors;

(20) provide and pay for such advisory services and technical assistance that may be necessary or desirable to carry out the purposes of this act;

(21) own, possess and take license in, patents, copyrights and proprietary processes and negotiate and enter into contracts and establish charges for the use of such patents, copyrights and proprietary processes when such patents and licenses for innovation or inventions result from research sponsored by the corporation in a private enterprise or when the corporation finances a product developed by a private enterprise;

(22) negotiate royalty payments to the corporation on patents and licenses for innovations or inventions arising in the course of research sponsored by the corporation at educational institutions under the jurisdiction of the Kansas board of regents; such negotiated royalty arrangements should reflect an appropriate sharing of legal risk as well as financial return between the corporation and educational institution; such patents and licenses shall be in keeping with the patent policies of the Kansas board of regents;

(23) exercise any other powers necessary for the operation and functioning of the corporation within the purposes authorized in this act;

(24) participate with any state agency or educational institution in developing specific programs and goals to assist in the development of industrial innovation, applied research and new technology of special importance to the Kansas economy, and monitor performance;

(25) cooperate with the department of commerce regarding financial assistance programs targeted to small enterprises of special importance to the Kansas economy;

(26) provide resource-based, scientific and technological data and information required by the governor, the legislature, or its committees, and to state agencies, educational institutions and cities, counties and school districts and to private citizens and groups, within the limitations of the resources available to the corporation. This service shall be in addition to any services currently provided by any educational institution, committee or other organization in the state.

(b) The corporation shall be exempt from all franchise, corporate business and income taxes levied by the state. However, this act is not intended to exempt from any such taxes, or from any taxes levied in connection with the manufacture or sale of any products or processes which are the subject of any agreement made by the corporation, or any person entering into any agreement with the corporation.

(c) Documents and other materials submitted to the corporation by Kansas businesses shall not be public records if such records are determined to be trade or business secrets, and shall be maintained in a secured environment by the president.

(d) The corporation shall not be subject to state purchasing laws.

Sec. 5. K.S.A. 1991 Supp. 74-8101, 74-8102, 74-8103 and 74-8104 are hereby repealed.

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

State of Kansas

Office of the Governor

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I am vetoing House Bill 2683 which authorizes the appointment of four more persons to expand the Kansas Technology Enterprise Corporation Board to 20 members.

I can find no reason so compelling that adding more people to expand a board at some expense to the State is warranted at this time.

For this reason, I am vetoing House Bill 2683.

Dated April 16, 1992.

Joan Finney
Governor

State of Kansas

Kansas Senate

Kansas House of Representatives

Certificate

In accordance with K.S.A. 45-304(e), it is certified that, **HB 2683**,

An act relating to the Kansas technology enterprise corporation; concerning the composition of the board of directors; prescribing certain powers for the corporation; providing for cooperation with Kansas, Inc. and department of commerce; amending K.S.A. 1991 Supp. 74-8101, 74-8102, 74-8103 and 74-8104 and repealing the existing sections.

was not approved by the Governor on April 16, 1992; was returned by her with her objections and approved on April 29, 1992 by two-thirds of the members of the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on April 30, 1992 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the bill did pass and shall become law.

This certificate is made this 2nd day of May, 1992, by the Secretary and President of the Senate and the Speaker and Chief Clerk of the House of Representatives.

Pat Saville
Secretary of the Senate

Paul E. Burke, Jr.
President of the Senate

Janet E. Jones
Chief Clerk of the House
of Representatives

Marvin Wm. Barkis
Speaker of the House
of Representatives

(Published in the Kansas Register, May 14, 1992.)

SENATE BILL No. 714

AN ACT concerning the municipal judge training fund; amending K.S.A. 12-4116 and repealing the existing section.

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

Section 1. K.S.A. 12-4116 is hereby amended to read as follows: 12-4116. In each case filed in municipal court where there is a finding of guilty or a plea of guilty, a plea of no contest, forfeiture of bond, or a diversion, a sum in an amount not to exceed \$1 shall be assessed for the training, testing and continuing judicial education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto. Except as provided herein, the judge or clerk of the municipal court shall remit at least monthly all assessments received pursuant to this section to the state treasurer for deposit in the state treasury to the credit of the municipal judge training fund. If the amount of assessments collected in a month are less than \$250, the municipal court may delay remitting its assessments until a month in which the cumulative amount of assessments collected equals or exceeds \$250. If the cumulative amount of assessments collected never equals or exceeds \$250 for the year, the amount of assessments collected and on hand on December 31 of the year shall be remitted to the state treasurer. The specific amount of the assessment shall be fixed by order of the supreme court and shall apply uniformly to all cities. For the purpose of determining the amount to be assessed according to this section, if more than one complaint is filed against one individual arising out of the same incident, all such complaints shall be considered as one case. For the purpose of this section, parking violations shall not be considered as cases.

Sec. 2. K.S.A. 12-4116 is hereby repealed.

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

(Editor's Note: The following bill was vetoed in its entirety by the Governor. The Governor's veto was subsequently overridden by the Legislature. The Governor's veto message and the Legislature's certificate overriding the bill are printed immediately following the bill.)

(Published in the Kansas Register, May 14, 1992.)

HOUSE BILL No. 2763

AN ACT establishing the Kansas commission on education restructuring and accountability; providing for the membership, powers and duties thereof; authorizing certain staff; making and concerning appropriations for the fiscal years ending June 30, 1992, and June 30, 1993.

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

Section 1. (a) There is hereby established the Kansas commission on education restructuring and accountability.

(b) (1) The commission shall consist of 31 voting and 8 nonvoting members.

(2) The following voting members of the commission shall serve *ex officio* or shall designate a person to represent them on the commission: The governor, the chairperson of the state board of education, the chairperson of the state board of regents, the speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate and the minority leader of the senate. The remainder of the voting members of the commission shall be appointed as follows:

(A) Four members shall be appointed by the governor.

(B) Two members shall be appointed by the chairperson of the state board of education from among the members of the America 2000 commission.

(C) One member of the house of representatives and four non-legislators shall be appointed by the speaker of the house of representatives.

(D) One member of the house of representatives and three non-legislators shall be appointed by the minority leader of the house of representatives.

(E) One member of the senate and four nonlegislators shall be appointed by the president of the senate.

(F) One member of the senate and three nonlegislators shall be appointed by the minority leader of the senate.

(3) The following nonvoting members of the commission shall serve *ex officio*: The commissioner of education, the executive officer of the state board of regents, the director of legislative research, the associate director of legislative research, the governor's special assistant for education, the director of the division of the budget, the secretary of social and rehabilitation services and the secretary of health and environment.

(c) Appointing authorities shall make the appointments provided by this section within three weeks after the effective date of this act. Any appointments not made by that time shall be made by the other members of the commission. Appointing authorities shall coordinate their appointments to assure that the membership of the commission represents the educational, business and labor communities of the state and the general public.

(d) Appointed members of the commission shall serve for terms expiring on February 1, 1993. A vacancy in an appointed member's position shall be filled by appointment of a successor by the appointing authority that made the original appointment.

(e) Members of the commission attending meetings of the commission or subcommittee meetings authorized by the commission shall be paid amounts provided for in subsection (e) of K.S.A. 75-3223 and amendments thereto.

Sec. 2. (a) The chairperson of the state board of education shall call a meeting of the Kansas commission on education restructuring and accountability as soon as practicable after the effective date of this act. At such meeting the commission shall elect a chairperson and vice-chairperson from among the members of the commission.

(b) The commission shall employ a director who shall attend all meetings of the commission, be responsible for keeping a record of commission meetings, prepare the report of the commission and perform such other duties as directed by the commission. The director shall be in the unclassified service under the Kansas civil service act and shall receive compensation fixed by the commission, subject to appropriations. The director shall receive expenses and allowances for in-state and out-of-state travel as is provided by law for members of the legislature.

(c) The commission shall be attached to the state department of education for budgeting, purchasing and related management functions, which shall be administered under the direction of the state board of education. The department of education shall provide such office space and clerical and other staff assistance as required by the commission. All vouchers for expenditures and payrolls of the commission shall be approved by the chairperson of the commission, or a person or persons designated by the chairperson, and by the chairperson of the state board of education, or a person or persons designated by the chairperson.

(d) The commission is authorized to receive any gifts, grants or donations made for any of the purposes of this act and to disburse and administer all such gifts, grants and donations, and any moneys appropriated to the commission, in accordance with the terms thereof.

(e) There is hereby established in the state treasury the commission on education restructuring and accountability fund. The commission shall remit all moneys received by or for it to the state treasurer at least monthly. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit it to the commission on education restructuring and accountability fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved as provided by subsection (c).

Sec. 3. (a) The Kansas commission on education restructuring and accountability shall develop goals and strategies for the reform and restructuring of public elementary and secondary education in Kansas in order to provide accountability in the provision of equal educational opportunity to each school child of Kansas. In developing such goals and strategies, the commission shall endeavor to implement the national education goals adopted by the president of the United States and the nation's governors and published in *America 2000: An Education Strategy* (U.S. Department of Education, 1991). The commission shall also consider target III and related recommended strategies contained in the report of the 1991 special committee on children's initiatives and the assumptions and strategies

(continued)

for successful schools contained in *The Business Roundtable Participation Guide: A Primer for Business on Education* (Second Edition, April 1991).

(b) The commission shall review legislation which addresses school reform or restructuring and which is proposed for action during the 1992 or 1993 legislative session. The commission shall offer its recommendations regarding such legislation to the governor, state board of education and legislative standing and special committees on education, as appropriate.

(c) The commission shall hold public hearings throughout the state to receive information and recommendations to assist in carrying out the duties of the commission. The commission shall hold such additional meetings as necessary to receive testimony and formulate the commission's recommendations and report.

(d) The commission shall submit a report and recommendations to the legislature before December 15, 1992.

Sec. 4.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1992, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Commission on education restructuring and accountability fund No limit

(b) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1993, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Commission on education restructuring and accountability fund No limit

(c) On the effective date of this act, the director of accounts and reports shall transfer \$50,000 from the state general fund to the commission on education restructuring fund.

Sec. 5. The provisions of this act shall expire on February 1, 1993.

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

State of Kansas

Office of the Governor

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I am vetoing House Bill 2763, which creates the Kansas Commission on Education Restructuring and Accountability and provides an appropriation to finance the commission.

I object to the bill for the following reasons:

The key to educational reform in Kansas is in our elected officials—specifically the Kansas State Board of Education which is charged with setting policy, including structure and accountability, for Kansas public schools.

This elected Board has the responsibility and capacity to address the mandates of House Bill 2763 and may certainly develop an ad hoc committee to develop goals and strategies envisioned by the bill.

Education is not necessarily better served by a proliferation of commissions or councils that create travel and staffing expense when existing personnel and resources can do the job.

This bill expands State government by creating yet another study commission and contemplates hiring two staff persons. The bill further envisions this new

commission would meet eight times in a year and spend at least \$125,000.

There have been many studies. Time is of the essence. The high school graduating class of the year 2000 is finishing the fourth grade.

The proposed appropriation is better invested in expenditures that will directly benefit the children and teachers.

Investments in programs such as these promise to pay more dividends in improved educational performance than investments in more study commissions or hiring more state employees to direct studies.

Structures already exist at the state level of government to develop and implement initiatives to improve education. Change will be born and nurtured by vigorous collaboration between the state and those already working in the local districts to augur innovation for the State as a whole.

For these reasons, I am vetoing House Bill 2763.

Dated April 27, 1992.

Joan Finney
Governor

State of Kansas

Kansas Senate Kansas House of Representatives

Certificate

In accordance with K.S.A. 45-304(e), it is certified that, **HB 2763**,

An act establishing the Kansas commission on education restructuring and accountability; providing for the membership, powers and duties thereof; authorizing certain staff; making and concerning appropriations for the fiscal years ending June 30, 1992, and June 30, 1993.

was not approved by the Governor on April 27, 1992; was returned by her with her objections and approved on April 29, 1992 by two-thirds of the members of the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on May 2, 1992 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the bill did pass and shall become law.

This certificate is made this 2nd day of May, 1992, by the Secretary and President of the Senate and the Speaker and Chief Clerk of the House of Representatives.

Pat Saville
Secretary of the Senate

Paul E. Burke, Jr.
President of the Senate

Janet E. Jones
Chief Clerk of the House
of Representatives

Marvin Wm. Barkis
Speaker of the House
of Representatives

(Published in the Kansas Register, May 14, 1992.)

SENATE BILL No. 809

AN ACT providing for redistricting of state board of education member districts; repealing K.S.A. 25-1910 and 25-1911.

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

Section 1. In accordance with section 3 of article 6 of the constitution of the state of Kansas, the state of Kansas is divided into ten state board of education member districts.

Sec. 2. The senatorial districts referred to in sections 3 through 12 are those senatorial districts established by sections 132 through 171 of 1992 House Bill No. 3083.

Sec. 3. State board of education member district one shall consist of senatorial districts 3, 4, 5 and 6.

Sec. 4. State board of education member district two shall consist of senatorial districts 7, 8, 10 and 11.

Sec. 5. State board of education member district three shall consist of senatorial districts 2, 9, 19 and 23.

Sec. 6. State board of education member district four shall consist of senatorial districts 1, 17, 18 and 20.

Sec. 7. State board of education member district five shall consist of senatorial districts 37, 38, 39 and 40.

Sec. 8. State board of education member district six shall consist of senatorial districts 21, 22, 24 and 36.

Sec. 9. State board of education member district seven shall consist of senatorial districts 31, 33, 34 and 35.

Sec. 10. State board of education member district eight shall consist of senatorial districts 25, 28, 29 and 30.

Sec. 11. State board of education member district nine shall consist of senatorial districts 12, 13, 14 and 15.

Sec. 12. State board of education member district ten shall consist of senatorial districts 16, 26, 27 and 32.

Sec. 13. K.S.A. 25-1910 and 25-1911 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, May 14, 1992.)

HOUSE BILL No. 3213

AN ACT relating to elections; amending K.S.A. 25-203, 25-306a, 25-3203 and 25-3205 and K.S.A. 1991 Supp. 25-305, 25-1220, 25-3904 and 25-3904a and K.S.A. 1991 Supp. 25-205, as amended by section 1 of 1992 Senate Bill No. 789, and repealing the existing sections.

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

Section 1. K.S.A. 25-203 is hereby amended to read as follows: 25-203. (a) *Except as otherwise provided in subsection (b)*, the primary national, state, county and township election shall be held on the first Tuesday of August in even-numbered years for the nomination of all candidates to be voted for at the next following general election.

(b) *In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the primary national, state, county and township election shall be held on August 25, 1992, for the nomination of all candidates to be voted for at the next following general election.*

Section 2. K.S.A. 1991 Supp. 25-205, as amended by section 1 of 1992 Senate Bill No. 789, is hereby amended to read as follows: 25-205. (a) *Except as otherwise provided in subsection (h)*, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12:00 noon, June 10, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions,

as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

(b) Nomination petitions shall be in substantially the following form:

I, the undersigned, an elector of the county of _____, and state of Kansas, and a duly registered voter, and a member of _____ party, hereby nominate _____, who resides in the township of _____ (or at number _____ on _____ street, city of _____), in the county of _____ and state of Kansas, as a candidate for the office of (here specify the office) _____, to be voted for at the primary election to be held on the first Tuesday in August in _____, as representing the principles of such party; and I further declare that I intend to support the candidate herein named and that I have not signed and will not sign any nomination petition for any other person, for such office at such primary election.

(HEADING)

Name of Signers.	Street Number or Rural Route (as registered).	Name of City.	Date of Signing.
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All nomination petitions shall have substantially the foregoing form, written or printed at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

(c) Each signer of a nomination petition shall sign but one such petition for the same office, and shall declare that such person intends to support the candidate therein named, and shall add to such person's signature and residence, if in a city, by street and number (if any); or, otherwise by post-office address. No signature shall be counted unless the place of residence of the signer is clearly indicated and the date of signing given as herein required and if ditto marks are used to indicate address they shall be continuous and clearly made. Such sheets shall not be cut or pasted together.

(d) All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit described in this paragraph of a qualified elector who resides in such county and election district or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator or the candidate, to the effect that such circulator or the candidate personally witnessed the signing of the petition by each person whose name appears thereon. The person making such affidavit shall be duly registered to vote.

(e) Except as otherwise provided in subsection (g), nomination petitions shall be signed:

(1) If for a state officer elected on a statewide basis or for the office of United States senator, by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the state as compiled by the office of the secretary of state;

(2) If for a state or national officer elected on less than a statewide basis, by voters equal in number to not less than 2% of the total of the current voter registration of the party designated in such district as compiled by the office of the secretary of state, except that for the office of district magistrate judge, by not less than 2% of the total of the current voter registration of the party designated in the county in which such office is to be filled as certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto;

(3) If for a county office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such district or county as compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto; and

(4) If for a township office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such township as compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto.

(f) Subject to the requirements of K.S.A. 25-202, and amendments thereto, any political organization filing nomination petitions for a majority of the state or county offices, as provided in this act, shall have a separate primary election ballot as a political party and, upon receipt of such nomination petitions, the respective officers shall prepare a separate state and county ballot for such new party in their respective counties or districts thereof in the same manner as is provided for existing parties.

(continued)

(g) (1) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law on or after the effective date of this act and on or before May 10, 1992, for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, nomination petitions for nomination to such offices shall be signed by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the district as compiled by the office of the secretary of state.

(2) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law on or after May 11, 1992, nomination petitions for nomination to the following offices shall be signed by registered voters of the party designated in the district equal in number to not less than the following:

- (A) For the office of representative in the United States congress 1,000 registered voters;
 (B) for the office of member of the state board of education 300 registered voters;
 (C) for the office of state senator 75 registered voters; and
 (D) for the office of state representative 25 registered voters.

(h) (1) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or before June 12, 1992, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be July 24, 1992.

(2) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be July 14, 1992.

Sec. 3. K.S.A. 1991 Supp. 25-305 is hereby amended to read as follows: 25-305. (a) Certificates of nomination by convention or caucus for the nomination of candidates for national, state, county and township offices shall be filed with the secretary of state, or the county election officer, not later than 12:00 noon, ~~June 10 on the day fixed for the deadline for filing petitions for nomination and declarations of intent to become candidates in accordance with K.S.A. 25-205 and amendments thereto,~~ preceding the national, state, county and township general election, except when such date falls on Saturday, Sunday or a holiday, and then not later than 12:00 noon the following day that is not a Saturday, Sunday or a holiday.

(b) Independent nomination petitions for the nomination of candidates for national, state, county and township offices shall be filed with the secretary of state or the county election officer no later than 12:00 noon on the Monday preceding the ~~first Tuesday of August date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto,~~ preceding a national, state, county or township general election.

(c) An affidavit of write-in candidacy for the offices of governor and lieutenant governor shall be filed with the secretary of state no later than 12:00 noon on the 2nd Monday preceding the general election for those offices.

Sec. 4. K.S.A. 25-306a is hereby amended to read as follows: 25-306a. Any person who has been nominated to be a candidate at any primary election for any national, state, county or township office may cause such person's name to be withdrawn from nomination by a request in writing, signed by the person nominated and acknowledged before an officer qualified to take acknowledgments of deeds, and filed with the secretary of state in the case of national and state offices or with the county election officer in the case of county and township offices not later than 12:00 noon, ~~June 10, immediately preceding such primary election, or if such date falls on Saturday, Sunday or a holiday, then not later than 12:00 noon on the following day that is not a Saturday, Sunday or a holiday on the day fixed for the deadline for filing of a petition for nomination or the declaration of intent to become a candidate in accor-~~

dance with K.S.A. 25-205, and amendments thereto. No name so withdrawn shall be printed on the ballots for such office for such primary election.

Sec. 5. K.S.A. 1991 Supp. 25-1220 is hereby amended to read as follows: 25-1220. The county election officers of the various counties shall transmit to every person who is eligible to vote by federal services absentee ballot who makes application to vote in accordance with K.S.A. 25-1216 and amendments thereto an official federal services absentee ballot and ballot envelope, voting instructions and an envelope for use in returning the official federal services absentee ballot and ballot envelope. If the application is made 45 30 or more days before the day of the election, such ballot, instructions and envelopes shall be sent as soon as practicable, but not later than 45 30 days before the election.

Sec. 6. K.S.A. 25-3203 is hereby amended to read as follows: 25-3203. (a) *Except as otherwise provided in subsection (b),* if the secretary of state fails to receive the final abstract of the intermediate canvass of any national or state election from any county within ~~seventeen~~ (17) 17 days next after any election, ~~he~~ the secretary shall dispatch a special messenger to obtain a copy of the same, and the county election officer shall immediately, on demand of such messenger, make out and deliver to ~~him~~ such messenger the copy required. Thereupon, the messenger shall deliver such copy to the secretary of state without delay. The expenses of such messenger shall be paid by the secretary of state, and the secretary of state shall be reimbursed therefor by such county.

(b) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the final abstract of the intermediate canvass of the national and state primary election shall be received by the secretary of state from county election officers within 14 days next following such election.

Sec. 7. K.S.A. 25-3205 is hereby amended to read as follows: 25-3205. (a) The state board of canvassers shall be the board of canvassers for the final canvass of the primary election of national and state officers. Provisions of law relating to the canvass of the national and state general elections shall, as far as applicable, apply to the canvass and certification of the secretary of state of such primary elections. *Except as otherwise provided in subsection (b),* the state board of canvassers shall meet at the office of the secretary of state on the third Tuesday of August of each year in which a national and state primary election is held, and may recess from time to time until the final canvass is completed.

As soon as such final canvass of the primary election shall be completed, the secretary of state shall publish in the Kansas register a certified statement of the candidates for the presidential electors, United States senator, representatives in congress and all state officers or so many of such officers as may have been voted for at such election. On the fourth day after the completion of such final canvass or as soon as practicable thereafter, the secretary of state shall mail to each candidate found by the state board of canvassers to be duly nominated a certificate of nomination, showing the name of the candidate, the party by whom nominated and the office for which the candidate is nominated as specified in the nomination papers and determined by the state board of canvassers.

(b) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the state board of canvassers shall meet at the office of the secretary of state on September 15, 1992, and may recess from time to time until the final canvass is completed.

Sec. 8. K.S.A. 1991 Supp. 25-3904 is hereby amended to read as follows: 25-3904. (a) *Except as otherwise provided in subsection (g),* when a district convention is provided by law to be held to elect a person to fill a vacancy in a party candidacy for a district office, the county chairperson designated in subsection (b) or (c), within 10 days of the receipt of the notice that the vacancy has occurred or will occur shall call a convention of all committeemen and committeewomen of the political party from the precincts in

such district. If such county chairperson is absent or for any reason is unable to call, or refuses to call such convention, then the corresponding county vice-chairperson shall call the convention and perform the other duties under this section required of such chairperson.

(b) If the district lies within a single county, the county chairperson of such county shall call the convention by mailing a notice at least seven days before the date of the convention to the committeemen and committeewomen in such county who are entitled to vote at such convention pursuant to subsection (e).

(c) If all or part of more than one county lies within the district, the county chairperson of the most populous such county shall call the convention by mailing a notice of such convention to each county chairperson of the party in each such county, at least 10 days before the date of the convention. Such county chairpersons shall, within three days after receipt of such notice, mail notice of such convention to the committeemen and committeewomen in their counties who are entitled to vote at such convention pursuant to subsection (e).

(d) The notice of such convention shall state: (1) The place where the convention is to be held; (2) the time when the convention will convene; and (3) the purpose for which the convention is to be held.

(e) At the time and place fixed for holding the convention, the county chairperson who called the convention shall act as temporary chairperson and shall call the convention to order. One-third of the eligible members of the convention shall constitute a quorum for such election. In the event a quorum is not present at the time and place that such convention is called, the members present shall adjourn the convention to a day and time certain and provide for notification of the time and place of such adjourned convention to be given to the eligible members not present. The convention shall organize by electing a permanent chairperson and such other officers as necessary. After the convention is organized, it shall elect a person to fill such vacancy in the party candidacy. Such election shall be by secret ballot and the person elected shall be the one who receives the majority of all the votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until some person receives a majority of all the votes cast. Each committeeman and committeewoman of the party of the precincts in such district shall be entitled to vote. No precinct committeeman or committeewoman shall be represented or shall vote by proxy. The convention may adopt rules as necessary to govern its procedure in making nominations, voting, counting and canvassing votes and for the conduct of any business which may properly be brought before the convention, but such rules shall not be in conflict with the provisions of this section.

(f) After a person has been elected to fill a vacancy in a party candidacy for a district office, the chairperson or vice-chairperson of the convention shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy and shall transmit such certificate to the secretary of state or appropriate county election officer.

(g) *In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, when a district convention is provided to be held to elect a person to fill a vacancy in a party candidacy, the county chairperson within five days of the receipt of the notice that the vacancy has occurred or will occur shall call a convention of all committeemen and committeewomen of the political party from the precincts in such districts.*

Sec. 9. K.S.A. 1991 Supp. 25-3904a is hereby amended to read as follows: 25-3904a. (a) *Except as otherwise provided in subsection (e), when a vacancy occurs in a party candidacy for the office of member of the state board of education, the county chairperson designated in subsection (b), (c) or (d), within 10 days of receipt of notice that the vacancy has occurred or will occur, shall call a district convention for the purpose of electing a person to fill such vacancy. If such county chairperson is absent or for any reason is unable to call or refuses to call such convention, then the county vice-chairperson shall call the convention and perform the other duties required of such chairperson under this section.*

(b) If the board member district lies within a single county, the county chairperson of such county shall call a convention of all pre-

cinct committeemen and committeewomen of the party of the precincts in such district in the manner provided by subsections (b) and (d) of K.S.A. 25-3904 and amendments thereto, and such convention shall be conducted in the manner provided in subsection (e) of K.S.A. 25-3904 and amendments thereto.

(c) If all or part of more than one and less than five counties lie within the board member district, the county chairperson of the most populous such county shall call a convention of all precinct committeemen and committeewomen of the party of the precincts in such district in the manner provided by subsections (c) and (d) of K.S.A. 25-3904 and amendments thereto, and such convention shall be conducted as provided in subsection (e) of K.S.A. 25-3904 and amendments thereto.

(d) If all or part of five or more counties lie within the board member district, the county chairperson of the most populous such county shall call a convention of all county chairpersons and vice-chairpersons of the party of the counties in such district. Such county chairperson shall call the convention by mailing a notice to each such county chairperson and vice-chairperson at least seven days before the date of the convention. Such notice shall state: (1) The place where the convention is to be held; (2) the time when the convention will convene; and (3) the purpose for which the convention is to be held.

At the time and place fixed for holding the convention, the county chairperson who called the convention shall act as temporary chairperson and shall call the convention to order. One-third of the eligible members of the convention shall constitute a quorum for such election. In the event a quorum is not present at the time and place that such convention is called, the members present shall adjourn the convention to a day and time certain and provide for notification of the time and place of such adjourned convention to be given to the eligible members not present. The convention shall proceed to organize by electing a permanent chairperson and such other officers as necessary. After the convention is organized, it shall proceed to elect a person to fill the vacancy in the party candidacy. Such election shall be by secret ballot and the person elected shall be the one who shall receive the majority of all the votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until some person receives a majority of all the votes cast. Each county chairperson and vice-chairperson of the party of the counties in such district shall be entitled to vote. No county chairperson or vice-chairperson shall be represented or shall vote by proxy. The convention may adopt rules necessary to govern its procedure in making nominations, voting, counting and canvassing votes and for the conduct of any business which may properly be brought before the convention, but such rules shall not be in conflict with the provisions of this section.

After a person has been elected to fill a vacancy in a party candidacy for the office of member of the state board of education, the chairperson or vice-chairperson of the convention shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy and shall transmit such certificate to the secretary of state.

(b) *In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, when a district convention is provided to be held to elect a person to fill a vacancy in a party candidacy, the county chairperson within five days of the receipt of the notice that the vacancy has occurred or will occur shall call a convention of all committeemen and committeewomen of the political party from the precincts in such districts.*

Sec. 10. K.S.A. 25-203, 25-306a, 25-3203 and 25-3205 and K.S.A. 1991 Supp. 25-305, 25-1220, 25-3904 and 25-3904a and K.S.A. 1991 Supp. 25-205, as amended by section 1 of 1992 Senate Bill No. 789, are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: The following bill contains four line-item vetoes by the Governor. Three of the vetoes were subsequently overridden by the Kansas Legislature and are indicated with a (*). The Governor's line-item veto message and the Legislature's certificates overriding the vetoes immediately follow the bill.)

(Published in the Kansas Register, May 14, 1992.)

HOUSE BILL No. 2729

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1992, for the Kansas dental board, Kansas board of examiners in fitting and dispensing of hearing aids, legislature, lieutenant governor, secretary of state, Kansas public employees retirement system, Kansas commission on governmental standards and conduct, department of administration, Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Kansas state university—Salina, college of technology, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, department of health and environment, adjutant general, state fire marshal, Kansas highway patrol, attorney general—Kansas bureau of investigation, office of the securities commissioner of Kansas, state board of mortuary arts, Kansas sentencing commission, board of nursing, department on aging, state corporation commission, insurance department, Kansas human rights commission, state board of regents and division of post audit; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

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

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

Sec. 2.

KANSAS DENTAL BOARD

(a) The expenditure limitation established by the state finance council on the dental board fee fund is hereby increased from \$155,208 to \$167,611.

Sec. 3.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) The expenditure limitation established by the state finance council on the hearing aid board fee fund is hereby increased from \$14,029 to \$14,866.

Sec. 4.

LEGISLATURE

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

Legislative special revenue fund	No limit
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(b) There is appropriated for the above agency from the state general fund the following:

Operations (including official hospitality)	\$233,680
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Sec. 5.

LIEUTENANT GOVERNOR

(a) The expenditure limitation established by section 7(c) of chapter 26 of the 1991 Session Laws of Kansas on the official hospitality account is hereby increased from \$1,000 to \$2,000.

Sec. 6.

SECRETARY OF STATE

(a) The expenditure limitation established by the state finance council on the information and copy service fee fund is hereby increased from \$385,067 to No limit.

(b) The expenditure limitation established by the state finance council on the uniform commercial code fee fund is hereby increased from \$801,290 to No limit.

Sec. 7.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

For employers' contributions	\$166,080
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(b) The expenditure limitation established by the state finance council on the administrative expenses account of the Kansas public employees retirement fund is hereby decreased from \$3,289,078 to \$3,279,038.

Sec. 8.

KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

(a) The expenditure limitation established by section 5(a) of chapter 30 of the 1991 Session Laws of Kansas on the Kansas commission on governmental standards and conduct fee fund is hereby increased from \$0 to \$19,055.

Sec. 9.

DEPARTMENT OF ADMINISTRATION

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

Purchasing fees fund	No limit
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Provided, That expenditures may be made from this fund for operating expenditures of the division of purchases: *Provided further*, That all moneys received pursuant to the state travel services contract shall be deposited in the state treasury to the credit of this fund.

(b) The expenditure limitation established by the state finance council on the motor pool service fund is hereby increased from \$2,231,456 to \$2,306,664.

(c) The expenditure limitation established by the state finance council on the architectural services recovery fund is hereby increased from \$389,925 to \$405,915.

(d) The secretary of administration is authorized to approve re-financing of equipment being financed by state agencies through the department's equipment financing program. Such project is approved for the department of administration for the purposes of subsection (b) of K.S.A. 1991 Supp. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

Sec. 10.

FORT HAYS STATE UNIVERSITY

* (a) ~~The expenditure limitation established by section 2(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$5,432,675 to \$5,608,661.~~

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

Other operating expenditures for utilities	\$360
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Sec. 11.

KANSAS STATE UNIVERSITY

(a) On the effective date of this act, of the amount appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the agricultural experiment stations account, the sum of \$72,570 is hereby lapsed.

(b) On the effective date of this act, of the amount appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the international grains program (including official hospitality) account, the sum of \$2,725 is hereby lapsed.

(c) On the effective date of this act, of the amount appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the international livestock program account, the sum of \$914 is hereby lapsed.

(d) On the effective date of this act, of the amount appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 29 of the 1991 Session Laws of Kansas from the state general fund in the cooperative extension service account, the sum of \$81,120 is hereby lapsed.

(e) The expenditure limitation established by section 3(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby decreased from \$29,610,773 to \$29,498,310.

Sec. 12.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) The expenditure limitation established by section 4(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby decreased from \$3,507,064 to \$3,461,793.

(b) The expenditure limitation established by section 4(b) of chapter 29 of the 1991 Session Laws of Kansas on the hospital and diagnostic laboratory revenue fund is hereby increased from \$1,650,000 to \$1,670,000.

* (See Editor's Note)

(c) There is appropriated for the above agency from the state general fund the following:

Operating expenditures for utilities \$47,501

Sec. 13.

KANSAS STATE UNIVERSITY — SALINA, COLLEGE OF TECHNOLOGY

* (a) ~~The expenditure limitation established by section 11(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$449,962 to \$535,944.~~

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

Other operating expenditures for utilities \$50,051

Sec. 14.

EMPORIA STATE UNIVERSITY

(a) The expenditure limitation established by section 5(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$6,171,627 to \$6,208,869.

(b) During the fiscal year ending June 30, 1992, the director of accounts and reports shall transfer, prior to July 1, 1992, an amount specified by the president of not to exceed \$4,940 from the general fees fund to the educational opportunity grants—federal fund, which amount shall be in addition to the amount authorized to be transferred by section 5(d) of chapter 29 of the 1991 Session Laws of Kansas.

(c) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures for utilities \$47,284

Sec. 15.

PITTSBURG STATE UNIVERSITY

* (a) ~~The expenditure limitation established by section 6(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$7,067,517 to \$7,542,710.~~

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

Other operating expenditures for utilities \$27,446

Sec. 16.

UNIVERSITY OF KANSAS

(a) The expenditure limitation established by section 7(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby decreased from \$51,686,627 to \$51,173,349.

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

Operating expenditures (including official hospitality) \$74,623

Sec. 17.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) The expenditure limitation established by section 8(b) of chapter 29 of the 1991 Session Laws of Kansas on the medical scholarship repayment fund is hereby increased from \$4,322,051 to \$6,551,803.

(b) The expenditure limitation established by section 8(b) of chapter 29 of the 1991 Session Laws of Kansas on the operating expenditures account of the medical scholarship repayment fund is hereby increased from \$3,033,043 to \$5,372,843.

(c) During the fiscal year ending June 30, 1992, the director of accounts and reports shall transfer any unencumbered amounts specified by the chancellor of the university of Kansas from the university of Kansas hospital fund to the hospital revenue fund.

(d) In addition to the purposes for which expenditures may be made from the medical scholarship repayment fund as authorized by section 8(b) of chapter 29 of the 1991 Session Laws of Kansas for fiscal year 1992, expenditures may be made from such fund by the above agency for attorney fees and litigation costs associated with the administration of the medical scholarship program and all such expenditures from such fund by the above agency shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical scholarship repayment fund or on the medical scholarship repayment fund for fiscal year 1992.

(e) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures for utilities \$265,461

(f) The expenditure limitation established by section 8(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$7,006,058 to \$7,021,459.

* (See Editor's Note)

Sec. 18.

WICHITA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) \$274,260
 Operating expenditures for utilities 484,639

Total \$758,899

(b) The expenditure limitation established by section 9(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby decreased from \$17,980,763 to \$17,562,301.

Sec. 19.

DEPARTMENT OF HEALTH AND ENVIRONMENT

(a) The expenditure limitation established by the state finance council on the power generating facility fee fund is hereby increased from \$104,717 to \$184,717.

(b) The expenditure limitation established by section 49(b) of chapter 30 of the 1991 Session Laws of Kansas on the immunization grant funds—federal fund is hereby increased from \$131,720 to \$160,729.

(c) The expenditure limitation established by the state finance council on the title I—P.L. 99-457 fund is hereby increased from \$752,250 to \$786,670.

(d) The expenditure limitation established by section 49(b) of chapter 30 of the 1991 Session Laws of Kansas on the national center for health statistics fund—federal is hereby increased from \$233,311 to \$235,013.

(e) The expenditure limitation established by the state finance council on the healthy families and young children fund is hereby increased from \$53,698 to \$104,876.

(f) The expenditure limitation established by section 49(b) of chapter 30 of the 1991 Session Laws of Kansas on the state indoor radon grant—federal fund is hereby increased from \$128,176 to \$141,649.

(g) The expenditure limitation established by section 49(b) of chapter 30 of the 1991 Session Laws of Kansas on the HIV clients home and community based health services—federal fund is hereby increased from \$95,000 to \$99,827.

Sec. 20.

ADJUTANT GENERAL

(a) The expenditure limitation established by the state finance council on the military fees fund is hereby increased from \$4,626,189 to No limit.

(b) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Emergency preparedness—title III—fee fund \$5,000
 Emergency preparedness—fee fund 0

(c) The expenditure limitation established by the state finance council on the state operations account of the emergency preparedness—federal fund matching—administration fund is hereby increased from \$205,054 to \$220,669.

(d) The expenditure limitation established by the state finance council on the emergency preparedness—RADEF instrument maintenance fund is hereby increased from \$104,152 to \$118,460.

(e) The expenditure limitation established by the state finance council on the emergency preparedness—nuclear civilian protection—federal fund is hereby increased from \$107,312 to \$123,336.

(f) The expenditure limitation established by section 2(b) of chapter 28 of the 1991 Session Laws of Kansas on the training and support of title III—federal fund is hereby increased from \$80,000 to No limit.

(g) There is appropriated for the above agency from the state general fund the following:

Operating expenditures \$15,000

Sec. 21.

STATE FIRE MARSHAL

(a) The expenditure limitation established by section 3(b) of chapter 28 of the 1991 Session Laws of Kansas on the support of local units in fire prevention—federal fund is hereby increased from \$10,000 to \$11,000.

(continued)

Sec. 22.

KANSAS HIGHWAY PATROL

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

Capitol area security	\$15,192
Operating expenditures	196,499
Operating expenditures—replacement of patrol vehicles	996,000
Total	\$1,147,682

(b) The expenditure limitation established by section 5(b) of chapter 28 of the 1991 Session Laws of Kansas on the highway patrol training center fund is hereby increased from \$0 to \$735,000: *Provided*, That of expenditures authorized to be made from this fund, not to exceed \$135,000 may be made for operating expenditures for the highway patrol training center and not to exceed \$600,000 may be made for the replacement of patrol vehicles.

(c) The expenditure limitation established by the state finance council on the motor carrier inspection fund is hereby increased from \$5,152,332 to \$5,244,084.

(d) The expenditure limitation established by the state finance council on the state operations account of the motor carrier inspection fund is hereby increased from \$5,152,332 to \$5,244,084.

(e) On the effective date of this act, the director of accounts and reports shall transfer \$199,347 from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol.

(f) The expenditure limitation established by section 5(b) of chapter 28 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$82,491 to \$86,341.

(g) The expenditure limitation established by the state finance council on the motor carrier safety assistance program fund is hereby increased from \$1,317,684 to \$1,404,698.

(h) On the effective date of this act, of the \$22,424,260 appropriated for the above agency by section 5(a) of chapter 28 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$996,000 is hereby lapsed.

Sec. 23.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

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

Operating expenditures	\$388,945
------------------------------	-----------

Provided, That of the expenditures from this account for fiscal year 1992, \$111,445 shall be made for the purpose of matching federal funds for the narcotics strike force.

(b) The expenditure limitation established by section 30(c) of chapter 30 of the 1991 Session Laws of Kansas on the agency special asset forfeiture fund is hereby decreased from no limit to \$101,560: *Provided*, That all expenditures made from this fund shall be made for the purpose of matching federal funds for the narcotics strike force.

Sec. 24.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) The expenditure limitation established by the state finance council on the securities act fee fund is hereby increased from \$1,340,427 to \$1,359,015.

Sec. 25.

STATE BOARD OF MORTUARY ARTS

(a) The expenditure limitation established by the state finance council on the mortuary arts fee fund is hereby increased from \$141,071 to \$144,346.

Sec. 26.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$220,024 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 13(a) of chapter 28 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$9,000 is hereby lapsed.

Sec. 27.

BOARD OF NURSING

(a) The expenditure limitation established by the state finance council on the board of nursing fee fund is hereby increased from \$735,516 to \$745,471.

Sec. 28.

DEPARTMENT ON AGING

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

Administration	\$18,000
----------------------	----------

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

EDWAA—federal fund	No limit
--------------------------	----------

(c) The expenditure limitation established by the state finance council on the state operations account of the older Americans act—federal fund is hereby increased from \$532,383 to \$553,342.

(d) The expenditure limitation established by the state finance council on the state operations account of the older workers job training partnership act employment program—federal fund is hereby increased from \$19,796 to \$20,796.

Sec. 29.

STATE CORPORATION COMMISSION

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

Institutional building and operation fund	No limit
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Sec. 30.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the director of accounts and reports shall transfer \$40,000 from the state general fund to the workers compensation fund.

Sec. 31.

KANSAS HUMAN RIGHTS COMMISSION

(a) The expenditure limitation established by section 4(b) of chapter 15 of the 1991 Session Laws of Kansas on the federal fund is hereby increased from \$448,167 to \$464,167.

Sec. 32.

STATE BOARD OF REGENTS

(a) The expenditure limitation established by section 10(a) of chapter 29 of the 1991 Session Laws of Kansas on the amount of the scholarship and tuition grant account of the state general fund that may be expended for tuition grants is hereby increased from \$5,351,018 to \$5,411,018.

Sec. 33. *Appeals to exceed position limitations.* The limitations imposed by this act on the full-time equivalent number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1992 made in this act or in any appropriations act of the 1991 regular session of the legislature or in any other appropriations act of the 1992 regular session of the legislature, may be exceeded upon approval of the state finance council.

Sec. 34.

DIVISION OF POST AUDIT

(a) In addition to the purposes for which expenditures may be made from the audit services fund as authorized by section 5(b) of chapter 26 of the 1991 Session Laws of Kansas for fiscal year 1992, expenditures may be made from this fund for operating expenditures related to reproducing and distributing copies of public records of the division of post audit: *Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury to the credit of the audit services fund.

Sec. 35. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 36. *Appeals to exceed position limitations.* The limitations imposed by this act on the number of full-time and regular part-

time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1992 made in this act or in any appropriation act of the 1991 regular session of the legislature or in any other appropriation act of the 1992 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 37. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

Message to the House of Representatives of the State of Kansas:

Pursuant to Article 2 Section 14 of the Constitution of the State of Kansas, I hereby return House Bill 2729 with my signature approving the bill, except for the items enumerated below.

Section 10(a) which reads as follows has been line-item vetoed:

"(a) The expenditure limitation established by section 2(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$5,432,675 to \$5,698,661."

Section 13(a) which reads as follows has been line-item vetoed:

"(a) The expenditure limitation established by section 11(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$449,862 to \$535,944."

Section 15(a) which reads as follows has been line-item vetoed:

"(a) The expenditure limitation established by section 6(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$7,067,517 to \$7,542,710."

The above items would have provided a fee release of \$67,620 for Fort Hays State University, \$197,383 for Pittsburg State University, and \$37,098 for Kansas State University-Salina, College of Technology. After having carefully considered all items requested for the Regents' institutions, I chose to fund the items which I considered to be of greatest importance. Because of the timing when fees would be released, I was not convinced that the funds would be used to fund additional required instructional costs resulting from increased enrollments. From a review of FY 1991 actual expenditures, it appears that those institutions which received a fee release used the funds for additional other operating expenditures, rather than additional instructional salary and wage costs. This is contrary to the normal use of funds added for higher enrollments.

I recommended a budget for FY 1993 that included an increase of \$12.5 million (3.20 percent) in State General Fund expenditures and an increase of \$22.6 million (3.52 percent) in all general use funds. I consider these recommendations to be reasonable, especially given the state's current fiscal condition.

By vetoing the fee release, I must also veto additional expenditures from the general fees funds which were used in my budget to offset State General Fund expenditures. This results in cuts to the FY 1992 general use budgets of \$228,366 for Fort Hays State University, \$277,810 for Pittsburg State University, and \$48,984 for Kansas State University-Salina, College of Technology.

I recommend the Legislature use the Omnibus Appropriations Bill to restore that funding and avoid reductions in the institutions' budgets of those amounts.

Section 22 (a) that reads as follows has been line-item vetoed:

"Operating Expenditures \$136,490"

The Legislature has added an additional \$136,490 from the State General Fund to finance Highway Patrol operations. However, I feel that this additional funding is not necessary. The legislative additions include \$11,558 for communications, \$37,000 for vehicle maintenance, and \$87,932 for salaries and wages. The agency has taken steps to control communication costs. I have recommended, and the Legislature has concurred, that the Highway Patrol spend a total of \$2,912,700 for replacement patrol vehicles in FY 1992 and FY 1993. These additional patrol vehicles negate the necessity for additional funding for vehicle repairs. The additional salaries and wages funding would fund 3.0 FTE Trooper positions in FY 1992 only. However, there is no way that this funding can be utilized for this purpose, since only two months will be left in FY 1992 when this bill becomes law.

Dated April 27, 1992.

Joan Finney
Governor

State of Kansas

Kansas Senate
Kansas House of Representatives

Certificate

In accordance with K.S.A. 45-308, it is certified that, **HB 2729,**

An act making and concerning appropriations for the fiscal year ending June 30, 1992, for the Kansas dental board, Kansas board of examiners in fitting and dispensing of hearing aids, legislature, lieutenant governor, secretary of state, Kansas public employees retirement system, Kansas commission on governmental standards and conduct, department of administration, Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Kansas state university—Salina, college of technology, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, department of health and environment, adjutant general, state fire marshal, Kansas highway patrol, attorney general—Kansas bureau of investigation, office of the securities commissioner of Kansas, state board of mortuary arts, Kansas sentencing commission, board of nursing, department on aging, state corporation commission, insurance department, Kansas human rights commission, state board of regents and division of post audit; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

was approved by the Governor on April 27, 1992, except that the following line item in Section 10(a) which reads as follows:

"(a) The expenditure limitation established by section 2(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$5,432,675 to \$5,698,661."

of **HB 2729,** was not approved by the Governor on April 27, 1992; was returned by her with her objections and approved on May 4, 1992 by two-thirds of the

(continued)

members of the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on May 5, 1992 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the line item did pass and shall become law.

This certificate is made this 6th day of May, 1992, by the Secretary and President of the Senate and the Speaker and Chief Clerk of the House of Representatives.

Certificate

In accordance with K.S.A. 45-308, it is certified that, HB 2729 was approved by the Governor on April 27, 1992 except that the following line item in Section 13(a) which reads as follows:

"(a) The expenditure limitation established by section 11(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$449,862 to \$535,944."

of HB 2729, was not approved by the Governor on April 27, 1992; was returned by her with her objections and approved on May 4, 1992 by two-thirds of the members of the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on May 5, 1992 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the line item did pass and shall become law.

This certificate is made this 6th day of May, 1992, by the Secretary and President of the Senate and the Speaker and Chief Clerk of the House of Representatives.

Certificate

In accordance with K.S.A. 45-308, it is certified that, HB 2729 was approved by the Governor on April 27, 1992 except that the following line item in Section 15(a) which reads as follows:

"(a) The expenditure limitation established by section 6(b) of chapter 29 of the 1991 Session Laws of Kansas on the general fees fund is hereby increased from \$7,067,517 to \$7,542,710."

of HB 2729, was not approved by the Governor on April 27, 1992; was returned by her with her objections and approved on May 4, 1992 by two-thirds of the members of the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on May 5, 1992 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the line item did pass and shall become law.

This certificate is made this 6th day of May, 1992, by the Secretary and President of the Senate and the Speaker and Chief Clerk of the House of Representatives.

Pat Saville
Secretary of the Senate

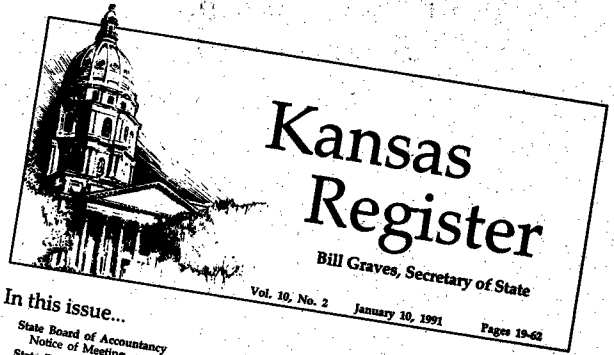
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In this issue...

State Board of Accountancy Notice of Meeting.....	Page 20
State Records Board Notice of Meeting.....	20
Kansas Agricultural Value-Added Processing Center Notice of Leadership Council Meeting.....	20
Kansas Water Authority Notice of Meeting.....	20
Kansas Sentencing Commission Notice of Meeting.....	20
Executive Appointments Kansas Apprenticeship Committee Notice of Meeting.....	21
Notice to Bidders for State Purchases City of Hillsboro.....	22
	22
	23

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