



# Kansas Register

Bill Graves, Secretary of State

Vol. 12, No. 18

May 6, 1993

Pages 711-764

In this issue . . .	Page
<b>Pooled Money Investment Board</b>	
Notice of meeting.....	713
<b>Kansas Planning Council on Developmental Disabilities Services</b>	
Notice of meeting.....	713
<b>State Corporation Commission</b>	
Notice of hearing.....	713
Notice of motor carrier hearings.....	716
<b>State Emergency Response Commission</b>	
Notice of meeting.....	713
<b>Division of Services for the Blind Advisory Committee</b>	
Notice of meeting.....	713
<b>Department of Health and Environment</b>	
Notice of meeting.....	713
Notices concerning variance from hazardous waste regulations.....	714
Notice concerning Kansas water pollution control permits.....	715
<b>State Banking Board</b>	
Notice of meeting.....	714
<b>Department of Human Resources—Division of Workers Compensation</b>	
Notice of hearing on proposed administrative regulations.....	718
<b>State Board of Accountancy</b>	
Notice of hearing on proposed administrative regulations.....	718
<b>Notice to bidders for state purchases.....</b>	719
<b>Kansas State University</b>	
Notice to bidders.....	720
<b>Temporary Administrative Regulations</b>	
Department of Administration.....	721
<b>Department on Aging</b>	
Notice of hearing on proposed administrative regulations.....	722
Request for comments.....	722
<b>Secretary of State</b>	
Usury rate for May.....	723
Notice of corporations forfeited.....	723

(continued)

<b>Kansas Water Office</b>	
Notice of hearings .....	724
<b>Kansas State Treasurer</b>	
Notice of investment rates .....	725
<b>Kansas Real Estate Commission</b>	
Notice of hearing on proposed administrative regulations .....	725
<b>Permanent Administrative Regulations</b>	
Department of Health and Environment .....	725
<b>Court of Appeals docket .....</b>	<b>732</b>
<b>Index to administrative regulations .....</b>	<b>738</b>
<b>New State Laws</b>	
House Bill 2087, making and concerning appropriations .....	744
Governor's line-item veto message .....	747
Legislature's certificate overriding certain line-item vetoes .....	747
Senate Bill 8, concerning the tuition grant program .....	748
House Bill 2122, making and concerning appropriations .....	749
Governor's line-item veto message .....	752
Legislature's certificate overriding certain line-item vetoes .....	752
House Bill 2428, relating to waste; concerning solid waste management .....	753
Governor's veto message .....	758
Legislature's certificate overriding veto .....	759
House Bill 2062, concerning certain claims against the state .....	759
Governor's line-item veto message .....	763
Legislature's certificate overriding certain line-item vetoes .....	763

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

© Kansas Secretary of State 1993. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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



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

State of Kansas

**Pooled Money Investment Board****Notice of Meeting**

The Pooled Money Investment Board will meet at 2 p.m. Tuesday, May 11, in the State Treasurer's Office, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information contact Diane Gates at (913) 296-3372.

Sally Thompson  
Chairman

Doc. No. 013426

State of Kansas

**Kansas Planning Council on  
Developmental Disabilities Services****Notice of Meeting**

The Kansas Planning Council on Developmental Disabilities Services will conduct its quarterly meeting at 10 a.m. Thursday, May 13, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka.

H. Jane Rhys  
Executive Director

Doc. No. 013429

State of Kansas

**State Corporation Commission****Notice of Hearing**

The State Corporation Commission received an application on April 15 from the Missouri Pacific Railroad Company to discontinue its railroad agency station at Council Grove by serving its consignees and consignors through its customer service center in St. Louis, Missouri.

The State Corporation Commission will conduct a formal hearing on the issues of this application to determine if the discontinuance of agency service is warranted and to allow interested shippers, persons or groups to voice their concerns or opposition to the change in service proposed by the applicant.

A hearing will be held at 11 a.m. Wednesday, June 2, at the Council Grove High School auditorium, 129 Hockaday, Council Grove.

The commission also will accept written comments concerning the discontinuance of this agency station. Comments should reference Docket Number 186,685-R and be addressed to the Office of Public Affairs, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, 1-800-662-0027, on or before May 24. Comments also should be sent to the attorney for applicant, Roy P. Farwell, 210 N. 13th, Room 2000, St. Louis, MO 63103-2388.

Judith McConnell  
Executive Director

Doc. No. 013437

State of Kansas

**State Emergency Response Commission****Notice of Meeting**

The State Emergency Response Commission will meet at 9 a.m. Thursday, May 13, in Room 11 of the State Defense Building, 2800 S.W. Topeka Blvd., Topeka.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 013431

State of Kansas

**Division of Services for the Blind  
Advisory Committee****Notice of Meeting**

The Division of Services for the Blind Advisory Committee will meet from 9 a.m. to noon Friday, May 21, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz  
Director

Doc. No. 013418

State of Kansas

**Department of Health  
and Environment****Notice of Meeting**

The Department of Health and Environment will meet at 9 a.m. Tuesday, May 18, in the SRS Staff Development Training Center, State Complex West, 300 S.W. Oakley, Topeka. The meeting is open to the public. Telephone hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina, and Lawrence; the Pittsburg Office of Surface Mining; the Wyandotte County Health Department; and the Johnson County Health Department. Any disabled person who plans to attend this meeting and requires visual or communication aid or assistance, building access assistance or other similar assistance should contact Mary Ann Cummings at (913) 296-0461 immediately so appropriate arrangements can be made.

The proposed agenda includes a secretary's report and program activities. A roundtable discussion regarding waste management issues will immediately follow the formal open meeting at the same Topeka location.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 013441

State of Kansas

### Department of Health and Environment

#### Notice Concerning Variance from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on November 2, 1987, Safety-Kleen Corporation, 9317 Woodend Road, Edwardsville, submitted a request for a variance from specific hazardous waste regulations. The current variance expired on February 18, 1993. The request for a renewal of a variance was submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-8(a), which adopts by reference 40 CFR 265.176. This regulation requires that containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

Safety-Kleen Corporation stores waste paint thinner as part of its operations as a hazardous waste storage facility. The waste paint thinner is stored on-site pending shipment to another Safety-Kleen facility for recycling in quantities never exceeding 104 containers (52 16-gallon drums and 52 5-gallon containers). Safety-Kleen Corporation is storing this waste approximately 25 feet from the south and west property lines in an area zoned for industrial use. The storage area is located in the southwest corner of the facility, removed from other waste handling activities, and 75 feet from the nearest offsite building. As the storage structure has been completed, Safety-Kleen is requesting this variance to allow them to store waste in this structure in compliance with the hazardous waste regulations of the state of Kansas. KDHE has reviewed this request and concluded that the variance is justified.

In accordance with K.A.R. 28-31-13(b), public notice was provided that KDHE considered the request for a renewal of this variance justified and made a tentative decision to grant the variance. A public comment period to receive comments regarding this tentative decision was established between March 25, 1993 and April 24, 1993. No public comments regarding this decision were received.

In accordance with K.A.R. 28-31-13(b), KDHE is announcing its decision to approve the request for a variance and not to include any special conditions. The variance shall become effective on May 6, 1993, and shall remain in effect until October 29, 2000.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 013439

State of Kansas

### State Banking Board

#### Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, May 17, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

Frank D. Dunnick  
State Bank Commissioner

Doc. No. 013435

State of Kansas

### Department of Health and Environment

#### Notice Concerning Variance from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on December 23, 1992, Lowen Corporation, 1501 N. Halstead, Hutchinson, submitted a request for a variance from specific hazardous waste regulations. The current request expired on January 10, 1993. The request for renewal of a variance has been submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-4(g)(1) and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

Lowen Corporation generates ignitable hazardous waste, which is stored prior to being recycled. Lowen Corporation stores this waste in the production plant located 14 feet from the north property line which is shared with an active farm field of about 20 acres.

KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice was provided that KDHE considered the request for a renewal of this variance justified and made a tentative decision to grant the variance. A public comment period to receive comments regarding this tentative decision was established between March 25, 1993 and April 24, 1993. No public comments regarding this decision were received.

In accordance with K.A.R. 28-31-13(b), KDHE is announcing its decision to approve the request for a variance and not to include any special conditions. The variance shall become effective on May 6, 1993, and shall remain in effect until May 6, 2000.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 013438

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-93-52

Name and Address of Applicant	Legal Description	Receiving Water
Rick Hanschu Route 1, Box 78 Ramona, KS 67475	SE/4, Sec. 36, T16S, R3E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B004

The proposed facility will have capacity for approximately 700 cattle. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule:

- The waste management plan developed by Soil Conservation Service and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 2 acre-inch per acre per year and solid waste shall be applied at not greater than 20 tons/ac/year.
- Dewatering equipment shall be obtained within 30 days after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 250 gallons per minute and dispersing the wastewater over 30 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Public Notice No. KS-93-35/37

Name and Address of Applicant	Waterway	Type of Discharge
Midland Quarry Company East Quarry P.O. Box 361 Atchison, KS 66002	Kansas River via Plum Creek via Stranger Creek via Camp Creek via unnamed tributary	Mine pit dewatering, discharge and uncontaminated stormwater runoff

Atchison County, Kansas

Kansas Permit No. I-M001-P006 Fed. Permit No. KS-0089222

Description of Facility: This facility is engaged in a limestone crushing operation with occasional washing. The washwater is treated with a settling pond before discharge. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Natural Gas Pipeline Company of America- Hoisington Facility 701 E. 22nd Lombard, IL 60148-5072 Barton County, Kansas	Walnut Creek via unnamed tributary	Hydrostatic test discharge

Kansas Permit No. I-AR45-P004 Fed. Permit No. KS-0089630

Description of Facility: Potable water is used to test an existing natural gas pipeline. A one-time discharge will occur after the hydrostatic test. Water will be filtered through hay bales as it is discharged from the pipeline. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Smith Fiberglass Products, Inc. Attn: Charlie Nix 2501 Southwest St. Wichita, KS 67217 Sedgwick County, Kansas	Arkansas River via City of Wichita storm sewer	Non-contact cooling water and steam condensate

Kansas Permit No. I-AR94-P039 Fed. Permit No. KS-0087807

Description of Facility: The facility manufactures fiberglass materials. The source of the cooling water are on-site industrial wells and no cooling water additives are utilized. This permit is being re-published due to changes in permit. This is a new permit. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before June 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-93-53 and KS-93-35/37) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, 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 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.

Robert C. Harder  
Secretary of Health and Environment

Doc. No. 013442

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

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

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3146.

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

Applications set for May 25, 1993

Application for Joint and Dual Equipment Registration:

Stuart Conklin Buick, Inc. ) Docket No. 185,191 M
1400 E. 11th )
P.O. Box 628 )
Hutchinson, KS 67504-0628 ) MC ID No. 146445

Conklin Cars of ) Docket No. 164,373 M
Newton, Inc. )
200 W. 5th )
Newton, KS 67114 ) MC ID No. 132481

Applicant's Attorney: Joseph Weiler, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Larry E. DeLay ) Docket No. 185,746 M
215 S. Adams )
Junction City, KS 66441 ) MC ID No. 147479

Applicant's Attorney: None

Mobile homes,

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Jerry Diehl and ) Docket No. 186,375 M
Ronnie Diehl, dba )
Diehl Construction )
521 Bishop ) MC ID No. 148129
Salina, KS 67401

Applicant's Attorney: None

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

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Abandonment of Certificate of Convenience and Necessity:

Vic L. Groff and ) Docket No. 167,899 M
Forest J. Gilbert, dba )
Vic's Tank Service )
307 E. 19th ) MC ID No. 135674
Hays, KS 67601

Applicant's Attorney: None

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

George R. and ) Docket No. 186,377 M
Ivy L. Hokanson, dba )
G & I Trucking )
873 Moscow St. )
Munjour, KS 67601 ) MC ID No. 115121

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

General commodities (except hazardous materials and household goods),

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Kansas City Bindery ) Docket No. 185,745 M
Services, Inc. )
1112 Cheyenne )
Kansas City, KS 66105 ) MC ID No. 148009

Applicant's Attorney: Charles Hammond, Glenwood Place, Suite 400A, Building 1, 9300 Metcalf, Overland Park, KS 66212

Printed materials,

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Abandonment of Certificate of Convenience and Necessity:

Michael Mock, dba ) Docket No. 173,625 M
Michael Mock Trucking )
1411 N.W. 2nd )
Abilene, KS 67410 ) MC ID No. 139507

Applicant's Attorney: None

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Loren A. Percival, dba ) Docket No. 186,378 M
Percival Trucking )
P.O. Box 216 )
Grinnell, KS 67738 ) MC ID No. 148128

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

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

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

William L. Petesch, dba ) Docket No. 179,711 M  
Petesch Trucking )  
101 Hillside Drive )  
Topeka, KS 66611 ) MC ID No. 142656

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

Grain, grain products and byproducts, feed, feed ingredients, fertilizer, fertilizer ingredients, seed, salt, machinery and building materials,

Between all points and places in Kansas.

\*\*\*\*\*

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

Ranger Transportation, Inc. ) Docket No. 186,374 M  
7960 Arlington Expressway, )  
Suite 400 )  
Jacksonville, FL 32211 ) MC ID No. 117430

Applicant's Attorney: W. Robert Alderson, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237

General commodities (except household goods and commodities in bulk),

Between all points and places in the state of Kansas.

\*\*\*\*\*

**Application for Abandonment of Contract Carrier Permit:**

Ranger Transportation, Inc., ) Docket No. 147,582 M  
P.O. Box 19060 )  
Jacksonville, FL 32245 ) MC ID No. 117430

Applicant's Attorney: W. Robert Alderson, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237

\*\*\*\*\*

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

Robson Oil Co., Inc. ) Docket No. 138,212 M  
101 S. Cedar )  
Abilene, KS 67410 ) MC ID No. 113801

Applicant's Attorney: Paul Dugan, Westlink Office Plaza, 940 N. Tyler, The Professional Suite, #206, Wichita, KS 67212

Petroleum products,

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

Steel Benders, Inc. ) Docket No. 180,783 M  
15550 W. 108th )  
Lenexa, KS 66219 ) MC ID No. 129199

Applicant's Attorney: None

\*\*\*\*\*

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

Shelby E. Unruh, ) Docket No. 35,005 M  
Weldon Koehn, )  
Wade R. Mastre and )  
Randall G. Unruh, dba )  
Unruh House Moving )  
P.O. Box 375 )  
Moundridge, KS 67107 ) MC ID No. 100362

TO:

Shelby E. Unruh, Weldon Koehn,  
Wade R. Mastre, Randall G. Unruh  
and Errol J. Esau, dba  
Unruh House Moving  
P.O. Box 375  
Moundridge, KS 67107

Applicant's Attorney: Joseph Weiler, 2102 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237

Frame houses, buildings and granaries,

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

Williams Transportation, ) Docket No. 186,376 M  
Inc. )  
Route 3 )  
Atchison, KS 66002 ) MC ID No. 147480

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

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

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

NTA, Ltd. ) Docket No. 185,737 M  
1001 4th N.W. )  
Huron, SD 57350 ) MC ID No. 125384

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

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

Between all points and places in the state of Kansas.

Don Carlile  
Administrator

Transportation Division

Doc. No. 013434



State of Kansas

**Department of Human Resources  
Division of Workers Compensation**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, June 8, in Room 313-S (old Supreme Courtroom), State Capitol, Topeka, to consider the adoption and amendment of a permanent regulation. All interested parties may submit written comments prior to the hearing to the director of the Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka 66612-1227.

The 30-day notice period will be considered a public comment period. All interested parties will be given a reasonable opportunity at the hearing to orally express their views in regards to the adoption of the proposed permanent regulation. Following the hearing, all oral and written comments submitted by interested parties will be considered by the director as a basis for making any change to the proposed regulation.

Following is a brief summary of the proposed regulation:

**K.A.R. 51-9-7, Fees for medical and hospital services.** The proposed change to this regulation has occurred because the language contained within K.S.A. 44-510 mandates the Director of Workers Compensation to adopt rules and regulations for the establishment of a medical fee schedule. Accordingly, the medical fee schedule approved on January 6, 1993, by the advisory panel created under K.S.A. 44-510 is being adopted by reference.

**Economic Impact Statement**

The change in this regulation is to adopt by reference a medical fee schedule that establishes the maximum amount that can be charged for medical and hospital services. The fiscal impact to the division by passage of this proposed regulation is already being recognized in accordance with the current operating budget. There will be a definite fiscal impact on the health care provider, hospital or other entity providing the health care services because of the establishment of the maximum amount that can be charged for the health care services.

Copies of the full text of the proposed regulation, the economic impact statement and a copy of the medical fee schedule being adopted by reference may be obtained by writing to the director of the Division of Workers Compensation at the address above.

Joe Dick  
Secretary of Human Resources

Doc. No. 013423

State of Kansas

**Board of Accountancy**

**Notice of Hearing on Proposed  
Administrative Regulations**

The Board of Accountancy will conduct a public hearing at 2 p.m. Friday, June 4, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, for the purpose of amending several administrative regulations to allow CPAs to practice public accounting under the limited liability company and general corporations form of practice. This notice constitutes a 30-day comment period in which persons wishing to express their support or concern may address the board about these changes. No economic impact is expected with the enactment of these amendments to CPAs or the general public.

A summary of regulations being amended by the board is as follows:

74-5-2, Definitions (under code of professional conduct).

74-5-202, Auditing standards (annual reference updates only).

74-5-203, Accounting principles (annual reference updates only).

74-5-405, Form of practice.

74-5-406, Firm names.

74-6-1, Definition of office.

74-6-2, Management of an office.

74-8-2, Registration (of corporations).

74-8-5, Registration requirements (of corporations).

74-11-1, Definitions (under PEP program).

74-14-1, Registration (new-limited liability companies).

74-14-2, Registration requirements (new—same as above).

Additionally, the board will have a regular board meeting 9 a.m. the same day at the same location.

Persons interested in the details of proposed regulation amendments or who wish to testify before the board at the hearing should write the Executive Director, Room 556, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1239, so that adequate time may be allocated for the hearing. Those interested in agenda items for the board's regular meeting may also contact the board at the same address.

Glenda Moore  
Executive Director

Doc. No. 013424



State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

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

Monday, May 17, 1993

29661

Statewide—Water softener salt

Tuesday, May 18, 1993

A-7108

Kansas State University—Street improvements 1993

A-7122

Wichita State University—Painting of Wilner Auditorium, Room 117

29609

Various state agencies—Blood bank and related products

29628

Statewide—Canned goods

29654

Statewide—Software-microcomputers

29659

Statewide—Winter clothing

95911

Hutchinson Correctional Facility—Asphalt road construction

95912

Department of Transportation—Shoulder material spreader, Garden City

95918

Department of Transportation—Salt conveyor, various locations

95919

Board of Education—Computer programming services

95920

Kansas State University—UNIX color workstations

95921

Department of Transportation—Snow plow, Hutchinson

95928

Fort Hays State University—Floor covering

95973

University of Kansas Medical Center—Notebook/laptop computers

Wednesday, May 19, 1993

29496 Supp.

Kansas State University and various other state agencies—Kodak photographic film and supplies

29656

University of Kansas—Frozen foods

29657

University of Kansas—Miscellaneous groceries

95929

Department of Transportation—Ready mix concrete, Wyandotte County

95935

Department of Transportation—Tractors, Chanute, Topeka

95936

University of Kansas—Microscope

Thursday, May 20, 1993

A-7077

Department of Administration, Division of Facilities Management—Rework eleventh floor, Docking State Office Building

A-7127

Fort Hays State University—Aluminum storefront replacement

A-7129

Fort Hays State University—Lewis Field Stadium stone restoration

29655

University of Kansas—Yogurt (frozen and unfrozen)

29658

Statewide—Linens

95944

Department of Transportation—Concrete/asphalt saw, Salina

95945

University of Kansas—Water tank truck bed

95950

University of Kansas Medical Center—TCP/IP print operating system

95951

Department of Health and Environment—Classification folders

95952

Department of Transportation—Water tank, Chanute

95953

Kansas State University—Ductile iron pipe valves and fittings

Friday, May 21, 1993

95960

Department of Transportation—Flashing light trailer, Norton

95961

Department of Transportation—Traffic arrow and message boards, various locations

95962

Department of Social and Rehabilitation Services—Window envelopes

95974

Fort Hays State University—Furnish all labor and materials for landscaping

(continued)

95980

Department of Human Resources—Safety testing equipment

95981

Department of Human Resources—Microfilm reader printer

95982

Pittsburg State University—Lounge furniture

95986

Department of Transportation—Aggregate, various locations

95987

Department of Transportation—Aggregate, various locations

95988

University of Kansas Medical Center—Cameraman video system

95995

University of Kansas—Carpet

95996

University of Kansas Medical Center—Modular medical storage units

Monday, May 24, 1993

29643

Kansas Correctional Industries—55-gallon steel drums (lined)

29646

Kansas Correctional Industries—Vinyl acrylic and various emulsions

Tuesday, May 25, 1993

A-7120

University of Kansas—Haworth Hall

29644

Kansas Correctional Industries—Recondition 55-gallon steel drums

29647

Kansas Correctional Industries—Acrylic polymer emulsion

Wednesday, May 26, 1993

A-7087(a)

University of Kansas—Parking lot improvements, Lot 117

29645

Kansas Correctional Industries—Metal containers (quarts thru fives)

29648

Kansas Correctional Industries—Methyl carbitol, various glycols and phosphate

Thursday, May 27, 1993

A-6940

Larned State Hospital—Upgrade selected areas, Dillon Building

29650

Kansas Correctional Industries—Rutile titanium dioxide (W-5)

29651

Kansas Correctional Industries—Various paint resins

Friday, May 28, 1993

29649

Kansas Correctional Industries—Amorphous silica and calcium carbonate

Monday, June 7, 1993

95959

Department of Wildlife and Parks—Haying, Eisenhower Park

Tuesday, June 8, 1993

95985

Department of Human Resources—Video production

Jack R. Shipman  
Director of Purchases

Doc. No. 013433

State of Kansas

### Kansas State University

#### Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 or FAX (913) 532-5632 for additional information.

Monday, May 17, 1993

#30128

Diffusion pumps and accessories

#30129

Fluid bed granulator/coater

Tuesday, May 18, 1993

#30130

Axioskop for Brightfield, phase contrast and Nomarski DIC microscope

#30131

Surge electron-beam gun with power supply

Wednesday, May 19, 1993

#30133

Gas chromatograph  
Liquid chromatograph fluorescent detector

William H. Sesler  
Director of Purchasing

Doc. No. 013428

## State of Kansas

## Department of Administration

Temporary Administrative  
Regulations

## Article 16.—TRAVEL REIMBURSEMENT

**1-16-2. Official station; expense-related matters.** (a) Office employee. The official station of an officer or employee assigned to an office shall be the city or town where such office is located. Transportation costs between the employee's domicile and the office and subsistence within the limits of an employee's official station shall not be reimbursable.

(b) Field employees. The official station of each field employee shall be designated by the administrative head of the state agency. Subsistence within the limits of the employee's official station or domicile shall not be allowed. No transportation costs shall be allowed between any such employee's place of residence and the office to which such employee is assigned.

(2) Nonreimbursable travel. When additional expense is incurred by reason of an employee residing in a city or town other than the official station, or additional expense is otherwise caused by an employee's choice of residence, such an expense is not reimbursable except as provided in K.A.R. 1-16-2a. (Authorized by and implementing K.S.A. 75-3207; effective Jan. 1, 1966; amended, E-69-18, Aug. 14, 1969; amended Jan. 1, 1970; amended May 1, 1979; amended, T-1-4-26-93, April 26, 1993.)

**1-16-2a. Relocation assistance.** (a) The provisions of this regulation shall only apply to employees who are transferred to a new official station which is more than 25 miles from the old station and to new employees who are recruited from out of state under the provision of K.S.A. 75-3219. However, no subsistence allowance shall be paid under this regulation for expenses incurred within 30 miles of the official station at the time of travel.

(b) For purposes of searching for a new residence, in the 30-day period preceding an employee's transfer or the employee's original appointment date, the employee may be allowed subsistence reimbursement for not more than 15 calendar days at the current prevailing subsistence rates and not more than one round trip private car mileage reimbursement from the employee's domicile.

(c) To the extent considered necessary and appropriate by the appointing agency head, the employee may be paid all or part of the following relocation expenses:

(1) Subsistence expenses for the employee while en route between the old and new official station, or for an employee recruited under K.S.A. 75-3219 while en route between the old domicile and new domicile;

(2) Mileage allowance at the rate provided to reimburse state employees for the use of privately-owned conveyance for transporting the employee's immediate family from the old domicile to the new official station. However, such expenses may be allowed for only one one-way trip in connection with each change of official

station and domicile of the employee, and for transfers, only in cases where the new station is over 25 miles from the old station.

(d) On and after the date of the employee's transfer or original appointment, subsistence expenses of the employee may be paid for a period of 30 days while the employee is occupying temporary quarters and trying to locate or waiting to enter a permanent residence. Subsistence expense payments to the employee may be extended for additional 30-day periods when deemed necessary by the agency head, with approval of the secretary of administration, while the employee's residence is in temporary quarters.

(e) To the extent relocation expenses were incurred during the current fiscal year 1993 the provisions of this regulation may be applied retroactively. (Authorized by and implementing K.S.A. 75-3203, 75-3207, 75-3219 and 75-3224; effective May 1, 1979; amended, T-1-4-26-93, April 26, 1993.)

**1-16-2b. Moving expenses.** (a) The provisions of this regulation shall only apply when a permanent employee transfers within a state agency or from one agency to another for the convenience or benefit of the employing agency and the official station is more than 25 miles from the old official station, or when an employee has been recruited from out-of-state under the provisions of K.S.A. 75-3219.

(b) The head of the employing agency may pay reasonable moving expenses to the employee as authorized by this regulation, not to exceed the actual expenses.

(1) The employee may be reimbursed for the expenses of transporting, packing, crating, temporarily storing, draying, unpacking, and transit insurance for up to 12,000 pounds net weight of household goods and personal effects.

(2) When an employee transports a house trailer or mobile dwelling for use as a residence and the employee otherwise would be entitled to transportation of household goods and personal effects under paragraph (1) of this subsection, the employee may be reimbursed for:

(A) An allowance of 30¢ per mile for transportation of the house trailer or mobile dwelling, if the trailer or dwelling is transported by the employee; or

(B) commercial transportation of the house trailer or mobile dwelling, at agency expense, or reimbursement to the employee therefor, including the payment of necessary tolls, charges, and permit fees, if the trailer or dwelling is not transported by the employee.

(c) Storage expense payments may be extended for additional 30-day periods when deemed necessary by the agency head with approval of the secretary of administration while the employee's residence is in temporary quarters. (Authorized by and implementing K.S.A. 75-3706, K.S.A. 75-3219 and K.S.A. 75-3224; effective May 1, 1979; amended May 1, 1981; amended, T-1-4-26-93, April 26, 1993.)

**1-16-2d. Agreement with transferred employee.** (a) When an employee is transferred to an official station which is more than 25 miles from the old station, or

(continued)

when an employee has been recruited from out-of-state under the provision of K.S.A. 75-3219, an agency may pay travel and transportation expenses, including storage of household goods and personal effects, and other relocation allowances under K.A.R. 1-16-2a and K.A.R. 1-16-2b only after the employee agrees in writing to remain in agency service for 12 months after the date of transfer or employment, unless separated for reasons beyond the employee's control that are acceptable to the agency concerned.

(b) If the employee violates the agreement, the money spent by the agency for the moving expenses and relocation expenses shall be recoverable from the employee as a debt to the state. (Authorized by and implementing K.S.A. 75-3207, 75-3219 and 75-3224; effective May 1, 1979; amended, T-1-4-26-93, April 26, 1993.)

**1-16-2f.** (Authorized by K.S.A. 75-3207; effective May 1, 1979; revoked, T-1-4-26-93, April 26, 1993.)

**1-16-2k. Sale of residence, expenses not allowed.** Expenses of the sale of the employee's residence, losses on the sale of an employee's residence or the settlement of an employee's residence or the settlement of an unexpired lease by the employee at the old residence and the purchase of a home at the new official station required to be paid by the employee shall not be allowable expenses of the agency. (Authorized by and implementing K.S.A. 75-3207, 75-3219 and 75-3224; effective May 1, 1979; amended, T-1-4-26-93, April 26, 1993.)

#### Article 22.—MOVING ASSISTANCE

**1-22-1, 1-22-2, 1-22-3, 1-22-4, and 1-22-5.** (Authorized by K.S.A. 75-3219; effective May 1, 1979; revoked, T-1-4-26-93, April 26, 1993.)

Susan M. Seltsam  
Secretary of Administration

Doc. No. 013420

State of Kansas

#### Department on Aging

##### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, June 8, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the In-Home Nutrition Program.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Aging, Room 122-S, Docking State Office Building, 915 S.W. Harrison, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it

may be necessary to request each participant to limit any oral presentation to five minutes.

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

**K.A.R. 26-5-5. Services to be provided.** Amendments to this regulation clarify that the services are nutrition rather than just meal services. There is no economic impact to state agencies, employees, or the general public.

**K.A.R. 26-5-6. Eligibility for services.** Amendments to the regulation clarify that the services are nutrition and not just meal services. The amendment specifies that the eligibility criteria shall include age 60 or older and describes the type of illness or disability and areas of functional limitations that are applicable to eligibility. The amendment deletes income guidelines, isolation other than health isolation, and the percentage of applicants who shall be age 60 or older from eligibility criteria. There is no significant economic impact on state agencies, state employees, or the general public. There are no anticipated costs to either state agencies or employees as a result of this change.

Copies of the regulations and their economic impact statements may be obtained from the Kansas Department on Aging at the address above, (913) 296-4986.

Joanne E. Hurst  
Secretary of Aging

Doc. No. 013427

State of Kansas

#### Department on Aging

##### Request for Comments

The Kansas Department on Aging is accepting public comments on proposed amendments to its FY 90-93 Kansas State Plan on Aging through May 17. The proposed amendments are required by the 1992 amendments to the Older Americans Act. The amendments consist of new or revised assurances and new informational requirements.

Copies of the proposed amendments can be obtained by contacting George A. Dugger at the Kansas Department on Aging, Room 122-S, Docking State Office Building, 915 S.W. Harrison, Topeka 66612, (913) 294-4986 or 1-800-432-3535. Copies also will be available at area agencies on aging.

Joanne E. Hurst  
Secretary of Aging

Doc. No. 013430

## State of Kansas

## Secretary of State

## Usury Rate for May

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of May 1, 1993 through May 31, 1993, is 8.98 percent.

Bill Graves  
Secretary of State

Doc. No. 013422

## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited March 15, 1993, for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

Barton Area Arts Council, Inc., Great Bend, KS.  
Bit-O-Gold Cheese, Inc., Springfield, MO.  
Carondelet Long Term Care Facilities, Inc.,  
Kansas City, MO.  
Chase County Child Care Center,  
Cottonwood Falls, KS.  
Child Abuse Prevention Council for Sedgwick  
County, Inc., Wichita, KS.  
Computer Data Corporation-Midwest,  
Prairie Village, KS.  
Concerned Women for America, Washington, DC.  
Corporate Administrative Services, Inc., Lenexa, KS.  
Cowboy Football Organization, Wichita, KS.  
Cunningham Farms, Inc., Hutchinson, KS.  
D-J Oil Co., Inc., Chanute, KS.  
Dawson Drug Store, Inc., Topeka, KS.  
Deer Run Homes Association, Overland Park, KS.  
Diamond-I Energy Corporation, Lenexa, KS.  
District Advisory Board of the Church of the  
Nazarene, Kansas District, Wichita, KS.  
Emmanuel Christian School Foundation,  
Gardner, KS.  
Estate Ventures, Ltd., Garden City, KS.  
Fairy Tale Productions, Inc., Overland Park, KS.  
Farmers Elevator of Narka, Inc., Narka, KS.  
Financial Advisors, Inc., Topeka, KS.  
George W. Wyatt and Co., Manhattan, KS.  
Graham County Economic Development Corporation,  
Hill City, KS.  
Hudson Oil Co. of Calif., Inc., Shawnee Mission,  
KS.  
Jazzabelle Enterprises, Inc., Wichita, KS.  
Joe L. Norton, P.A., Wichita, KS.

Juvenile Diabetes Foundation International,  
New York, NY.  
K.C. Crude, Inc., Lenexa, KS.  
Kansas Chapter, American Academy of Pediatrics,  
Inc., Salina, KS.  
Kansas Food Packers, Inc., Wichita, KS.  
Kansas Foundation for Leadership and Learning,  
Topeka, KS.  
Kansas Quilt Project, Inc., Wichita, KS.  
Kanthardly Inc., Winfield, KS.  
Klear Vision, Inc., Overland Park, KS.  
KU Students Against Hunger, Inc., Lawrence, KS.  
Lions Club of Goff, Kansas, Goff, KS.  
Lions Club of Olpe, Olpe, KS.  
Little Extra, Inc., Lenexa, KS.  
Mankato Auto Parts, Inc., Smith Center, KS.  
Maupin's Auto Salvage, Inc., Milford, PA.  
Metcalf Pak 'n Save, Inc., Kansas City, MO.  
Nelson Investment Company, Inc., Kansas City, KS.  
New Union Chevrolet Inc., Kansas City, KS.  
North American Realty Corporation, Lawrence, KS.  
Obiji Farm School Institute, Lawrence, KS.  
Olympus Financial Inc., Overland Park, KS.  
Ott Bros. Machine Co., Inc., Wichita, KS.  
Pfeifer Oil Incorporated, Hays, KS.  
Pi Kappa Phi Delta Chi Corporation,  
Overland Park, KS.  
Pirate Athletic Endowment Association,  
Independence, KS.  
Prestige Home Inspections, Inc., Overland Park, KS.  
Reiz Construction Company, Kansas City, MO.  
Richard B. Kupper Homes, Inc., Lenexa, KS.  
Roberts Metal Fabrication, Inc., Shawnee, KS.  
Sage, Inc., Fairway, KS.  
Saint Mary of the Plains College, Dodge City, KS.  
Scaletty & Associates, Inc., Lenexa, KS.  
Shalae Financial, Inc., Wichita, KS.  
Shalae Petroleum, Inc., Wichita, KS.  
Sigma Lambda Chi, an Honorary Society,  
Lafayette, IN.  
Southeast Football Boosters Club, Inc., Wichita, KS.  
Stafford Equipment, Inc., Stafford, KS.  
Stewart & Associates Realtors, Inc., Lenexa, KS.  
Storm Services, Inc., Hutchinson, KS.  
Sub Par Ventures, Inc., Lake Quivira, KS.  
Sunflower Dispatch, Inc., Bonner Springs, KS.  
Susan Warden Dancers, Inc., Wausau, WI.  
The Active Coalition for Education, Inc.,  
Overland Park, KS.  
The Black Church Co-operative Bus Ministry of  
Kansas City, Kansas, Inc., Kansas City, KS.  
The Foundation for Creative Education,  
Lawrence, KS.  
The Garden City Northern Railway, Inc.,  
Garden City, KS.  
The Harper Advocate, Inc., Harper, KS.  
The Kansas State Horse Show Circuit,  
Baldwin City, KS.  
The Springs Teaching-Family Association for Youth,  
Inc., Colorado Springs, CO.

(continued)

The Unitarian Fellowship of Lawrence, Inc.,  
Lawrence, KS.  
The Washburn Phi Delta Theta Fraternity Alumni  
Association, Topeka, KS.  
Topeka PC Users Club, Topeka, KS.  
Total Graphic, Inc., Overland Park, KS.  
Ulysses Tractor & Implement, Inc., Ulysses, KS.  
Video Village, Inc., Wichita, KS.  
W. D. Rodgers & Company, Shawnee Mission, KS.  
Walter H. Beech Memorial Post #404, The American  
Legion, Wichita, KS.  
Westchester Development Company, Inc.,  
Lenexa, KS.  
Williamsburg Residential II, Inc., Wichita, KS.  
Williamsburg Residential, Inc., Wichita, KS.  
Wycliff Commercial Center, Inc., Lenexa, KS.

#### Foreign Corporations

Agricultural Products, Inc., Houston, TX.  
Alpha Omicron Pi Fraternity, Inc., Brentwood, TN.  
B & W Door Sales, Inc., Westminster, CO.  
CGI Systems, Inc., Berwyn, PA.  
Entrade Corporation, Louisville, KY.  
Environmental Control Industries, San Leandro, CA.  
ESX Insurance Agency, Inc., Irving, TX.  
First Humanics Corporation, Kansas City, MO.  
Homecareusa, Inc., Warminster, PA.  
International Micro Systems, Inc.,  
Overland Park, KS.  
KW Production Company, Inc., Golden, CO.  
Laidlaw Environmental Services (FS), Inc.,  
Wilmington, DE.  
Laidlaw Environmental Services (TS), Inc.,  
Wilmington, DE.  
Lifecare Planning, Inc., Kansas City, MO.  
Masterguard of the Heartland, Inc., Lenexa, KS.  
Midwest Science Foundation, Inc., Kansas City, MO.  
Minneapolis Teachers' Retirement Fund Association,  
Minneapolis, MN.  
OEV Investors Corp., Lawrence, NY.  
OEV Management Corp., Lawrence, NY.  
OEV Realty Corp., Lawrence, NY.  
Palleteers, Inc., Belleville, KS.  
Perryton Equity Exchange, Perryton, TX.  
Perstorp Analytical, Inc., Silver Springs, MD.  
Pittencrieff America, Inc., Abilene, TX.  
Pro Automotive Association of Missouri and Kansas,  
Inc., St. Louis, MO.  
Reich & Co., Inc., New York, NY.  
Smith & Smith Aircraft Co., New Orleans, LA.  
Southern Freightways, Inc., Eustis, FL.  
Summit Structural Steel, Inc., Lee's Summit, MO.  
Telecrafter Services Corporation, Denver, CO.  
The Benedictine College Foundation, Atchison, KS.  
The Ronkin Educational Group, Inc., Plantation, FL.

Bill Graves  
Secretary of State

Doc. No. 013421

State of Kansas

### Kansas Water Office

#### Notice of Hearings

The Kansas Water Office has scheduled two formal public hearings on the FY 1995 working draft of the *Kansas Water Plan*. The first public hearing will be at 7 p.m. Tuesday, June 1, in the Science-Math Building, Lecture Hall, Room S-118, North Campus, Barton County Community College, Great Bend. The second hearing will be at 7 p.m. Thursday, June 3, in the city commission meeting room, second floor, Municipal Building, 7th and Jefferson, Junction City.

The working draft will have two proposed sub-sections to be added to the management section of the *Kansas Water Plan*. These sub-sections address: 1) the acquisition of additional water supply storage in federal reservoirs, and 2) ensuring the viability of public water supply systems. In addition, four new sub-sections are proposed to be added to the basin sections of the *Kansas Water Plan*. These include plans for the Lower Republic Subbasin (Kansas-Lower Republican Basin Section), Rattlesnake Creek Subbasin (Lower Arkansas Basin Section), Upper Solomon Subbasin (Solomon Basin Section), and Neosho Stream Corridor (Neosho Basin Section).

The working draft includes changes made to the preliminary draft of the proposed subsections based on comments received at 12 public meetings held in March.

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 orally or in writing. The record for both oral and written comments will be closed at the conclusion of the second hearing on June 3.

The FY 1995 working draft of the *Kansas Water Plan* will be sent to individuals and organizations currently on the Kansas Water Office mailing list. 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.

If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at least two days in advance of the hearing.

Stephen A. Hurst  
Director

Doc. No. 013436

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 5-10-93 through 5-16-93

Term	Rate
0-90 days	2.94%
3 months	2.95%
6 months	3.08%
12 months	3.30%
24 months	3.80%
36 months	4.37%
48 months	4.84%

Sally Thompson  
State Treasurer

Doc. No. 013432

State of Kansas

Real Estate Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, June 15, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the revocation of regulation 86-3-24, concerning psychologically impacted property.

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 revocation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Commission, Room 501, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1220. All interested parties will be given a reasonable opportunity to present their views orally during the hearing.

There are no anticipated costs to either state agencies or real estate licensees as a result of this revocation.

Copies of the regulation and its economic impact statement may be obtained from the Kansas Real Estate Commission at the address above, (913) 296-3411.

Jean Duncan  
Administrative Officer

Doc. No. 013425

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 15.—APPLICATION FOR PERMITS; DOMESTIC WATER SUPPLY

**28-15-11. Definitions.** (a) "Public water supply system" or "system" means a system for delivery to the public of piped water for human consumption, that has at least 10 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. This term includes any source, treatment, storage or distribution facilities used in connection with the system.

(b) "Community water supply system" means a public water supply system which has at least 10 service connections used by year-round residents or that regularly serves 25 year-round residents.

(c) "Non-community water supply system" means a public water supply system which is not a community water supply system.

(d) "Non-transient non-community water supply system" means a public water supply system that is not a community water supply system and that regularly serves at least 25 of the same persons at least six months per year.

(e) "Department" means the Kansas department of health and environment.

(f) "Secretary" means the secretary of health and environment.

(g) "Laboratory tests" means all bacteriological, chemical, physical or radiological tests made by either the departmental laboratory or an approved laboratory on water samples which were submitted by the operator of a system to confirm the quality of the water.

(h) "Operating records and reports" means the daily record and the monthly report of data connected with the operation of the system facilities.

(i) "Sanitary survey" means an on-site appraisal of a public water supply system for the purpose of evaluating the adequacy of the water source, facilities, equipment, operation and maintenance.

(j) "Approved laboratory" means a laboratory certified and approved by the department to analyze water samples to determine compliance with maximum contaminant levels, or to perform other required analyses.

(k) "Maximum contaminant level" (MCL) means the maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water supply system, or measured at other locations specified in these regulations.

(l) "Distribution system" means the system of conduits and appurtenances by which a water supply is distributed to consumers.

(m) "Turbidity" means the cloudy condition of water caused by the presence of finely suspended matter such as clay, silt, plankton, and microscopic organ-

(continued)



isms, resulting in the scattering and absorption of light rays. Measured in nephelometric turbidity units (NTU).

(n) "Point-of-entry treatment device" means a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

(o) "Point-of-use treatment device" means a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that particular tap.

(p) "Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter, or a portion thereof, in which bacterial colonies are not discrete.

(q) "Domestic or non-distribution system plumbing problem" means a coliform contamination problem in a public water system with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

(r) "System with a single service connection" means a system which supplies drinking water to consumers via a single service line.

(s) "Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

(t) "Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

(u) "Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

(v) (1) "CT or CT Calc" means the product of residual disinfectant concentration "C" measured in mg/l and determined before or at the first customer, and the corresponding disinfectant contact time "T" measured in minutes (i.e., "C" x "T").

(2) If a public water system applies disinfectants at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percentage of inactivation or "total inactivation ratio." In determining the total inactivation ratio, the public water system shall determine the residual disinfectant concentration of each disinfection sequence and corresponding disinfectant contact time before any subsequent disinfection application point.

(3) "CT<sub>99.9</sub>" means the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT<sub>99.9</sub> for a variety of disinfectants and conditions appears in Tables 1.1-1.6, 2.1 and 3.1 of 40 CFR 141.74(b)(3) as in effect on December 30, 1990.

(4)  $CT_{calc}/CT_{99.9}$  is the inactivation ratio.

(5) The sum of the inactivation ratios, or "total inactivation ratio," shown as  $(CT_{calc})/(CT_{99.9})$ , is calculated by adding together the inactivation ratio for each disinfection sequence. A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

(w) "Diatomaceous earth filtration" means the process resulting in substantial particulate removal in which:

(1) a precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

(2) while the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

(x) "Direct filtration" means a series of processes, including coagulation and filtration but excluded sedimentation, resulting in substantial particulate removal.

(y) "Disinfectant contact time" ("T" in CT calculations) means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of disinfectant residual measurement to a point before or at the point where residual disinfectant concentration "C" is measured. Where only one "C" is measured, "T" is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at the point where "C" is measured. Where more than one "C" is measured, "T" is:

(1) for the first measurement of "C," the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first "C" is measured; and

(2) for subsequent measurements of "C," the time in minutes that it takes for water to move from the previous "C" measurement point to the "C" measurement point for which the particular "T" is being calculated.

Disinfectant contact time in pipelines shall be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through the pipe. Disinfectant contact time within mixing basins and storage reservoirs shall be determined by tracer studies or an equivalent demonstration.

(z) "Disinfection" means a process which inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

(aa) "Filtration" means a process for removing particulate matter from water by passage through porous media.

(bb) "Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

(cc) "Ground water under the influence of surface water" means any water beneath the surface of the ground with:

(1) significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia*; or

(2) significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water conditions.

Direct influence shall be determined for individual sources in accordance with criteria established by the department. The department determination of direct

influence may be based on site-specific measurements of water quality, documentation of well construction characteristics and geology, or both, with field evaluation.

(dd) "Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

(ee) "Point of disinfectant application" is the point where the disinfectant is applied and water downstream of that point is not subject to recontamination by surface water runoff.

(ff) "Residual disinfectant concentration" ("C" in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water.

(gg) "Sedimentation" means a process for removal of solids before filtration by gravity or separation.

(hh) "Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 m/h) resulting in substantial particulate removal by physical and biological mechanisms.

(ii) "Surface water" means all water which is open to the atmosphere and subject to surface runoff.

(jj) "Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system which is deficient in treatment, as determined by the appropriate local or State agency.

(kk) "Virus" means a virus of fecal origin which is infectious to humans by waterborne transmission. (Authorized by and implementing K.S.A. 65-171m; effective May 1, 1982; amended Sept. 21, 1992; amended June 21, 1993.)

**28-15-13. Standards for bacteriological, chemical, physical and radiological quality.** (a) Maximum contaminant microbiological levels.

(1) A public water supply system which collects 39 or fewer samples per monitoring period is in compliance with the MCL if total coliforms are not detected in more than one sample;

(2) A public water supply system which collects 40 or more samples per monitoring period is in compliance with the MCL if total coliforms are not detected in more than 5% of the samples;

(3) A public water supply system which collects any fecal coliform positive or *E. coli* positive repeat sample, or any total coliform positive or *E. coli* positive routine sample is in violation of the MCL and may be considered to pose an acute health risk for the purposes of public notification.

(4) Each public water supply shall, for every monitoring period, determine whether it is in compliance with the applicable microbiological MCL.

(5) Variances and exemptions from the maximum contaminant level for coliform bacteria shall not be granted, unless the public water supply system demonstrates to the department that the violation of the maximum contaminant level is due to a persistent growth of total coliforms in the distribution system rather than:

(A) fecal or pathogenic contamination;

(B) a treatment lapse or deficiency; or

(C) a problem in operation or maintenance of the distribution system.

(b) Maximum contaminant levels for inorganic chemicals shall be:

Constituent	Level, in milligrams, per liter
Arsenic	0.05
Barium	1
Cadmium	0.010
Chromium	0.05
Lead	0.05
Mercury	0.002
Nitrate (as N)	10
Selenium	0.01
Silver	0.05
Fluoride	4.0

(c) Maximum contaminant levels for organic chemicals shall be:

	Level, in milligrams, per liter
(1) Chlorinated hydrocarbons:	
(A) Endrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4-endo, endo-5,8-dimethano naphthalene).	0.0002
(B) Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer).	0.004
(C) Methoxychlor (1,1,1-Trichloro-2,2-bis [p-methoxyphenyl] ethane).	0.1
(D) Toxaphene (C <sub>10</sub> H <sub>10</sub> Cl <sub>8</sub> -Technical chlorinated camphene, 67-69 percent chlorine).	0.005
(2) Chlorophenoxys:	
(A) 2,4-D, (2,4-Dichlorophenoxyacetic acid).	0.1
(B) 2,4,5-TP Silvex (2,4,5-Tri-chlorophenoxypropionic acid).	0.01
(3) Total trihalomethanes consisting of the sum of trichloromethane (chloroform), bromodichloromethane, dibromochloromethane and tribromomethane (bromoform).	0.10
(4) Volatile Organic Compounds:	
(A) Benzene	0.005
(B) Vinyl Chloride	0.002
(C) Carbon Tetrachloride	0.005
(D) 1,2-Dichloroethane	0.005
(E) Trichloroethylene	0.005
(F) para-Dichlorobenzene	0.075
(G) 1,1-Dichloroethylene	0.007
(H) 1,1,1-Trichloroethane	0.2

(d) Maximum contaminant levels for radiological contaminants shall be:

Constituent	Level, in pCi per liter
Combined radium-226 and radium-228	5
Gross alpha particle activity (including radium-226 but excluding radon and uranium)	15
Tritium	20,000
Strontium-90	8
Gross beta radioactivity	50

The average annual concentration of beta particle and photon radioactivity from man-made radionuclides in drinking water shall not produce an annual dose equivalent to the total body or to any internal organ greater than four millirem per year.

(e) Maximum contaminant levels for turbidity shall apply only to public water supply systems which use surface water or groundwater under the influence of

(continued)

surface water in whole or in part. The maximum contaminant levels for turbidity in drinking water, measured daily at representative entry points to the distribution system, shall be:

(1) One nephelometric turbidity unit (NTU), as determined by a monthly average, except that five or fewer turbidity units may be allowed if the supplier of water can demonstrate to the department that the higher turbidity does not:

- (A) Interfere with disinfection;
- (B) Prevent maintenance of an effective disinfectant agent throughout the distribution system; or
- (C) Interfere with microbiological determinations; and

(2) Five turbidity units based on an average for two consecutive days. Daily turbidity readings shall be taken and recorded. If the maximum turbidity level exceeds one NTU for two consecutive days, the supplier of water shall notify the department within 48 hours after the turbidity readings are taken. Daily turbidity readings shall be reported to the department by the tenth day of the month following the month in which the readings are taken.

(3) K.A.R. 28-15-13(e)(1) and (2) shall be effective until either:

(A) June 29, 1993, for public water supply systems using surface water as their source of water, after which date the requirements of K.A.R. 28-15-21 shall apply; or

(B) filtration treatment is installed for public water supply systems using ground water under the influence of surface water, after which date the requirements of K.A.R. 28-15-21 shall apply.

(f) Inorganic analyses for the following constituents shall be required from each community water supply system with its own source of supply.

Calcium	Manganese
Magnesium	pH
Sodium	Specific conductance
Potassium	Total dissolved solids
Total Phosphorus	Total alkalinity
Chloride	Sodium bicarbonate
Sulfate	alkalinity
Silica	Total hardness
Iron	Carbonate hardness
	Non-carbonate hardness

An inorganic chemical analysis for the above constituents may be required by the department from a non-community water supply system with its own source of supply. The above analyses are required to determine the potability of the source of supply and to monitor the corrosivity characteristics of the water. The corrosive indices shall be calculated in accordance with 40 CFR 141.42, as in effect on July 1, 1990, which is adopted by reference.

(g) Each analysis to determine compliance shall be done in an approved laboratory according to methods established by "Standard Methods for the Examination of Water and Wastewater," 16th edition, 1985, or as specified in 40 CFR 141.21-141.25 and 141.30, as in effect on July 1, 1990, or the equivalents outlined in 40 CFR 141.27, as in effect on July 1, 1990. Each analysis shall be made on treated water as furnished to the consumer to insure potability or at specified lo-

cations as prescribed in K.A.R. 28-15-14. (Authorized by and implementing K.S.A. 65-171m; effective May 1, 1982; amended Sept. 21, 1992; amended June 21, 1993.)

**28-15-21. Surface water treatment rule.** Each public water supply system with a surface water source, or a ground water source under the influence of surface water, shall provide filtration and disinfection treatment of the source water that complies with these treatment technique regulations. Sources of supply which are designated by the department to be ground water under the influence of surface water shall have 18 months from the date of the determination to either provide filtration and disinfection treatment for that source or to discontinue using that source. Systems which do not meet the requirements of this section are in violation of the treatment technique requirements, and shall issue public notice as required in K.A.R. 28-15-15a.

(a) The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:

(1) At least 99.9 percent (3-log) combined removal or inactivation of *Giardia lamblia* cysts between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer; and

(2) At least 99.9 percent (4-log) combined removal or inactivation of viruses between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer.

(b) Each public water supply system which uses surface water, or groundwater under the influence of surface water, shall provide filtration and disinfection treatment as follows on or before June 29, 1993, or when filtration is installed.

(1) Disinfection treatment shall be sufficient to ensure that the total treatment processes of the system achieves at least 99.9 percent (3-log) combined inactivation or removal of *Giardia lamblia* cysts and at least 99.99 percent (4-log) combined inactivation or removal of viruses.

(2) The disinfectant concentration in the water entering the distribution system, shall not be less than 0.2 mg/l as free available chlorine or less than 1.0 mg/l as combined chlorine for more than 4 hours.

(3) The disinfectant concentration in the distribution system shall not be less than 0.2 mg/l as free available chlorine or less than 1.0 mg/l as combined chlorine in more than 5 per cent of measurements taken each month, for any two consecutive months.

(c) All public water supply systems which use surface water, or ground water under the influence of surface water, must meet the following criteria on or before June 29, 1993.

(1) For systems using conventional filtration treatment or direct filtration, the filtered water turbidity level shall be less than or equal to 0.5 NTU in at least 95 percent of the samples taken each month, except that the department may allow a deviation for those systems which can demonstrate 99.9 percent combined

inactivation or removal of *Giardia lamblia* cysts at a higher level of turbidity, in which case the filtered water turbidity level shall be less than 1.0 NTU in 95 percent of the samples taken each month. In no case shall the filtered water turbidity level exceed 5.0 NTU.

(2) For systems using slow sand filtration, the filtered water turbidity level shall be less than or equal to 1.0 NTU in at least 95 percent of the samples taken each month, except that the department may allow a deviation for those systems which can demonstrate 99.9 percent combined inactivation or removal of *Giardia lamblia* cysts at a higher level of turbidity, but in no case shall the filtered water turbidity level exceed 5.0 NTU.

(3) For systems using diatomaceous earth filtration, the filter water turbidity level shall be less than or equal to 1.0 NTU in at least 95 percent of the measurements taken each month, but in no case shall the filtered water turbidity level exceed 5.0 NTU.

(4) A public water supply may use a filtration technology not listed in this section if it demonstrates to the department, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment, provides at least 99.9 percent combined removal or inactivation of *Giardia lamblia* cysts and 99.99 percent combined removal or inactivation of viruses. In addition, the filtered water turbidity shall be less than or equal to 1.0 NTU in 95 percent of the samples taken each month, but in no case shall the turbidity level of a system's filtered water exceed 5.0 NTU.

(d) Only the following analytical methods are acceptable for determining compliance with these regulations. Laboratories performing total coliform or fecal coliform shall be certified by the department. Laboratories performing pH, temperature, turbidity or residual disinfectant concentration shall be approved by the department.

(1) Fecal coliform analysis shall be performed in accordance with the provisions of 40 CFR 141.74(a)(1) as in effect on July 1, 1991.

(2) Total coliform concentration shall be performed in accordance with the provisions of 40 CFR 141.74(a)(2) as in effect on July 1, 1991.

(3) Turbidity analysis shall be performed in accordance with the provisions of 40 CFR 141.74(a)(4) as in effect on July 1, 1991.

(4) Residual disinfectant analysis shall be performed in accordance with the provisions of 40 CFR 141.74(a)(5) as in effect on July 1, 1991.

(5) Temperature analysis shall be performed in accordance with the provisions of 40 CFR 141.74(a)(6) as in effect on July 1, 1991.

(6) pH analysis shall be performed in accordance with the provisions of 40 CFR 141.74(a)(7) as in effect on July 1, 1991.

(e) A public water system that uses a surface water source, or a ground water source under the influence of surface water, shall monitor as follows, beginning June 29, 1993 or when filtration is installed, whichever is later.

(1) Turbidity measurements shall be performed on representative samples of the system's filtered water every four hours that the system serves water to the public.

(A) Continuous turbidity monitoring may be substituted for grab samples if the grab samples validate the continuous measurements for accuracy on a regular basis and the turbidimeter is calibrated by an approved secondary standard on a weekly basis.

(B) Turbidity measurements may be taken on a daily basis for public water systems which provide filtration by slow sand filtration or by means other than conventional treatment, direct filtration or diatomaceous earth filtration, at the department's discretion.

(C) For systems which serve fewer than 500 persons, the department may allow turbidity measurements to be taken on a daily basis if it is determined that the less frequent monitoring is sufficient to indicate effective filtration performance.

(2) Public water supply systems serving more than 3300 people shall monitor the residual disinfectant concentration of the water entering the distribution system continuously, the lowest value shall be recorded each day. If there is a failure in the continuous monitoring equipment, grab samples may be collected every 4 hours and analyzed for disinfectant residual in lieu of continuous monitoring, but for no more than 5 working days following the failure of the equipment. Public water supply systems serving 3,300 or fewer persons may take grab samples in lieu of providing continuous monitoring at the frequencies prescribed below:

System size by population	Samples/day
Less than 500	1
501 to 1,000	2
1,001 to 2,500	3
2,501 to 3,300	4

If at any time the disinfectant residual falls below 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine in a system using grab sampling in lieu of continuous monitoring, the system shall take a grab sample every 4 hours until the residual disinfectant concentration is equal to or greater than 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine.

(3) The residual disinfectant concentration shall be measured at least at the same points in the distribution system and at the same time as total coliform is sampled, as specified in K.A.R. 28-15-14.

(f) A public water supply that uses a surface water source, or a ground water source under the influence of surface water, shall report the following information monthly to the department, beginning June 29, 1993 or when filtration is installed, whichever is later.

(1) Turbidity reports required by section (e)(1) of this regulation shall be submitted within 10 days after the end of each month the system serves water to the public. Information that shall be reported includes:

(A) The total number of filtered water turbidity measurements taken during the month;

(B) the number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to the turbidity limit specified

(continued)

in section (c) of this regulation for the filtration technology being used; and

(C) the date and value of any turbidity measurements taken during the month which exceed 5 NTU.

(2) Disinfection information specified in section (e) of this regulation shall be reported to the department within 10 days after the end of each month the system serves water to the public. Information that shall be reported includes:

(A) For each day, the lowest measurement of residual disinfectant concentration in mg/l in water entering the distribution system;

(B) the date and duration of each period when the residual disinfectant concentration in water entering the distribution system fell below 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine and when the department was notified of the occurrence; and

(C) the following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to section (b) of this regulation:

(i) The number of instances where the disinfection residual was taken; and

(ii) the number of instances where the disinfection residual was greater than or equal to 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine.

(3) Each system, upon discovery of any water borne disease outbreak potentially attributable to that water system, shall report the occurrence to the department as soon as possible, but no later than by the end of the next business day.

(4) If at any time the turbidity exceeds 5 NTU, the system shall inform the department as soon as possible, but not later than the end of the next business day.

(5) If at any time the residual falls below 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine in the water entering the distribution system, the system shall notify the department as soon as possible, but no later than the end of the next business day. The system shall also notify the department by the end of the next business day whether or not the residual was restored to at least 0.2 mg/l as free chlorine or 1.0 mg/l as combined chlorine within 4 hours.

(g) Variances and exemptions

(1) No variances from the requirements in this regulation are permitted.

(2) No exemptions from the requirements in section (b) of this regulation are permitted. (Authorized by and implementing K.S.A. 65-171m; effective June 21, 1993.)

### Article 30.—WATER WELL CONTRACTOR'S LICENSE; WATER WELL CONSTRUCTION AND ABANDONMENT

**28-30-6.** Construction regulations for all wells not included under section 28-30-5. (a) Each water well shall be so located as to minimize the potential for contamination of the delivered or obtained groundwater and to protect groundwater aquifers from pollution and contamination.

(b) Grouting.

(1) Constructed or reconstructed wells shall be sealed by grouting the annular space between the casing and the well bore from ground level to a minimum of 20 feet or to a minimum of five feet into the first clay or shale layer, if present, whichever is greater. If a pitless well adapter or unit is being installed, the grouting shall start below the point at which the pitless well adapter or unit attaches to the well casing and shall continue a minimum of 20 feet below this point, or to a minimum of five feet into the first clay or shale layer, whichever is greater.

(2) To facilitate grouting, the grouted interval of the well bore shall be drilled to a minimum diameter at least three inches greater than the maximum outside diameter of the well casing. If a pitless well adapter or unit is being installed on the well's casing, the well bore shall be a minimum diameter of at least three inches greater than the outside maximum diameter of the well casing through the grouted interval below the point where the pitless well adapter or unit attaches to the well casing.

(c) If groundwater is encountered at a depth less than the minimum grouting requirement, the grouting requirement may be modified to meet local conditions if approved by the department.

(d) Waters from two or more separate aquifers shall be separated from each other in the bore hole by sealing the bore hole between the aquifers with grout.

(e) The well casing shall terminate not less than one foot above the finished ground surface. No casing shall be cut off below the ground surface except to install a pitless well adapter unit, which shall extend at least 12 inches above the ground surface. No opening shall be made through the well casing except for the installation of a pitless well adapter designed and fabricated to prevent soil, subsurface and surface water from entering the well.

(f) Well vents shall be used and shall terminate not less than one foot above the ground surface and shall be screened with brass, bronze, copper screen or other screen materials approved by the department which are 16-mesh or greater and turned down in a full 180 degree return bend so as to prevent the entrance of contaminating materials.

(g) Prior to completion of a constructed or reconstructed well, the well shall be cleaned of mud, drill cuttings and other foreign matter so as to make it suitable for pump installations.

(h) Casing. All wells shall have durable watertight casing from at least one foot above the finished ground surface to the top of the producing zone of the aquifer. The watertight casing shall extend not less than 20 feet below the ground level. Exceptions to either of the above requirements may be granted by the department if warranted by local conditions. The casing shall be clean and serviceable and of a type to guarantee reasonable life so as to insure adequate protection to the aquifer or aquifers supplying the groundwaters. Used, reclaimed, rejected, or contaminated pipe shall not be used for casing any well. All water well casing shall be approved by the department.

(i) All wells, when unattached during construction, reconstruction, treatment or repair, or during use as cased test holes, observation or monitoring wells, shall have the top of the well casing securely capped in a watertight manner to prevent contaminating or polluting materials from gaining access to the groundwater aquifer.

(j) During construction, reconstruction, treatment or repair and prior to its first use, all wells producing water for human consumption or food processing shall be disinfected according to K.A.R. 28-30-10.

(k) The top of the well casing shall be sealed by installing a sanitary well seal.

(l) All groundwater producing zones that are known or suspected to contain natural or man-made pollutants shall be adequately cased and grouted off during construction of the well to prevent the movement of the polluted groundwater to either overlying or underlying fresh groundwater zones.

(m) Toxic materials shall not be used in the construction, reconstruction, treatment or plugging of a water well unless those materials are thoroughly flushed from the well prior to use.

(n) Any pump pit shall be constructed at least two feet away from the water well. The pipe from the pump or pressure tank in the pump pit to the water well shall be sealed in a watertight manner where it passes through the wall of the pump pit.

(o) Water wells shall not be constructed in pits, basements, garages or crawl spaces. Existing water wells which are reconstructed, abandoned and plugged in basements shall conform to these rules and regulations except that the finished grade of the basement floor shall be considered ground level.

(p) All drilling waters used during the construction or reconstruction of any water well shall be initially disinfected by mixing with the water enough sodium hypochlorite to produce at least 100 milligrams per liter, mg/l, of available chlorine.

(q) Natural organic or nutrient producing material shall not be used during the construction, reconstruction, or treatment of a well unless it is thoroughly flushed from the well and the groundwater aquifer or aquifers before the well is completed. Natural organic or nutrient producing material shall not be added to a grout mix used to grout the well's annular space.

(r) Pump mounting.

(1) All pumps installed directly over the well casing shall be so installed that an airtight and watertight seal is made between the top of the well casing and the gear or pump head, pump foundation or pump stand.

(2) When the pump is not mounted directly over the well casing and the pump column pipe or pump suction pipe emerges from the top of the well casing, a sanitary well seal shall be installed between the pump column pipe or pump suction pipe and the well casing. An airtight and watertight seal shall be provided for the cable conduit when submersible pumps are used.

(s) Construction of sand point or well point water wells. Sand point or well point water wells shall be constructed by drilling or boring a pilot hole to a minimum depth of three feet below ground surface. The pilot hole shall be a minimum of three inches greater

in diameter than the drive pipe or blank casing if the casing method is used. Sand point wells shall only be completed by using the casing method or the drive pipe method as described in paragraphs (1) and (2) below or other methods as described in paragraph (3) below. Sand point wells constructed prior to the effective date of this regulation shall not be required to meet these requirements. All sand point wells that are replaced, constructed, reconstructed or plugged after the effective date of this regulation shall meet these regulations.

(1) Casing method. Approved, durable, watertight well casing shall be set from a minimum of three feet below the ground surface to at least one foot above the ground surface. The casing shall be sealed between the casing and the pilot hole with approved grouting material from the bottom of the casing to ground surface. The drive pipe shall be considered the pump drop pipe. For underground discharge completions, a "T" joint shall be used. The drive pipe shall be capped with a solid cap at the "T" joint when the casing method is used. An approved sanitary well seal and a well vent shall be installed on the top of the well casing in accordance with K.A.R. 28-30-6 (f) and (k).

(2) Drive pipe method. Sand point wells may be installed without a casing for above ground discharge completions only. In such completions, the drive pipe shall terminate at least one foot above finished ground level. The annular space between the drive pipe and the pilot hole shall be sealed with approved grouting material from the bottom of the pilot hole to ground surface. The top of the drive pipe shall be sealed airtight and watertight with a solid cap of the same material as the drive pipe. A well vent shall not be required for the drive pipe method.

(3) Other methods. Other methods may be specifically approved by the department on a case-by-case basis by using the appeal procedure included in K.A.R. 28-30-9.

(4) Abandonment of sand point wells. Upon abandonment of a sand point well, the contractor or landowner shall either pull the drive pipe or leave it in place. If the drive pipe is left in place, the sand point well shall be plugged from the bottom of the well to three feet below the ground surface with approved grouting material. The drive pipe well shall be cut off three feet below the ground surface and the remaining three foot deep hole shall be backfilled with surface soil.

If the drive pipe is completely pulled, the remaining hole shall be plugged with approved grouting material from the bottom of the remaining hole to three feet below the ground surface. The hole shall be backfilled with surface soil from 3 feet to ground surface. (Authorized by K.S.A. 1991 Supp. 82a-1205; implementing K.S.A. 82a-1202, K.S.A. 1991 Supp. 82a-1205; effective, E-74-34, July 2, 1974; modified, L. 1975, ch. 481, May 1, 1975; amended May 1, 1980; amended May 1, 1983; amended May 1, 1987; amended June 21, 1993.)

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 013440



State of Kansas

## Office of Judicial Administration

## Court of Appeals Docket

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

Kansas Court of Appeals  
 Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center  
 Topeka, Kansas

Tuesday, May 18, 1993

Before Briscoe, C.J.; Lewis and Pierron, JJ.

9:00 a.m.

Case No.	Case Name	Attorneys	County
69,029	Kansas Human Rights Commission, Appellant, v. Topeka Golf Association, Appellee.	Judy Fowler	Shawnee
68,462	J. F. Lincoln, Appellee, v. Dept. of Revenue, Appellant.	William E. Enright William K. Rork	Shawnee
68,221	State of Kansas, Appellee, v. Michael Wayne Finley, Appellant.	James G. Keller Jalynn Copp Attorney General Jean Gilles Phillips	Shawnee
10:30 a.m.			
69,230	Kenneth and Almeda Edwards, Appellees. v. Killough, Inc., Appellant.	John L. Richeson	Franklin
68,639	State of Kansas, Appellee, v. Phillip Jackson, Appellant.	Mark Doty County Attorney Attorney General	Geary
68,888	John J. Strome, Appellant, v. U.S. Fidelity and Guar., Appellee.	Patrick Lawless John J. Bryan Mickey W. Mosier	Geary
1:30 p.m.			
67,626	State of Kansas, Appellee, v. Kim E. Myers, Appellant.	County Attorney Attorney General Dennis Moore Kathleen L. Sloan	Lyon
68,425	In the Interest of L.C.	Terence A. Lober County Attorney William E. Pray Michael J. Waite	Leavenworth
68,429	Randall Murphy, Appellee, v. David McKune, <i>et al.</i> , Appellants.	Gary L. Fuller Linden G. Appel	Leavenworth



3:00 p.m.

68,620	Allied Mutual Insurance Co., Appellee,	John A. Bausch	Wyandotte
	v.		
	Shannon McAuley, <i>et al.</i> , Appellants.	Timothy J. Mudd	
68,493	Audry Elliott,		Graham
	v.		
	Elliott Plumbing and Hawkeye Sec. Ins. Co., Appellants, and Work. Comp. Fund, Appellee.	Michael J. Kelley Jerry Moran	

## Summary Calendar—No Oral Argument

68,437	In the Matter of the Petition of Elmore Marks, Jr., for writ of habeas corpus.	Michael G. Highland Linden G. Appel Kristy Hiebert Elmore Marks Jr., <i>pro se</i>	Leavenworth
68,381	State of Kansas, Appellee,	County Attorney Attorney General	Lyon
	v.		
	Charles H. Franco, Appellant.	Kristine Paredes	
68,736	In the Matter of the Marriage of Cindy L. Reece and Timothy A. Reece.	Richard O. Skoog Forrest A. Lowry	Franklin
68,549	State of Kansas, Appellee,	Debra S. Byrd Attorney General	Sedgwick
	v.		
	Luis L. Jacobson, Appellant.	Patrick Lawless	

**Kansas Court of Appeals**  
**Division 3 Courtroom, Wyandotte County Courthouse**  
**Kansas City, Kansas**  
 Before Brazil, P.J.; Elliott, J.; and Robert J. Schmisser,  
 District Judge, assigned.  
 Tuesday, May 18, 1993

1:00 p.m.

Case No.	Case Name	Attorneys	County
68,764	In the Matter of the Marriage of Evon Lois Race and Harley Leland Race.	Laurence M. Jarvis Keith Martin	Johnson
68,461	Javelin, Inc., <i>et al.</i> , Appellants,	Nancy D. Walker	Johnson
	v.		
	Stephen Robertson, <i>et al.</i> , Appellees.	Merle E. Parks Max Gordon	
68,439	In the Matter of the Marriage of Sharon A. Gottlieb and Arvin C. Gottlieb.	Alvin D. Shapiro T. Bradley Manson William V. North George A. Lowe Joel K. Goldman	Johnson

2:30 p.m.

68,441	Beth Ann Waln, Appellee,	James M. Sheeley	Wyandotte
	v.		
	Clarkson Constr., <i>et al.</i> , Appellants.	John David Jurcyk	

(continued)

68,478	In the Matter of the Marriage of Elizabeth Cadwallader and Leslie S. Cadwallader.	Keith C. Sevedge Karen L. Shelor Paula B. Hurt	Johnson
68,520	In the Matter of the Marriage of Linda Schulze and Terry Schulze.	David K. Martin Micheline Z. Burger	Johnson

Wednesday, May 19, 1993

9:00 a.m.

Case No.	Case Name	Attorneys	County
68,068	State of Kansas, Appellee, v. David E. Fletcher, Appellant.	District Attorney Attorney General  Stephen Douglas Bonney Jessica R. Kunen	Wyandotte
68,234	State of Kansas, Appellee, v. Glen Pearl, Appellant.	District Attorney Attorney General  Thomas Jacquinot	Wyandotte

10:00 a.m.

68,555	State of Kansas, Appellee, v. Gary W. Woodson, Appellant.	District Attorney Attorney General  Reid Nelson	Johnson
68,547	State of Kansas, Appellant, v. Van L. Spears, Appellee.	District Attorney Attorney General  Carl E. Cornwell Keith C. Sevedge	Johnson

11:00 a.m.

68,919	A. Reich & Sons, Inc., <i>et al.</i> , Appellants, v. Randy Stone, Appellee.	Curtis L. Tideman Timothy G. Lutz  Robert W. Harris Larry M. Welch	Wyandotte
--------	---	--	-----------

Summary Calendar—No Oral Argument

68,553	State of Kansas, Appellee, v. Floyd A. Walker, Appellant.	District Attorney Attorney General  Jean Gilles Phillips	Johnson
68,607	State of Kansas, Appellee, v. James M. Guerra, Jr., Appellant.	District Attorney Attorney General  Rebecca Woodman	Johnson
68,731	Johnnie Williams, Appellant, v. City of Kansas City, <i>et al.</i> , Appellees.	J.R. Russell	Wyandotte
68,540	State of Kansas, Appellee, v. Bryan Baird, Appellant.	Wesley K. Griffin Debra S. Byrd Attorney General  Steven R. Zinn	Sedgwick

Kansas Court of Appeals  
 District Courtroom, Ellis County Courthouse  
 Hays, Kansas

Tuesday, May 18, 1993

Before Larson, P.J.; Royse, J.; and Herbert W. Walton,  
 District Judge Retired, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
68,523	Gerald Mahler, <i>et al.</i> , Appellants, v. Keenan Real Estate, Inc., <i>et al.</i> , Appellees.	Michael S. Holland Martin J. Keenan Lisa J. Lewis	Barton
68,479	Leroy Holt, Appellant, v. Kinderhook Oil & Gas, Inc., Appellee.	Michael S. Holland Mark A. Blehm	Russell
68,769	Gary Williamson, Appellee, v. Gary Williamson, <i>et al.</i> , Appellants.	Don C. Staab James M. McVay Jerry M. Ward	Barton

11:00 a.m.

68,676	In the Matter of the Marriage of Donald A. Riedel and Delores F. Riedel.	Bernard T. Giefer, Jr. Harry Joe Pratt	Trego
--------	---	---	-------

1:00 p.m.

69,090	Lisa Loving, Appellant, v. Sheldon Weiser, Appellee.	Lelyn J. Braun Ray H. Calihan Jr.	Finney
68,508	In the Matter of the Marriage of Ronnie R. Taylor and Carol A. Taylor.	Ronnie Taylor, <i>pro se</i> Michael J. Friesen Dale E. Pike	Lane
68,831	The Gordon Company, Appellant, v. Judy Skrdlant, Appellee.	Karen L. Griffiths Judy Skrdlant, <i>pro se</i>	Norton

2:30 p.m.

68,468 68,808	Vernon Barnett, <i>et al.</i> , Appellees, v. James E. Oliver, <i>et al.</i> , Matthew and Erma Hamill, Appellants.	Douglas C. Spencer Thomas A. Hamill Gregory M. Dennis	Thomas
------------------	--	---	--------

Summary Calendar—No Oral Argument

68,467	State of Kansas, Appellee, v. Chris L. Solida, Appellant.	County Attorney Attorney General Rick Kittel	Phillips
69,092	City of Bonner Springs, Appellee, v. Richard Mitts, Appellant.	Thomas E. Osborn County Attorney Robert J. Byrne III	Wyandotte

(continued)

68,270	State of Kansas, Appellee, v. Johnny Shane Hanes, Appellant.	County Attorney Attorney General Thomas Jacquinot	McPherson
68,435	State of Kansas, Appellee, v. George David Weis, Appellant.	County Attorney Attorney General Kristine Paredes	Saline
68,455	Millicent G. Laberge, Appellant, v. State of Kansas, Appellee.	Sara S. Beezley	Reno
68,357	State of Kansas, Appellee, v. James Lane, Appellant.	Brian R. Johnson County Attorney Attorney General	Reno
68,741	In the Interests of T.B., <i>et al.</i>	Lucille Marino Robert C. Littrell County Attorney Don Weiner	Riley

**Kansas Court of Appeals**  
**Court of Appeals Courtroom, 3rd Floor, Old Sedgwick County Courthouse**  
**510 N. Main, Wichita, Kansas**

Before Rulon, R.J., Gernon, J., and John E. Sanders,  
District Judge, assigned.

Tuesday, May 18, 1993

9:00 a.m.

Case No.	Case Name	Attorneys	County
68,784	In the Matter of the Marriage of Robert J. Rogers and Alice M. Rogers.	William A. Vickery Keith E. Martin	Sedgwick
68,761	In the Matter of the Estate of Pauline Gillespie, deceased.	Jerry D. Bogle Terry L. Mann	Sedgwick

10:00 a.m.

68,634	Dale Carr, Appellant, v. Jack Chandler, Appellee.	Jerry L. Griffith	Sedgwick
68,327	State of Kansas, Appellee, v. Edward C. McGrown, Appellant.	David K. Holmes Debra S. Byrd Attorney General	Sedgwick
68,027	State of Kansas, Appellee, v. Shawn H. Wallace, Appellant.	Benjamin Wood Jessica R. Kunen Debra S. Byrd Attorney General Benjamin Wood Jessica R. Kunen	Sedgwick

1:00 p.m.

68,494	Michael Kvassay, Appellee, v. Albert Murray, <i>et al.</i> , Appellants.	Hal D. Meltzer  Larry Wall	Sedgwick
68,130	State of Kansas, Appellee, v. Tuan Nguyen, Appellant.	Debra S. Byrd Attorney General  Kristine Paredes	Sedgwick

2:00 p.m.

68,448	State of Kansas, Appellee, v. Pamela Garrison, Appellant.	County Attorney Attorney General  Wendy Slayton	Labette
68,664	Chevron USA, Inc., Appellee, v. Henry Souder, <i>et al.</i> , Appellants.	Mark A. Werner  Barry K. Disney	Crawford

## Summary Calendar—No Oral Argument

68,744	James Chapman, Appellant, v. Mobile Manor, Inc., Appellee.	Jack Shelton  Craig Kennedy	Sedgwick
68,129	State of Kansas, Appellee, v. Reginald Griffith, Appellant.	Debra S. Byrd Attorney General  Patrick Lawless	Sedgwick
68,374	State of Kansas, Appellee, v. Michael J. Pierpoint, Appellant.	Debra S. Byrd Attorney General  Jean Gilles Phillips	Sedgwick
68,170	Rance Kindred, Appellant, v. State of Kansas, Appellee.	Patrick Lawless Attorney General  Debra S. Byrd	Sedgwick
68,372	State of Kansas, Appellee, v. State of Kansas, Appellee.	Debra S. Byrd Attorney General  Debra S. Byrd	Sedgwick
68,373	Timothy J. Cunningham, Appellant, v. State of Kansas, Appellee, v. Daryl L. James, Appellant.	Wendy Slayton  Debra S. Byrd Attorney General  Thomas Jacquinot	Sedgwick

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 013419

**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 1992 Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-30	New	V. 11, p. 278
1-2-34	New	V. 11, p. 1016
1-2-81	Revoked	V. 11, p. 278
1-6-2	Amended	V. 11, p. 278
1-6-31	Amended	V. 11, p. 1016
1-6-32	Amended	V. 11, p. 278
1-8-7	Amended	V. 11, p. 1017
1-9-4	Amended	V. 11, p. 1017
1-9-5	Amended	V. 11, p. 1019
1-9-13	Amended	V. 11, p. 1020
1-9-18	Amended	V. 11, p. 1020
1-9-19a	Amended	V. 11, p. 279
1-9-23	New	V. 11, p. 1194, 1257
1-16-18	Amended	V. 12, p. 6, 54
1-16-18a	Amended	V. 12, p. 7, 55
1-45-14	Amended	V. 11, p. 1195
1-46-1	Amended	V. 11, p. 1195
1-46-3	Amended	V. 11, p. 1195

**AGENCY 4: BOARD OF AGRICULTURE**

Reg. No.	Action	Register
4-4-900	Amended	V. 11, p. 1895
4-4-923	Amended	V. 11, p. 1895
4-4-924	Amended	V. 11, p. 1895
4-4-931	Amended	V. 11, p. 1896
4-4-932	Amended	V. 11, p. 1896
4-4-933	Amended	V. 11, p. 1896
4-4-934	Amended	V. 11, p. 1897
4-4-935	Amended	V. 11, p. 1897
4-4-956	New	V. 11, p. 1897
4-7-716	Amended	V. 11, p. 555
4-7-719	Amended	V. 11, p. 63
4-8-14a	Amended	V. 11, p. 1898
4-8-27	Amended	V. 11, p. 555
4-8-28	New	V. 11, p. 1898
4-8-33	New	V. 11, p. 1898
4-8-40	Amended	V. 11, p. 1898
4-8-41	New	V. 11, p. 555
4-10-1	Amended	V. 11, p. 1898
4-13-36	Amended	V. 11, p. 1899
4-13-38	Amended	V. 11, p. 1899
4-13-41	Amended	V. 11, p. 1900
4-13-42	Amended	V. 11, p. 1900
4-13-62	Amended	V. 11, p. 1900
4-13-63	Amended	V. 11, p. 1901
4-15-2	Amended	V. 11, p. 555
4-16-1a	Amended	V. 11, p. 1901
4-16-1c	Amended	V. 11, p. 1901
4-16-7a	Amended	V. 11, p. 1901
4-16-300 through 4-16-305	New	V. 11, p. 556, 557
4-17-1a	Amended	V. 11, p. 1901
4-17-1c	Amended	V. 11, p. 1902
4-17-5a	Amended	V. 11, p. 1902
4-17-300 through 4-17-305	New	V. 11, p. 557, 558

**AGENCY 5: BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-42-1	Amended	V. 11, p. 361
5-42-3	Amended	V. 11, p. 361
5-45-1 through 5-45-4	Amended	V. 11, p. 361-363
5-45-6	Amended	V. 11, p. 363
5-45-7	Amended	V. 11, p. 363
5-45-12	Amended	V. 11, p. 363
5-45-13	Amended	V. 11, p. 364
5-45-14 through 5-45-17	New	V. 11, p. 364, 365

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-8	New	V. 11, p. 1257, 1296
7-29-1	Amended	V. 11, p. 1369, 1423
7-32-1	Amended	V. 11, p. 1117, 1143

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

Reg. No.	Action	Register
14-10-5	Amended	V. 11, p. 1929
14-10-10	Amended	V. 11, p. 1930
14-10-11	Amended	V. 11, p. 1930
14-10-12	Amended	V. 11, p. 1931
14-13-1	Amended	V. 11, p. 1931
14-13-2	Amended	V. 11, p. 1932
14-13-13	Amended	V. 11, p. 1933
14-14-1	Amended	V. 11, p. 1934
14-14-11	Amended	V. 11, p. 1711
14-16-20	Revoked	V. 11, p. 1041
14-19-14	Amended	V. 11, p. 1935
14-19-15	Amended	V. 11, p. 1936
14-20-14	Amended	V. 11, p. 1937
14-20-15	Amended	V. 11, p. 1938
14-20-16	Amended	V. 11, p. 1938
14-21-1	Amended	V. 11, p. 1939
14-21-2	Amended	V. 11, p. 1940
14-21-3	Amended	V. 11, p. 1941
14-22-1	Amended	V. 11, p. 1941
14-22-2	Amended	V. 11, p. 1942
14-22-3	Amended	V. 11, p. 1943

**AGENCY 17: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
17-11-21	Amended	V. 11, p. 1903
17-15-1	Amended	V. 12, p. 311
17-16-8	Amended	V. 12, p. 314
17-21-1 through 17-21-8	New	V. 11, 1040
17-21-1	Amended	V. 12, p. 314
17-21-2	Amended	V. 12, p. 314
17-22-1	New	V. 11, p. 1371

**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
19-40-4	New	V. 11, p. 1369
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

**AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION**

Reg. No.	Action	Register
21-34-1 through 21-34-21	New	V. 11, p. 357-360
21-34-1 through 21-34-21	New	V. 11, p. 504-507
21-60-1 through 21-60-23	New	V. 11, p. 1084-1091, 1153-1160
21-80-1 through 21-80-10	New	V. 11, p. 1764-1766

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-1-2	Amended	V. 12, p. 444
22-1-3	New	V. 12, p. 444
22-1-4	New	V. 12, p. 444
22-1-5	New	V. 12, p. 445
22-1-6	New	V. 12, p. 445
22-2-1	Revoked	V. 12, p. 445
22-3-1	Revoked	V. 12, p. 445
22-3-2	Revoked	V. 12, p. 445
22-4-1	Revoked	V. 12, p. 445
22-5-3	Amended	V. 12, p. 445
22-6-10	Revoked	V. 12, p. 445
22-6-17	Revoked	V. 12, p. 445
22-7-1	Revoked	V. 12, p. 445
22-7-2	Revoked	V. 12, p. 445
22-7-3	Revoked	V. 12, p. 445
22-7-6 through 22-7-12	New	V. 12, p. 445-447
22-8-1	Revoked	V. 12, p. 448
22-10-3a	Revoked	V. 12, p. 448
22-10-10	Revoked	V. 12, p. 448
22-10-12	Revoked	V. 12, p. 448
22-10-13	Revoked	V. 12, p. 448
22-10-14	Revoked	V. 12, p. 448
22-10-17	Revoked	V. 12, p. 448
22-10-18	New	V. 12, p. 448
22-10-19	New	V. 12, p. 448
22-13-35	Revoked	V. 12, p. 449
22-18-3	Amended	V. 12, p. 449
22-19-1	Amended	V. 12, p. 450
22-19-2	Amended	V. 12, p. 450
22-19-3	Amended	V. 12, p. 451
22-19-4	Revoked	V. 12, p. 451
22-19-5	New	V. 12, p. 451
22-20-1	Revoked	V. 12, p. 451
22-22-1	New	V. 12, p. 451

**AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT**

Reg. No.	Action	Register
25-2-2	Revoked	V. 11, p. 1742
25-2-5	Revoked	V. 11, p. 1742
25-4-1	Amended	V. 11, p. 1643, 1702
25-4-4	Amended	V. 11, p. 164

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-8-1 through 26-8-14	New	V. 11, p. 1041-1043

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 12, p. 315
28-14-2	Amended	V. 11, p. 1797

28-15-11	Amended	V. 11, p. 1231
28-15-12	New	V. 12, p. 57
28-15-13	Amended	V. 11, p. 1232
28-15-14	Amended	V. 11, p. 1233
28-15-15	Revoked	V. 11, p. 1236
28-15-15a	New	V. 11, p. 1236
28-15-20	Amended	V. 11, p. 1237
28-16-29	Revoked	V. 11, p. 1260
28-16-30		
through		
28-16-36	New	V. 11, p. 1260, 1261
28-17-6	Amended	V. 11, p. 1543, 1584
28-17-12	Amended	V. 11, p. 1543, 1584
28-17-20	Amended	V. 11, p. 1543, 1584
28-19-17	Amended	V. 11, p. 608
28-19-17a		
through		
28-19-171	Amended	V. 11, p. 608, 609
28-19-17m		
through		
28-19-17q	New	V. 11, p. 609, 610
28-19-19	Amended	V. 11, p. 610
28-19-73	Amended	V. 11, p. 612
28-24-1	New	V. 11, p. 1798
28-24-2	New	V. 11, p. 1798
28-24-4		
through		
28-24-16	New	V. 11, p. 1798-1800
28-29-28		
through		
28-29-36	New	V. 11, p. 614-620, 758-764
28-29-84	New	V. 12, p. 435, 487
28-29-85	New	V. 12, p. 436, 488
28-31-8a	Revoked	V. 11, p. 232
28-31-10a	New	V. 11, p. 232
28-35-147	Amended	V. 11, p. 130
28-38-18		
through		
28-38-23	Amended	V. 12, p. 437, 438
28-38-29	New	V. 12, p. 439
28-53-1	Amended	V. 11, p. 846
28-53-2	Amended	V. 11, p. 846
28-59-7	Amended	V. 11, p. 1643
28-61-1		
through		
28-61-10	New	V. 11, p. 1743-1748

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-2-16	Amended	V. 11, p. 1295
30-4-52	Amended	V. 11, p. 1749
30-4-55	Amended	V. 11, p. 1750
30-4-72	Amended	V. 11, p. 1010, 1044
30-4-73	Amended	V. 12, p. 386
30-4-85a	Amended	V. 12, p. 575
30-4-90	Amended	V. 12, p. 264, 576
30-4-101	Amended	V. 11, p. 1011, 1045
30-4-109	Amended	V. 11, p. 1263
30-4-112	Amended	V. 11, p. 1263
30-4-122a	Amended	V. 12, p. 578
30-4-140	Amended	V. 11, p. 365
30-5-58	Amended	V. 12, p. 387
30-5-59	Amended	V. 12, p. 392
30-5-60	Amended	V. 12, p. 393
30-5-64	Amended	V. 11, p. 372
30-5-65	Amended	V. 11, p. 372
30-5-70	Amended	V. 12, p. 394
30-5-71	Amended	V. 11, p. 1751
30-5-80	New	V. 11, p. 989
30-5-86	Amended	V. 11, p. 1752
30-5-95	Amended	V. 11, p. 205
30-5-100	Amended	V. 11, p. 1752
30-5-100a	Amended	V. 11, p. 1752
30-5-110	Amended	V. 11, p. 373
30-5-114	Amended	V. 11, p. 1265
30-5-151	Amended	V. 12, p. 266, 579
30-5-159	Amended	V. 11, p. 1753
30-5-160	Amended	V. 11, p. 1753

30-5-161	Amended	V. 11, p. 1753
30-5-169	Amended	V. 11, p. 1753
30-5-171	Revoked	V. 11, p. 1753
30-5-173	New	V. 11, p. 1753
30-5-173a	New	V. 11, p. 1753
30-6-52	Amended	V. 11, p. 1753
30-6-53	Amended	V. 11, p. 1754
30-6-55	Amended	V. 11, p. 374
30-6-56	Amended	V. 12, p. 395
30-6-72	Amended	V. 11, p. 1012, 1046
30-6-73	Amended	V. 11, p. 1265
30-6-86	Amended	V. 11, p. 1756
30-6-103	Amended	V. 11, p. 1757
30-6-106	Amended	V. 11, p. 1757
30-6-109	Amended	V. 11, p. 1268
30-6-112	Amended	V. 11, p. 1269
30-6-113	Amended	V. 12, p. 396
30-6-150	Amended	V. 12, p. 398
30-7-100		
through		
30-7-104	New	V. 11, p. 990-992
30-7-100	Amended	V. 12, p. 398
30-9-13	Revoked	V. 11, p. 992
30-9-18		
through		
30-9-22	Revoked	V. 11, p. 992
30-10-1a	Amended	V. 11, p. 1481
30-10-1b	Amended	V. 11, p. 1483
30-10-1c	Amended	V. 11, p. 1484
30-10-2	Amended	V. 11, p. 1484
30-10-3	Revoked	V. 11, p. 1485
30-10-4	Revoked	V. 11, p. 1485
30-10-6	Amended	V. 11, p. 1761
30-10-7	Amended	V. 11, p. 1761
30-10-8	Revoked	V. 11, p. 1485
30-10-11	Amended	V. 11, p. 1762
30-10-15a	Amended	V. 11, p. 1485
30-10-15b	Amended	V. 11, p. 1486
30-10-17	Amended	V. 11, p. 1487
30-10-18	Amended	V. 11, p. 1488
30-10-19	Amended	V. 11, p. 1490
30-10-20	Amended	V. 11, p. 1490
30-10-23a	Amended	V. 11, p. 1490
30-10-23b	Amended	V. 11, p. 1491
30-10-23c	Amended	V. 11, p. 1491
30-10-25	Amended	V. 11, p. 1492
30-10-28	Amended	V. 11, p. 1493
30-10-29	Amended	V. 11, p. 1493
30-10-200	Amended	V. 11, p. 207
30-10-210	Amended	V. 11, p. 209
30-10-212	Amended	V. 11, p. 210
30-10-214	Amended	V. 11, p. 1270
30-10-217	Amended	V. 11, p. 210
30-10-219	Amended	V. 11, p. 211

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-13-30		
through		
36-13-34	Amended	V. 11, p. 657-662
36-13-36	Revoked	V. 11, p. 663
36-13-37	Amended	V. 11, p. 663
36-13-38	New	V. 11, p. 664
36-13-39	New	V. 11, p. 664
36-37-1		
through		
36-37-6	New	V. 12, p. 309, 310
36-38-1	New	V. 12, p. 310
36-38-2	New	V. 12, p. 310

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-37	Amended	V. 11, p. 1801
40-2-12	Amended	V. 11, p. 1801
40-3-47	Amended	V. 11, p. 1967
40-3-49	New	V. 11, p. 1803
40-4-35	Amended	V. 11, p. 82
40-4-37	Amended	V. 11, p. 1803
40-4-37a	New	V. 11, p. 1804

40-4-37b	New	V. 11, p. 1804
40-4-37c	New	V. 11, p. 1804
40-4-37d	New	V. 11, p. 1968
40-4-37e	New	V. 11, p. 1804
40-4-37f	New	V. 11, p. 1805
40-4-37g	New	V. 11, p. 1805
40-4-37h	New	V. 11, p. 1805
40-4-37i	New	V. 11, p. 1806
40-4-37j	New	V. 11, p. 1807
40-4-37k	New	V. 11, p. 1808
40-4-37l	New	V. 11, p. 1809
40-4-37m	New	V. 11, p. 1810
40-4-37n	New	V. 11, p. 1810
40-4-37o	New	V. 11, p. 1810
40-4-37p	New	V. 11, p. 1810
40-4-37r	New	V. 11, p. 1811
40-4-40	New	V. 11, p. 1811
40-7-7	Amended	V. 11, p. 1968
40-7-7a	New	V. 11, p. 1812
40-7-13	Amended	V. 11, p. 1969
40-7-19	Amended	V. 11, p. 1812
40-7-20a	Amended	V. 11, p. 1969
40-8-7	Amended	V. 11, p. 1971
40-9-118	Amended	V. 11, p. 1812
40-14-10	New	V. 11, p. 1971

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
44-6-125	Amended	V. 11, p. 231
44-6-135	Amended	V. 11, p. 231
44-7-104	Amended	V. 11, p. 1830
44-7-113	Amended	V. 11, p. 316
44-7-115	New	V. 11, p. 316
44-12-101	Amended	V. 11, p. 316
44-12-102	Amended	V. 11, p. 316
44-12-104	Amended	V. 11, p. 316
44-12-105	Amended	V. 11, p. 317
44-12-201	Amended	V. 11, p. 317
44-12-202	Amended	V. 11, p. 317
44-12-204	Amended	V. 11, p. 317
44-12-205	Amended	V. 11, p. 317
44-12-208	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-301	Amended	V. 11, p. 317
44-12-307	Amended	V. 11, p. 317
44-12-308	Amended	V. 11, p. 317
44-12-309	Amended	V. 11, p. 317
44-12-312	Amended	V. 11, p. 317
44-12-313	Amended	V. 11, p. 318
44-12-314	Amended	V. 11, p. 318
44-12-315	Amended	V. 11, p. 318
44-12-316	Revoked	V. 11, p. 318
44-12-317	Amended	V. 11, p. 318
44-12-319	Amended	V. 11, p. 318
44-12-321	Amended	V. 11, p. 318
44-12-323	Amended	V. 11, p. 318
44-12-324	Amended	V. 11, p. 319
44-12-325	Amended	V. 11, p. 319
44-12-326	Amended	V. 11, p. 319
44-12-328	New	V. 11, p. 319
44-12-401	Amended	V. 11, p. 319
44-12-501	Amended	V. 11, p. 319
44-12-502	Amended	V. 11, p. 319
44-12-503	Amended	V. 11, p. 319
44-12-505b	New	V. 11, p. 320
44-12-601	Amended	V. 11, p. 320
44-12-602	Amended	V. 11, p. 321
44-12-701	Revoked	V. 11, p. 321
44-12-901	Amended	V. 11, p. 321
44-12-902	Amended	V. 11, p. 322
44-12-1001	Amended	V. 11, p. 322
44-12-1002	Amended	V. 11, p. 322
44-12-1101	Amended	V. 11, p. 322
44-12-1201	Amended	V. 11, p. 322
44-12-1202	Amended	V. 11, p. 322
44-12-1301	Amended	V. 11, p. 323

(continued)



44-12-1302	Amended	V. 11, p. 323
44-12-1303	Amended	V. 11, p. 323
44-12-1304	Revoked	V. 11, p. 323
44-12-1306	Amended	V. 11, p. 323
44-12-1307	Amended	V. 11, p. 324
44-13-101	Amended	V. 11, p. 324
44-13-101a	Amended	V. 11, p. 325
44-13-103	Amended	V. 11, p. 325
44-13-104	Amended	V. 11, p. 325
44-13-106	Amended	V. 11, p. 325
44-13-115	Revoked	V. 11, p. 325
44-13-201	Amended	V. 11, p. 325
44-13-201b	New	V. 11, p. 326
44-13-202	Amended	V. 11, p. 327
44-13-203	Amended	V. 11, p. 327
44-13-301	Revoked	V. 11, p. 327
44-13-302	Revoked	V. 11, p. 327
44-13-302a	New	V. 11, p. 327
44-13-303	Revoked	V. 11, p. 328
44-13-304	Amended	V. 11, p. 328
44-13-401	Amended	V. 11, p. 328
44-13-401a	Amended	V. 11, p. 328
44-13-402	Amended	V. 11, p. 328
44-13-403	Amended	V. 11, p. 328
44-13-404	Amended	V. 11, p. 330
44-13-405	Revoked	V. 11, p. 331
44-13-405a	Amended	V. 11, p. 331
44-13-406	Amended	V. 11, p. 331
44-13-407	Revoked	V. 11, p. 332
44-13-408	Amended	V. 11, p. 332
44-13-501	Amended	V. 11, p. 332
44-13-502	Revoked	V. 11, p. 332
44-13-502a	New	V. 11, p. 332
44-13-503	Revoked	V. 11, p. 332
44-13-504	Revoked	V. 11, p. 333
44-13-506	Amended	V. 11, p. 333
44-13-507	Amended	V. 11, p. 333
44-13-601	Amended	V. 11, p. 333
44-13-603	Amended	V. 11, p. 333
44-13-610	Amended	V. 11, p. 333
44-13-701	Amended	V. 11, p. 333
44-13-702	Amended	V. 11, p. 334
44-13-703	Amended	V. 11, p. 334
44-13-704	Amended	V. 11, p. 334
44-13-705	Amended	V. 11, p. 334
44-13-706	Amended	V. 11, p. 334
44-13-707	Amended	V. 11, p. 335
44-15-101	Amended	V. 11, p. 335
44-15-102	Amended	V. 11, p. 335
44-15-105a	New	V. 11, p. 336
44-16-104	Amended	V. 11, p. 337

**AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—**  
**DIVISION OF WORKERS' COMPENSATION**

Reg. No.	Action	Register
51-24-1	Amended	V. 11, p. 212
51-24-4	Amended	V. 11, p. 212
51-24-8	New	V. 11, p. 213
51-24-9	New	V. 11, p. 213
51-24-10	New	V. 11, p. 214

**AGENCY 54: KANSAS STATE LIBRARY**

Reg. No.	Action	Register
54-1-23	New	V. 11, p. 1894

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-102	Amended	V. 12, p. 348
60-1-103	Amended	V. 12, p. 348
60-3-101	Amended	V. 12, p. 348
60-3-111	New	V. 12, p. 349
60-4-101	Amended	V. 12, p. 489
60-4-103	Amended	V. 12, p. 489
60-7-108	New	V. 12, p. 349
60-8-101	Amended	V. 12, p. 489
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 12, p. 349
60-9-107	New	V. 11, p. 83
60-11-103	Amended	V. 12, p. 350
60-11-114	New	V. 11, p. 85

60-11-118	Amended	V. 12, p. 350
60-11-119	Amended	V. 12, p. 489
60-12-105	New	V. 11, p. 85
60-13-101	Amended	V. 12, p. 489
60-13-113	New	V. 11, p. 85

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 12, p. 631
63-1-4	Amended	V. 12, p. 632
63-3-10	Amended	V. 12, p. 632
63-3-11	Amended	V. 12, p. 632
63-3-19	Amended	V. 12, p. 633
63-3-20	Amended	V. 11, p. 133
63-3-21	New	V. 11, p. 133
63-4-1	Amended	V. 12, p. 633

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-4-1		
through		
65-4-5	New	V. 11, p. 470, 471
65-4-3	Amended	V. 12, p. 630
65-4-4	Amended	V. 12, p. 630
65-5-1		
through		
65-5-8	New	V. 11, p. 472, 473
65-6-8	Revoked	V. 11, p. 473
65-6-11	Revoked	V. 11, p. 474
65-6-12	Revoked	V. 11, p. 474
65-6-16	Revoked	V. 11, p. 474
65-6-25	Revoked	V. 11, p. 474
65-6-30	Revoked	V. 11, p. 474
65-6-33	Revoked	V. 11, p. 474
65-6-36	Revoked	V. 11, p. 474
65-6-37	Revoked	V. 11, p. 474
65-7-1	Revoked	V. 11, p. 474
65-7-2	Revoked	V. 11, p. 474
65-7-4	Revoked	V. 11, p. 474
65-7-8	Revoked	V. 11, p. 474
65-7-9	Revoked	V. 11, p. 474
65-7-11	Revoked	V. 11, p. 474
65-7-12	Revoked	V. 11, p. 474
65-7-13	Revoked	V. 11, p. 474
65-7-14	Revoked	V. 11, p. 474
65-8-1		
through		
65-8-4	New	V. 11, p. 474, 475
65-9-1		
through		
65-9-5	New	V. 11, p. 475, 476
65-10-1	New	V. 11, p. 476
65-10-2	New	V. 11, p. 477
65-10-3	New	V. 11, p. 477
65-11-1	New	V. 11, p. 477
65-11-2	New	V. 11, p. 477
65-11-3	New	V. 11, p. 477

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 12, p. 10
66-6-3	Revoked	V. 12, p. 10
66-6-4	Amended	V. 12, p. 10
66-6-6	Amended	V. 12, p. 11
66-6-7	Revoked	V. 12, p. 11
66-6-8	Amended	V. 12, p. 11
66-6-9	Amended	V. 12, p. 11
66-7-1	Amended	V. 11, p. 408
66-7-2	Amended	V. 11, p. 408
66-8-1	Amended	V. 11, p. 409
66-8-2		
through		
66-8-5	Amended	V. 12, p. 11, 12
66-8-6	Amended	V. 11, p. 409
66-9-1	Amended	V. 12, p. 12
66-9-2	Amended	V. 12, p. 12
66-9-3	Revoked	V. 12, p. 12
66-9-4	Amended	V. 12, p. 12
66-9-5	New	V. 12, p. 12

66-10-1	Amended	V. 12, p. 13
66-10-2	Revoked	V. 12, p. 13
66-10-3	Amended	V. 12, p. 13
66-10-4	Amended	V. 12, p. 13
66-10-5	Amended	V. 12, p. 13
66-10-6	Revoked	V. 12, p. 13
66-10-7	Revoked	V. 12, p. 13
66-10-8	Revoked	V. 12, p. 13
66-10-10	Amended	V. 12, p. 13
66-10-10a	New	V. 12, p. 13
66-10-11	Amended	V. 12, p. 14
66-10-12	Amended	V. 12, p. 14
66-11-1	Amended	V. 11, p. 411
66-11-2	Amended	V. 12, p. 14
66-11-3	Amended	V. 12, p. 14
66-12-1	New	V. 11, p. 412
66-13-1	Amended	V. 12, p. 14

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-2-20	Amended	V. 11, p. 1611
68-7-12	Amended	V. 11, p. 1611
68-7-12a	New	V. 12, p. 186
68-7-19	New	V. 12, p. 187
68-11-1	Amended	V. 11, p. 1612
68-12-2	Amended	V. 12, p. 187
68-14-1		
through		
68-14-7	New	V. 11, p. 665, 666
68-20-18	Amended	V. 12, p. 187
68-20-19	Amended	V. 12, p. 188

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-3-2	Amended	V. 11, p. 1749
69-3-11	Amended	V. 11, p. 1749
69-6-5	Amended	V. 11, p. 1749
69-7-1	Revoked	V. 11, p. 1800
69-7-2	Revoked	V. 11, p. 1800
69-7-3	Revoked	V. 11, p. 1800
69-7-4	Revoked	V. 11, p. 1800
69-7-5	Revoked	V. 11, p. 1800
69-7-7	Revoked	V. 11, p. 1800
69-7-14	Revoked	V. 11, p. 1800
69-7-16	Revoked	V. 11, p. 1800
69-7-22	Revoked	V. 11, p. 1800
69-7-23	Revoked	V. 11, p. 1800
69-7-25	Revoked	V. 11, p. 1800
69-7-26	Revoked	V. 11, p. 1800
69-7-27	Revoked	V. 11, p. 1800
69-11-1	Amended	V. 11, p. 1749

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-16	New	V. 12, p. 439
71-1-17	New	V. 12, p. 439
71-3-3	Amended	V. 12, p. 532

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 11, p. 847
74-5-2	Amended	V. 12, p. 229
74-5-103	Amended	V. 11, p. 848
74-5-104	Amended	V. 11, p. 848
74-5-202	Amended	V. 11, p. 849
74-5-203	Amended	V. 11, p. 849

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-11	Amended	V. 11, p. 1176
75-6-24	Amended	V. 11, p. 908
75-6-26	Amended	V. 11, p. 1176

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-401	Amended	V. 12, p. 376
82-3-401a	New	V. 12, p. 377
82-4-1	Amended	V. 12, p. 439
82-4-3	Amended	V. 12, p. 440

82-4-6d	Amended	V. 12, p. 441	92-52-9	Amended	V. 11, p. 559	111-3-6	Amended	V. 12, p. 677
82-4-8a	Amended	V. 12, p. 441	92-52-9a	New	V. 11, p. 560	111-3-9	Revoked	V. 11, p. 1793
82-4-20	Amended	V. 12, p. 442	AGENCY 93: DEPARTMENT OF REVENUE— DIVISION OF PROPERTY VALUATION			111-3-10		
82-4-27a	Amended	V. 12, p. 442	Reg. No.	Action	Register	through		
82-4-27c	Amended	V. 11, p. 812	93-5-1	New	V. 11, p. 554	111-3-31	New	V. 7, p. 201-206
82-4-27e	Amended	V. 11, p. 812	AGENCY 98: KANSAS WATER OFFICE			111-3-11	Amended	V. 8, p. 299
82-4-27g	New	V. 11, p. 812	Reg. No.	Action	Register	111-3-12	Amended	V. 10, p. 12
82-4-29	Amended	V. 12, p. 443	98-5-2	Amended	V. 12, p. 351	111-3-13	Amended	V. 11, p. 1148
82-4-34	Revoked	V. 12, p. 443	98-5-3	Amended	V. 12, p. 352	111-3-14	Amended	V. 10, p. 12
82-4-35a	Amended	V. 12, p. 443	98-5-5	Amended	V. 12, p. 353	111-3-16	Amended	V. 9, p. 1566
82-4-37	Amended	V. 12, p. 443	AGENCY 100: BOARD OF HEALING ARTS			111-3-19		
82-4-38	Revoked	V. 12, p. 443	Reg. No.	Action	Register	through		
82-4-39	Amended	V. 12, p. 443	100-11-1	Amended	V. 11, p. 1039, 1117	111-3-22	Amended	V. 9, p. 30
AGENCY 86: REAL ESTATE COMMISSION			100-46-6	New	V. 12, p. 679	111-3-20	Amended	V. 11, p. 1148
Reg. No.	Action	Register	100-47-1	Amended	V. 12, p. 679	111-3-21	Amended	V. 11, p. 1148
86-1-13	Amended	V. 11, p. 1230	100-49-5	New	V. 11, p. 1084	111-3-22	Amended	V. 11, p. 1148
86-3-23	New	V. 11, p. 1832	100-60-3	Revoked	V. 11, p. 2007	111-3-23	Revoked	V. 10, p. 883
86-3-24	New	V. 11, p. 1832	100-60-4	Amended	V. 11, p. 2007	111-3-25	Amended	V. 11, p. 1149
AGENCY 88: BOARD OF REGENTS			100-60-5	Amended	V. 11, p. 2007	111-3-26	Amended	V. 11, p. 1149
Reg. No.	Action	Register	100-60-6	Amended	V. 11, p. 2007	111-3-27	Amended	V. 11, p. 1149
88-8-2	Amended	V. 11, p. 1675	100-60-8			111-3-29	Revoked	V. 11, p. 1149
88-8-9	New	V. 11, p. 1675	through			111-3-31	Amended	V. 8, p. 209
88-9-3	Amended	V. 11, p. 1675	100-60-14	Amended	V. 11, p. 2008, 2009	111-3-32	Amended	V. 10, p. 883
88-10-4	Amended	V. 12, p. 631	AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD			111-3-33	New	V. 7, p. 1434
88-11-5	Amended	V. 12, p. 631	Reg. No.	Action	Register	111-4-1		
88-13-4	Amended	V. 11, p. 1675	102-5-1			through		
88-13-11	Amended	V. 11, p. 1675	through			111-4-5	Revoked	V. 12, p. 113
88-18-3	Amended	V. 11, p. 1676	102-5-12	New	V. 12, p. 189-194	111-4-5a	Revoked	V. 12, p. 113
88-18-8	Amended	V. 11, p. 1676	AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES			111-4-6		
88-19-2	Amended	V. 11, p. 1676	Reg. No.	Action	Register	through		
88-19-4	Amended	V. 11, p. 1676	105-3-9	Amended	V. 11, p. 1832	111-4-15	Revoked	V. 12, p. 113
88-20-3	Amended	V. 11, p. 1676	105-5-2	Amended	V. 12, p. 9	111-4-16		
88-20-9	Amended	V. 11, p. 1677	105-5-6	Amended	V. 12, p. 9	111-4-17		
88-21-3	Amended	V. 11, p. 1677	105-5-7	Amended	V. 12, p. 9	111-4-18		
88-21-8	Amended	V. 11, p. 1677	105-5-8	Amended	V. 12, p. 9	111-4-19		
88-22-1			AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES			111-4-20	New	V. 7, p. 1606-1610
through			Reg. No.	Action	Register	111-4-100	Amended	V. 11, p. 1472
88-22-10	New	V. 12, p. 93, 94	109-1-1	Amended	V. 11, p. 131	111-4-101	Amended	V. 11, p. 976
AGENCY 91: DEPARTMENT OF EDUCATION			109-9-5	New	V. 11, p. 133	111-4-102	Amended	V. 11, p. 976
Reg. No.	Action	Register	AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING			111-4-103	Amended	V. 10, p. 1211
91-1-27d	New	V. 11, p. 765	Reg. No.	Action	Register	111-4-104	Amended	V. 11, p. 1793
91-1-30	Amended	V. 12, p. 579	110-4-1			111-4-105	Amended	V. 11, p. 977
91-1-80	Amended	V. 12, p. 580	through			111-4-106	Amended	V. 11, p. 1472
91-1-102a	New	V. 12, p. 581	110-4-4	New	V. 11, p. 1176-1178, 1258-1260	111-4-106a	Amended	V. 11, p. 1149
91-1-104b	New	V. 12, p. 582	110-5-1			111-4-107	Amended	V. 11, p. 978
91-1-104c	New	V. 12, p. 582	through			111-4-108	Amended	V. 11, p. 978
91-1-110a	Amended	V. 12, p. 582	110-5-6	New	V. 11, p. 1370, 1371 1703,1704	111-4-110	Amended	V. 11, p. 978
91-1-110c	New	V. 12, p. 583	AGENCY 111: THE KANSAS LOTTERY			111-4-111	Amended	V. 9, p. 1366
91-1-112c	New	V. 12, p. 583	Reg. No.	Action	Register	111-4-112	Amended	V. 11, p. 978
91-1-112d	New	V. 12, p. 584	111-1-2	Amended	V. 7, p. 1190	111-4-113	Amended	V. 9, p. 1366
91-1-113b	New	V. 12, p. 584	111-1-5	Amended	V. 8, p. 586	111-4-114	Amended	V. 9, p. 1366
91-5-2	Amended	V. 11, p. 1144	111-2-1	Amended	V. 7, p. 1995	111-4-153		
91-5-7	Amended	V. 11, p. 1584	111-2-2	Amended	V. 9, p. 1675	through		
91-12-22	Amended	V. 12, p. 585	111-2-2a	Revoked	V. 9, p. 1675	111-4-160	Revoked	V. 9, p. 1676, 1677
91-12-23	Amended	V. 12, p. 589	111-2-6	Amended	V. 11, p. 136	111-4-177		
91-12-24a	Amended	V. 12, p. 590	111-2-7	Revoked	V. 10, p. 1210	through		
91-12-27	Amended	V. 12, p. 590	111-2-13	Revoked	V. 10, p. 981	111-4-212	Revoked	V. 9, p. 1677, 1678
91-12-28	Amended	V. 12, p. 590	111-2-14	New	V. 9, p. 30	111-4-213		
91-12-30	Amended	V. 12, p. 591	111-2-15	Revoked	V. 10, p. 881	through		
91-12-33	Amended	V. 12, p. 591	111-2-16	Revoked	V. 10, p. 1210	111-4-220	Revoked	V. 10, p. 1213
91-12-37	Amended	V. 12, p. 591	111-2-17	Revoked	V. 10, p. 1210	111-4-217	Amended	V. 9, p. 986
91-12-40	Amended	V. 12, p. 592	111-2-18	Revoked	V. 11, p. 413	111-4-221		
91-12-41	Amended	V. 12, p. 593	111-2-19	Revoked	V. 11, p. 413	through		
91-12-44	Amended	V. 12, p. 594	111-2-20	New	V. 11, p. 199	111-4-224	Revoked	V. 10, p. 1585
91-12-47	Amended	V. 12, p. 595	111-2-21	New	V. 11, p. 1471	111-4-225		
91-12-51	Amended	V. 12, p. 596	111-2-22	New	V. 11, p. 1972	through		
91-12-53	Amended	V. 12, p. 596	111-2-23	New	V. 12, p. 113	111-4-228	Revoked	V. 10, p. 1585
91-12-54	Amended	V. 12, p. 597	111-2-24	New	V. 12, p. 520	111-4-229		
91-12-55	Amended	V. 12, p. 598	111-2-25	New	V. 12, p. 677	through		
91-12-59	Amended	V. 12, p. 598	111-3-1	Amended	V. 10, p. 1210	111-4-236	Revoked	V. 10, p. 1585, 1586
91-12-61	Amended	V. 12, p. 598	AGENCY 92: DEPARTMENT OF REVENUE			111-4-237		
91-12-64	Amended	V. 12, p. 599	Reg. No.	Action	Register	through		
91-12-65	Amended	V. 12, p. 600	92-12-112	New	V. 11, p. 559	111-4-240	Revoked	V. 11, p. 413
AGENCY 92: DEPARTMENT OF REVENUE			92-51-34	Amended	V. 11, p. 559	111-4-241		
Reg. No.	Action	Register	AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES			111-4-244	New	V. 9, p. 1812 (continued)
92-12-112	New	V. 11, p. 559	109-1-1	Amended	V. 11, p. 131			
92-51-34	Amended	V. 11, p. 559	109-9-5	New	V. 11, p. 133			

111-4-245 through			111-4-405 through			111-7-1 through		
111-4-248	New	V. 10, p. 200	111-4-409	Amended	V. 11, p. 1473, 1474	111-7-10	New	V. 7, p. 1192, 1193
111-4-249 through			111-4-411	Amended	V. 11, p. 1474	111-7-1	Amended	V. 8, p. 212
111-4-256	Revoked	V. 12, p. 113, 114	111-4-412	Amended	V. 11, p. 1475	111-7-3	Amended	V. 11, p. 1796
111-4-257 through			111-4-413	Amended	V. 11, p. 1475	111-7-3a	New	V. 11, p. 1796
111-4-286	Revoked	V. 11, p. 413, 414	111-4-414 through			111-7-4	Amended	V. 9, p. 1367
111-4-287 through			111-4-428	New	V. 11, p. 981-983	111-7-5	Amended	V. 9, p. 986
111-4-300	New	V. 10, p. 883-886	111-4-414	Amended	V. 11, p. 1150	111-7-6	Amended	V. 9, p. 987
111-4-291 through			111-4-429 through			111-7-9	Amended	V. 9, p. 1569
111-4-300	Revoked	V. 12, p. 114	111-4-432	New	V. 11, p. 1118	111-7-11	Amended	V. 10, p. 1475
111-4-301 through			111-4-433 through			111-7-12 through		
111-4-307	New	V. 10, p. 1015, 1016	111-4-436	New	V. 11, p. 1150, 1151	111-7-32	New	V. 7, p. 1194-1196
111-4-301 through			111-4-437 through			111-7-33 through		
111-4-306	Amended	V. 11, p. 979	111-4-444	New	V. 11, p. 1475-1477	111-7-43	New	V. 7, p. 1197, 1198
111-4-308 through			111-4-445 through			111-7-33a	New	V. 8, p. 300
111-4-320	New	V. 10, p. 1214, 1215	111-4-453	New	V. 11, p. 1794-1796	111-7-44		
111-4-308	Amended	V. 10, p. 1472	111-4-454 through			111-7-54	New	V. 9, p. 1367-1370
111-4-311	Amended	V. 10, p. 1472	111-4-457	New	V. 11, p. 1944	111-7-46	Amended	V. 11, p. 1152
111-4-312	Amended	V. 10, p. 1472	111-4-458 through			111-7-54	Amended	V. 11, p. 1511
111-4-318 through			111-4-461	New	V. 11, p. 1972, 1973	111-7-55 through		
111-4-321	Revoked	V. 12, p. 114	111-4-462 through			111-7-63	Revoked	V. 10, p. 1217
111-4-322 through			111-4-465	New	V. 12, p. 115	111-7-60	Amended	V. 10, p. 262
111-4-351	New	V. 10, p. 1411-1413	111-4-466 through			111-7-64 through		
111-4-328 through			111-4-473	New	V. 12, p. 316, 317	111-7-75	New	V. 11, p. 13, 14
111-4-335	Revoked	V. 12, p. 114	111-4-470	Amended	V. 12, p. 522	111-7-66	Amended	V. 11, p. 1797
111-4-356 through			111-4-474 through			111-7-66a	New	V. 11, p. 1797
111-4-345	New	V. 10, p. 1526-1528	111-4-488	New	V. 12, p. 522-524	111-7-76 through		
111-4-356 through			111-4-493 through			111-7-83	New	V. 11, p. 1478-1480
111-4-340	Amended	V. 11, p. 1472, 1473	111-4-496	New	V. 12, p. 525	111-7-84 through		
111-4-359	Amended	V. 11, p. 1793	111-5-1 through			111-7-90	New	V. 12, p. 677, 678
111-4-341	Revoked	V. 11, p. 1473	111-5-23	New	V. 7, p. 209-213	111-8-1	New	V. 7, p. 1633
111-4-341a	New	V. 11, p. 1793	111-5-9 through			111-8-2	New	V. 7, p. 1633
111-4-341b	New	V. 11, p. 1794	111-5-15	Amended	V. 8, p. 210, 211	111-8-3	Amended	V. 10, p. 886
111-4-344	Amended	V. 11, p. 1473	111-5-11	Amended	V. 9, p. 505	111-8-4	New	V. 7, p. 1714
111-4-346 through			111-5-12	Amended	V. 11, p. 415	111-8-4a	New	V. 7, p. 1995
111-4-361	New	V. 10, p. 1586-1589	111-5-17	Amended	V. 8, p. 211	111-8-5 through		
111-4-346 through			111-5-18	Amended	V. 10, p. 13	111-8-13	New	V. 7, p. 1634
111-4-349	Revoked	V. 12, p. 114	111-5-19	Amended	V. 8, p. 212	111-9-1 through		
111-4-362 through			111-5-21 through			111-9-12	New	V. 7, p. 1714-1716
111-4-365	Revoked	V. 12, p. 114, 115	111-5-33	New	V. 11, p. 415-418	111-9-1		
111-4-362	Amended	V. 11, p. 13	111-5-22	Amended	V. 11, p. 481	111-9-13 through		
111-4-366 through			111-5-23	Amended	V. 11, p. 481	111-9-18	Revoked	V. 9, p. 1680
111-4-379	New	V. 11, p. 136-139	111-5-24	Amended	V. 11, p. 983	111-9-25 through		
111-4-380 through			111-5-25	Amended	V. 11, p. 482	111-9-30	New	V. 9, p. 699, 700
111-4-383	New	V. 11, p. 477, 478	111-5-27	Amended	V. 11, p. 482	111-9-31 through		
111-4-384 through			111-5-28	Amended	V. 12, p. 317	111-9-36	New	V. 10, p. 262
111-4-387	New	V. 11, p. 414	111-5-34	New	V. 12, p. 318	111-9-37 through		
111-4-388 through			111-5-35 through			111-9-48	New	V. 10, p. 1439, 1440
111-4-400	New	V. 11, p. 478-481	111-5-38	New	V. 12, p. 526	111-9-49 through		
111-4-392	Amended	V. 12, p. 520	111-6-1 through			111-9-54	New	V. 12, p. 318, 319
111-4-394 through			111-6-15	New	V. 7, p. 213-217	111-10-1 through		
111-4-400	Amended	V. 12, p. 521, 522	111-6-1	Amended	V. 12, p. 527	111-10-9	New	V. 8, p. 136-138
111-4-401 through			111-6-3	Amended	V. 12, p. 527	111-10-7	Amended	V. 8, p. 301
111-4-404	New	V. 11, p. 980, 981	111-6-4	Amended	V. 10, p. 1413	AGENCY 112: KANSAS RACING COMMISSION		
111-4-405 through			111-6-5	Amended	V. 10, p. 14	Reg. No.	Action	Register
111-4-413	New	V. 11, p. 756, 757	111-6-6	Amended	V. 11, p. 1973	112-4-1	Amended	V. 11, p. 1974, 2010
			111-6-7	Amended	V. 11, p. 1477	112-4-4	Amended	V. 11, p. 165
			111-6-8	Amended	V. 11, p. 1478	112-4-5	Amended	V. 11, p. 1975, 2011
			111-6-9	Amended	V. 10, p. 1217	112-4-6	Amended	V. 11, p. 1975, 2011
			111-6-12	Amended	V. 8, p. 212	112-4-8	Amended	V. 11, p. 1975, 2011
			111-6-13	Amended	V. 8, p. 299			
			111-6-15	Amended	V. 12, p. 677			
			111-6-17	Revoked	V. 10, p. 1475			

112-4-9a New V. 11, p. 1976, 2011  
 112-4-12 Amended V. 11, p. 1976, 2011  
 112-4-13 Revoked V. 11, p. 1976, 2012  
 112-4-16 Amended V. 11, p. 1976, 2012  
 112-4-17 Amended V. 11, p. 1976, 2012  
 112-4-18 Amended V. 11, p. 1977, 2012  
 112-4-19 Amended V. 11, p. 1977, 2012  
 112-4-21a New V. 11, p. 1977, 2013  
 112-4-22 Amended V. 11, p. 1977, 2013  
 112-4-23 New V. 11, p. 1977, 2013  
 112-7-2 Amended V. 11, p. 1977, 2013  
 112-7-5 through 112-7-10 Amended V. 11, p. 1978-1979, 2013-2015  
 112-7-13 Amended V. 11, p. 1980, 2015  
 112-7-15 Revoked V. 11, p. 1980, 2016  
 112-7-15a New V. 11, p. 1980, 2016  
 112-7-15b New V. 11, p. 1981, 2017  
 112-7-16 Amended V. 11, p. 1981, 2017  
 112-7-16a New V. 11, p. 1982, 2017  
 112-7-18 Amended V. 11, p. 1982, 2018  
 112-7-18a New V. 11, p. 1982, 2018  
 112-7-20 Amended V. 11, p. 1983, 2018  
 112-7-21 Amended V. 11, p. 1983, 2018  
 112-7-22 Amended V. 11, p. 1983, 2019  
 112-7-23 New V. 11, p. 1984, 2020  
 112-9-2 Amended V. 12, p. 355  
 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 Amended V. 12, p. 355, 378  
 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  
 112-9-30 Amended V. 12, p. 355  
 112-9-39 Revoked V. 11, p. 568  
 112-9-39a Amended V. 12, p. 356, 378  
 112-9-40 Revoked V. 11, p. 568  
 112-9-40a Amended V. 12, p. 356, 379  
 112-9-41 Revoked V. 11, p. 570, 754  
 112-9-41a Amended V. 12, p. 358, 380  
 112-9-42 Amended V. 12, p. 359, 382  
 112-9-43 Amended V. 12, p. 361, 383  
 112-9-44 Amended V. 12, p. 361, 384  
 112-10-2 through 112-10-6 Amended V. 11, p. 1984-1987, 2020-2023  
 112-10-8 Amended V. 11, p. 1988, 2023  
 112-10-9 Revoked V. 11, p. 1988, 2024  
 112-10-9a New V. 11, p. 1988, 2024  
 112-10-12 Amended V. 11, p. 1988, 2024  
 112-10-32 Amended V. 11, p. 1989, 2025  
 112-10-33 Amended V. 11, p. 1989, 2025  
 112-10-35 Amended V. 11, p. 1990, 2026  
 112-10-36 Revoked V. 11, p. 165  
 112-10-36a New V. 11, p. 135  
 112-10-37 Amended V. 11, p. 1990, 2026  
 112-11-13 Revoked V. 11, p. 1990, 2026  
 112-11-13a New V. 11, p. 1991, 2026  
 112-12-1 New V. 12, p. 50  
 112-12-2 through 112-12-11 Amended V. 12, p. 50-53  
 112-17-1 through 112-17-14 New V. 11, p. 1612-1617  
 112-18-2 through 112-18-19 New V. 11, p. 1512-1516, 1579-1583

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. 1329
115-2-2	Amended	V. 11, p. 1330
115-2-3	Amended	V. 11, p. 1330
115-2-4	Amended	V. 11, p. 1330
115-4-1	Amended	V. 12, p. 570
115-4-3	Amended	V. 12, p. 570
115-4-5	Amended	V. 12, p. 571
115-4-6	Amended	V. 12, p. 572
115-4-7	Amended	V. 12, p. 574
115-8-6	Amended	V. 11, p. 1743
115-8-9	Amended	V. 11, p. 1330
115-11-2	Amended	V. 11, p. 1144
115-15-1	Amended	V. 11, p. 1145
115-15-2	Amended	V. 11, p. 1146
115-16-3	Amended	V. 11, p. 1147
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-14	New	V. 11, p. 607
115-18-8	New	V. 11, p. 608

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 12, p. 528
117-2-1	Amended	V. 12, p. 528
117-2-4	Amended	V. 12, p. 529
117-3-1	Amended	V. 12, p. 529
117-4-1	Amended	V. 12, p. 530
117-4-4	Amended	V. 12, p. 530
117-6-1	Amended	V. 12, p. 531
117-6-2	Amended	V. 12, p. 531
117-8-1	Amended	V. 12, p. 531

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-1-1 through 118-1-4	New	Vol. 11, p. 1119, 1120
118-2-1	New	V. 11, p. 554

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

(Editor's Note: The following bill contains two line-item vetoes by the Governor. One of the vetoes was subsequently overridden by the Kansas Legislature and is indicated with a (\*). The Governor's line-item veto message and the Legislature's certificate overriding the veto immediately follow the bill.)

(Published in the Kansas Register, May 6, 1993.)

HOUSE BILL No. 2087

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1993, for the Kansas board of barbering, Kansas dental board, consumer credit commissioner, board of nursing, Kansas real estate commission, office of the securities commissioner of Kansas, department of revenue, department of commerce and housing, department of education, state library, state board of agriculture, Kansas state grain inspection department, department of corrections, Winfield correctional facility, department of social and rehabilitation services, Kansas neurological institute, Parsons state hospital and training center, Larned state hospital, Osawatomic state hospital, Rainbow mental health facility, Topeka state hospital, state historical society, state conservation commission, Kansas water office, state board of tax appeals, judicial council, state board of indigents' defense services, judicial branch, Kansas animal health department, Winfield state hospital and training center and Kansas lottery; and authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 14 of chapter 204 of the 1992 Session Laws of Kansas and repealing the existing section.

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

Section 1. For the fiscal year ending June 30, 1993, 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 BOARD OF BARBERING

(a) The expenditure limitation established by the state finance council on the barber examiner fee fund is hereby increased from \$85,352 to \$93,234.

Sec. 3.

KANSAS DENTAL BOARD

(a) The expenditure limitation established by the state finance council on the dental board fee fund is hereby increased from \$167,612 to \$177,612.

Sec. 4. Section 14 of chapter 204 of the 1992 Session Laws of Kansas is hereby amended to read as follows: Sec. 14.

CONSUMER CREDIT COMMISSIONER

(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:

Table with 2 columns: Consumer credit fee fund, \$323,407, \$325,754

Provided, That quarterly transfers of moneys may be made from this fund to the appropriate account of the restricted fees fund of Kansas Wichita state university pursuant to a contract which is hereby authorized to be entered into by the consumer credit commissioner and the Kansas council on economic education of Kansas Wichita state university to conduct a consumer credit education program: Provided, further, That any appropriate account of the restricted fees fund of Kansas Wichita state university pursuant to such contract shall be in addition to any expenditure limitation imposed on this

fund: Provided, however, That the total amount of such quarterly transfers shall not exceed \$70,000.

Sec. 5. Section 14 of chapter 204 of the 1992 Session Laws of Kansas is hereby repealed.

Sec. 6.

BOARD OF NURSING

(a) The expenditure limitation established by the state finance council on the board of nursing fee fund is hereby increased from \$739,461 to \$760,400.

Sec. 7.

KANSAS REAL ESTATE COMMISSION

(a) The expenditure limitation established by the state finance council on the real estate fee fund is hereby increased from \$558,789 to \$560,459.

(b) The expenditure limitation established by the state finance council on the appraiser fee fund is hereby increased from \$61,640 to \$64,580.

Sec. 8.

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 decreased from \$1,454,432 to \$1,394,432.

Provided, That, in addition to any aggregate expenditure limitation imposed on the securities act fee fund for fiscal year 1993 but subject to the following expenditure limitation imposed thereon, expenditures may be made from the securities act fee fund for hearing and litigation costs: Provided, however, That the expenditures for fiscal year 1993 from the securities act fee fund for hearing and litigation costs shall not exceed \$60,000.

Sec. 9.

DEPARTMENT OF REVENUE

(a) The expenditure limitation established by the state finance council on the division of vehicles operating fund is hereby increased from \$30,737,413 to \$30,740,545.

Sec. 10.

DEPARTMENT OF COMMERCE AND HOUSING

(a) The expenditure limitation established by section 6(b) of chapter 212 of the 1992 Session Laws of Kansas on the oil overcharge-weatherization fund is hereby increased from \$1,000,000 to \$1,634,577.

(b) The expenditure limitation established by the state finance council on the low income housing tax credit fee fund is hereby increased from \$178,323 to \$181,793.

(c) The expenditure limitation established by the state finance council on the community services block grant-federal fund is hereby increased from \$2,950,307 to \$3,899,432.

(d) The expenditure limitation established by the state finance council on the weatherization block grant-federal fund is hereby increased from \$1,466,500 to \$2,027,465.

(e) The expenditure limitation established by the state finance council on the community development block grant administrative match-federal fund is hereby increased from \$546,441 to \$553,994.

(f) The expenditure limitation established by section 6(b) of chapter 212 of the 1992 Session Laws of Kansas on the HUD rental rehabilitation program-federal fund is hereby increased from \$34,360 to \$35,419.

(g) The expenditure limitation established by section 6(a) of 1993 Senate Bill No. 38 on the state economic development initiatives fund is hereby increased from \$8,848,729 to \$9,148,729.

(h) The expenditure limitation established by section 6(a) of 1993 Senate Bill No. 38 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$8,848,729 to \$9,148,729.

(i) The expenditure limitation established by section 6(b) of chapter 212 of the 1992 Session Laws of Kansas on the Kansas industrial training program and Kansas industrial retraining program subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$2,250,000 to \$2,550,000.

Sec. 11.

DEPARTMENT OF EDUCATION

\* (a) There is appropriated for the above agency from the state general fund the following.

Community college credit hour state aid .....	\$1,386,183
Community college out district state aid entitlement .....	775,881
Total .....	\$2,162,064

(b) On June 30, 1993, of the amount appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of chapter 324 of the 1992 Session Laws of Kansas from the state general fund in the general state aid account, the amount of \$9,569,870 is hereby lapsed: *Provided*, That, if the sum of (1) the total amount of local effort, as defined in the school district finance and quality performance act, of all districts, (2) the total of all amounts credited to the state school district finance fund under K.S.A. 72-6418 and amendments thereto, and (3) all amounts transferred to such fund, is less than \$1,257,613,000, as certified by the state board of education, then expenditures may be made in fiscal year 1993, upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, from such amount to be lapsed, in an amount equal to the difference between \$1,257,613,000 and the sum of the total amount of local effort and the total of all amounts credited and all amounts transferred to the state school district finance fund: *Provided further*, That if expenditures from such amount to be lapsed are approved by the state finance council and the amount approved for expenditure is less than \$9,569,870, then the amount equal to \$9,569,870 less the amount approved for expenditure 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, 1993, by section 2(a) of chapter 324 of the 1992 Session Laws of Kansas from the state general fund in the supplemental general state aid account, the sum of \$1,629,790 is hereby lapsed.

(d) The expenditure limitation established by section 2(b) of chapter 324 of the 1992 Session Laws of Kansas on the state operations account of the adult basic education—federal fund is hereby increased from \$167,467 to \$207,467.

Sec. 12.

STATE LIBRARY

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

Operating expenditures .....	\$7,445
------------------------------	---------

Sec. 13.

STATE BOARD OF AGRICULTURE

(a) The expenditure limitation established by section 2(b) of chapter 211 of the 1992 Session Laws of Kansas on the pest detection and survey—federal fund is hereby increased from \$23,000 to No limit.

(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:

EPA enforcement grant—lab equipment replacement—federal fund .....	No limit
--	----------

Sec. 14.

KANSAS STATE GRAIN INSPECTION DEPARTMENT

(a) The expenditure limitation established by the state finance council on the grain inspection fee fund is hereby increased from \$5,805,583 to \$5,906,412.

Sec. 15.

DEPARTMENT OF CORRECTIONS

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

Community correctional conservation camps .....	\$188,645
Operating expenditures .....	65,000
Total .....	\$253,645

(b) The expenditure limitation established by the state finance council on the correctional industries fund is hereby increased from \$9,058,392 to \$9,492,837.

(c) On the effective date of this act, of the \$9,369,655 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 25(a) of chapter 327 of the 1992 Session Laws of Kansas from the state general fund in the offender programs account, the sum of \$65,000 is hereby lapsed.

Sec. 16.

WINFIELD CORRECTIONAL FACILITY

(a) On the effective date of this act, the director of accounts and reports shall transfer \$28,655 from the general fees fund of the El Dorado correctional facility to the general fees fund of the Winfield correctional facility.

(b) The expenditure limitation established by section 30(b) of chapter 327 of the 1992 Session Laws of Kansas on the general fees fund is hereby increased from \$33,155 to \$61,810.

Sec. 17.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

Aid to St. Joseph's nursing facility .....	\$75,000
--	----------

(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 other than refunds authorized by law shall not exceed the following:

Case mix medicare reimbursement—federal fund .....	No limit
Kansas wrap around services program—federal fund .....	\$143,398

(c) On the effective date of this act, of the \$82,707,109 appropriated for the above agency for the fiscal year ending June 30, 1993, by section 2(a) of chapter 325 of the 1992 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$7,198,939 is hereby lapsed.

(d) The expenditure limitation established by section 2(b) of chapter 325 of the 1992 Session Laws of Kansas on the Kansas vocational rehabilitation center fees fund is hereby increased from \$40,000 to \$75,000.

(e) The expenditure limitation established by the state finance council on the community alcoholism and intoxication programs fund is hereby decreased from \$1,928,831 to \$1,827,850.

(f) The expenditure limitation established by the state finance council on the alcoholism treatment fund is hereby increased from \$707,423 to \$819,130.

(g) The expenditure limitation established by section 2(b) of chapter 325 of the 1992 Session Laws of Kansas on the state operations account of the social services clearing fund is hereby increased from \$204,218,093 to \$209,387,848.

(h) The expenditure limitation established by the state finance council on the vocational rehabilitation of disabled persons fund—federal is hereby increased from \$17,587,930 to \$20,128,829.

(i) The expenditure limitation established by section 2(b) of chapter 325 of the 1992 Session Laws of Kansas on the alcohol, drug abuse and mental health block grant—federal fund is hereby increased from \$6,002,674 to \$7,395,784.

(j) The expenditure limitation established by the state finance council on the developmental disabilities program—federal fund is hereby increased from \$698,260 to \$751,916.

(k) The expenditure limitation established by section 2(b) of chapter 325 of the 1992 Session Laws of Kansas on the vocational rehabilitation supported employment—title VI(C)—federal fund is hereby increased from \$263,000 to \$403,055.

(l) The expenditure limitation established by the state finance council on the uniform alcohol and drug abuse reporting system—federal fund is hereby increased from \$88,778 to \$150,484.

(m) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the social service contingency fund to the social welfare fund.

Sec. 18.

KANSAS NEUROLOGICAL INSTITUTE

(a) The expenditure limitation established by section 3(b) of chapter 325 of the 1992 Session Laws of Kansas on the Foster grandparents program—federal fund is hereby increased from \$188,231 to \$196,428.

Sec. 19.

PARSONS STATE HOSPITAL AND TRAINING CENTER

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

Operating expenditures .....	\$11,927
------------------------------	----------

(continued)

(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:

Oil overcharge—second-stage refund program fund..... No limit

(c) On the effective date of this act, the director of accounts and reports shall transfer \$69,704 from second-stage oil overcharge account of the energy grants management fund of the state corporation commission to the oil overcharge—second-stage refund program fund of Parsons state hospital and training center to finance the acquisition of video-conferencing equipment for Parsons state hospital and training center.

(d) The expenditure limitation established by the state finance council on the title XIX fund of Parsons state hospital and training center is hereby increased from \$10,536,044 to \$10,564,072.

Sec. 20.

LARNED STATE HOSPITAL

(a) The expenditure limitation established by the state finance council on the Larned state hospital fee fund is hereby decreased from \$1,601,382 to \$1,468,436.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Larned state hospital is hereby increased from \$9,049,203 to \$9,295,446.

Sec. 21.

OSAWATOMIE STATE HOSPITAL

(a) The expenditure limitation established by the state finance council on the Osawatomi state hospital fee fund is hereby increased from \$1,755,890 to \$2,820,130.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Osawatomi state hospital is hereby decreased from \$8,458,137 to \$7,824,935.

Sec. 22.

RAINBOW MENTAL HEALTH FACILITY

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

Operating expenditures ..... \$181,059

(b) The position limitation established by section 10(a) of chapter 325 of the 1992 Session Laws of Kansas for the Rainbow mental health facility is hereby increased from 122.0 to 129.0.

Sec. 23.

TOPEKA STATE HOSPITAL

(a) The expenditure limitation established by the state finance council on the Topeka state hospital fee fund is hereby decreased from \$4,535,561 to \$4,198,602.

(b) The position limitation established by section 10(a) of chapter 325 of the 1992 Session Laws of Kansas for Topeka State Hospital is hereby decreased from 605.7 to 605.5.

Sec. 24.

STATE HISTORICAL SOCIETY

(a) The expenditure limitation established by section 6(b) of chapter 217 of the 1992 Session Laws of Kansas on the EDIF—other operating expenditures fund of the state historical society is hereby increased from \$12,000 to \$105,000.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$93,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—other operating expenditures fund of the state historical society.

Sec. 25.

STATE CONSERVATION COMMISSION

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

Operating expenditures ..... \$881

Sec. 26.

KANSAS WATER OFFICE

(a) In addition to the purposes for which expenditures may be made by the above agency from the state water plan fund for the fiscal year ending June 30, 1993, expenditures may be made for Republican subbasin evaluation.

Sec. 27.

STATE BOARD OF TAX APPEALS

(a) In addition to the purposes for which expenditures may be made by the above agency from the salaries and wages account of the state general fund for the fiscal year ending June 30, 1993, expenditures are hereby authorized for other operating expenditures.

(b) In addition to the purposes for which expenditures may be made by the above agency from the other operating expenditures account of the state general fund for the fiscal year ending June 30, 1993, expenditures are hereby authorized for salaries and wages.

Sec. 28.

JUDICIAL COUNCIL

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

Operating expenditures ..... \$3,515

Sec. 29.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Assigned counsel and other professional payments ..... \$1,205,539

Sec. 30.

JUDICIAL BRANCH

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

Appellate operations ..... \$25,000

Sec. 31.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) The expenditure limitation established by section 63(b) of chapter 327 of the 1992 Session Laws of Kansas on the livestock market brand inspection fee fund is hereby increased from \$113,852 to \$116,277.

(b) The expenditure limitation established by section 63(b) of chapter 327 of the 1992 Session Laws of Kansas on the livestock brand fee fund is hereby increased from \$178,331 to \$180,756.

(c) The expenditure limitation established by section 63(b) of chapter 327 of the 1992 Session Laws of Kansas on the animal disease control fund is hereby increased from \$560,765 to \$563,190.

Sec. 32.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) The expenditure limitation established by section 9(b) of chapter 325 of the 1992 Session Laws of Kansas on the Winfield state hospital and training center fee fund is hereby increased from \$944,275 to \$950,608.

Sec. 33.

KANSAS LOTTERY

~~(a) The expenditure limitation established by the state finance council on the lottery operating fund is hereby decreased from \$10,501,538 to \$8,346,840.~~

~~(b) The expenditure limitation established by section 5(a) of chapter 327 of the 1992 Session Laws of Kansas and for which expenditures were approved by the state finance council on the lottery computer system and software account of the lottery operating fund is hereby decreased from \$1,400,000 to \$500,000.~~

(c) The expenditure limitation established by section 5(a) of chapter 327 of the 1992 Session Laws of Kansas on the other operating expenditures account of the lottery operating fund is hereby decreased from \$5,945,832 to \$4,703,494.

Sec. 34. *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 1993 made in this act or in any appropriation act of the 1992 regular session of the legislature or in any other appropriation act of the 1993 regular session of the legislature may be exceeded upon approval of the state finance council.

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. *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 2087 with my signature approving the bill, except for the items enumerated below.

Section 11(a) which reads as follows has been line-item vetoed:

“(a) There is appropriated for the above agency from the state general fund the following:

Community college credit hour state aid .....	\$1,386,123
Community college out-district state aid entitlement ....	775,881
Total .....	\$2,162,004

This section increases State General Fund expenditures by \$2.2 million above my recommendations for community colleges. My recommendation reflects the amount approved by the 1992 Legislature for both regular and out-district credit hour aid. The total approved amount for community colleges in FY 1993 is an increase of 6.6 percent above the FY 1992 actual expenditures. In a time of limited State General Fund resources, the recommended amount appears adequate.

Section 33(a) and (b) that read as follows have been line-item vetoed:

“(a) The expenditure limitation established by the state finance council on the lottery operating fund is hereby decreased from \$10,501,538 to \$8,346,849.

(b) The expenditure limitation established by section 5(a) of chapter 327 of the 1992 Session Laws of Kansas and for which expenditures were approved by the state finance council on the lottery computer system and software account of the lottery operating fund is hereby decreased from \$1,400,000 to \$500,000.”

These sections would decrease the expenditure limitation on the Lottery Operating Fund in concurrence with my original budget recommendations for the Kansas Lottery. In my original recommendation, it was assumed that the Lottery would finance the purchase of a \$1.4 million computer system over three years. However, because of the overwhelming success of Club Keno, the Lottery now plans to pay for the entire computer system in the current fiscal year, saving an estimated \$77,000 in finance charges. To provide the agency with the flexibility to do this, I veto these two sections.

Dated April 23, 1993.

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 2087,

An act making and concerning appropriations for the fiscal year ending June 30, 1993, for the Kansas board of barbering, Kansas dental board, consumer credit commissioner, board of nursing, Kansas real estate commission, office of the securities commissioner of Kansas, department of revenue, department of commerce and housing, department of education, state library, state board of agriculture, Kansas state grain inspection department, department of corrections, Winfield correctional facility, department of social and rehabilitation services, Kansas neurological institute, Parsons state hospital and training center, Larned state hospital, Osawatomie state hospital, Rainbow mental health facility, Topeka state hospital, state-historical society, state conservation commission, Kansas water office, state board of tax appeals, judicial council, state board of indigents' defense services, judicial branch, Kansas animal health department, Winfield state hospital and training center and Kansas lottery; and authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 14 of chapter 204 of the 1992 Session Laws of Kansas and repealing the existing section.

was approved by the Governor on April 23, 1993 except that the following line items in Section 11(a) which read as follows:

“(a) There is appropriated for the above agency from the state general fund the following:

Community college credit hour state aid ..	\$1,386,123
Community college out-district state aid entitlement .....	775,881

of HB 2087, was not approved by the Governor on April 23, 1993; was returned by her with her objections and approved on April 28, 1993 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 28, 1993 by two-thirds of the members elected to the Senate, notwithstanding the objections of the Governor, the line items did pass and shall become law.

There being no motion to reconsider the line item veto of Sections 33(a) and (b), the Speaker ruled the line item veto sustained.

This certificate is made this 30th day of April 1993, 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

Robert H. Miller  
Speaker of the House of Representatives

(Published in the Kansas Register, May 6, 1993.)

## SENATE BILL No. 8

AN ACT concerning the tuition grant program; relating to the appropriation made for the program for the 1994 fiscal year; amending K.S.A. 72-6107, 72-6108, 72-6109, 72-6110, 72-6111 and 72-6112 and repealing the existing sections.

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

Section 1. K.S.A. 72-6107 is hereby amended to read as follows: 72-6107. As used in this act: (a) "Tuition grant program" means a program under which the state, in recognition of the desirability of fully utilizing all of the available resources for higher education in the state and in response to the concern that many residents of the state are unable to sustain the financial burden of the cost of attendance at certain qualified institutions of higher education operating within the state, provides financial assistance to eligible students through the award of tuition grants.

(a) (b) "Tuition grant" means an award of financial assistance under this act by this state the tuition grant program to a qualified an eligible student.

(b) (c) "Financial need" means the difference between a student's available financial resources and the student's total anticipated expenses to attend cost of attendance at a certain accredited independent qualified institution of higher education. A student's financial resources shall include (1) four hundred and fifty dollars each year from the student's own work and resources, and (2) a contribution from the income and assets of the parents of the student, if sufficient, as determined by a completed parents' confidential statement and be based upon the accepted criteria of a nationally recognized financial needs need analysis agency selected by the board of regents. Financial need shall be redetermined determined at least annually.

(c) (d) "Full-time, in-state student" means a person who is or is considered a resident of Kansas and who is enrolled at an institution of postsecondary higher education in a course of study of at least 12 hours each semester or the equivalent thereof. The board of regents shall determine the number of hours for terms other than semesters to constitute the equivalent of 12 hours.

(d) (e) "Qualified Eligible student" means a full-time, in-state student who has established financial need and who is initially acceptable for entering an accredited independent a qualified institution or who has so entered and is in good standing and making satisfactory progress toward graduation.

(e) (f) "Accredited independent Qualified institution" means an institution of postsecondary higher education the main campus of which is located in Kansas and which (1) is operated independently and not controlled or administered by any state agency or any subdivision of the state; (2) maintains open enrollment, and (3) (2) is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, and (3) is either a municipal university or an institution which is operated independently and not controlled or administered by the state or any agency or subdivision thereof.

(f) (g) "Open enrollment" means the policy of an institution of postsecondary higher education which provides the opportunity of enrollment for any student who meets its academic and other reasonable enrollment requirements, without regard for race, sex gender, religion, creed or national origin.

(g) (h) "Board of regents" means the state board of regents provided for in the constitution of this state and described in article 32 of chapter 74 of Kansas Statutes Annotated.

(h) (i) "Term" means one of two or more divisions of an academic year of an institution of postsecondary higher education in which substantially all courses begin and end at substantially the same time, and during which instruction is regularly given to students.

(i) (j) "Semester" means one of two principal terms, when there are only two principal terms in the academic year, whether or not there are other shorter terms during the same academic year.

Sec. 2. K.S.A. 72-6108 is hereby amended to read as follows: 72-6108. A tuition grant may be awarded to any qualified eligible student enrolled at any accredited independent qualified institution. A qualified An eligible student may be awarded tuition grants

for not more than eight semesters of undergraduate study or the equivalent thereof, except that a qualified an eligible student may be awarded tuition grants for not more than an additional two semesters of study or the equivalent thereof, when the requirements of the educational program in which the qualified eligible student is enrolled include the completion of a fifth year of study. The board of regents shall determine the equivalent of a semester when all or part of the terms for which a qualified an eligible student is awarded a tuition grants grant are not semesters.

Sec. 3. K.S.A. 72-6109 is hereby amended to read as follows: 72-6109. (a) The amount of a tuition grant awarded to a qualified an eligible student for the fall and spring semesters, or the equivalent thereof, shall be the amount of the student's financial need for the period, except that a tuition grants grant awarded to a student in any year shall not exceed the lesser of:

(1) An amount equal to the total tuition and required fees of the student for two semesters, or the equivalent thereof, or

(2) an amount equal to one-half of the difference between the average amount of the total tuition and required fees of full-time, in-state students who are enrolled at the state universities and the average amount of the total tuition and required fees of full-time, in-state students who are enrolled at the accredited independent qualified institutions.

(b) When tuition grants are awarded to a qualified an eligible student for one or more terms that are not semesters, the board of regents shall determine the equivalent of the fall and spring semesters.

Sec. 4. K.S.A. 72-6110 is hereby amended to read as follows: 72-6110. (a) A tuition grant may be paid annually for both the fall and spring semesters, or the equivalent thereof. Payments under any such tuition grant shall be allocated equally between the semesters, when the student plans to attend two semesters in an academic year, and otherwise as specified by the board of regents. Tuition grants shall be paid at the beginning of each semester or other term upon certification by the accredited independent qualified institution that the student is enrolled and is a qualified an eligible student. Payments of tuition grants shall be made upon vouchers approved by the administrative officer of the board of regents designated by it the board upon warrants of the director of accounts and reports. Payments of tuition grants may be made by the issuance of a single warrant to each accredited independent qualified institution in at which a qualified an eligible student is enrolled for the total amount of tuition grants for all qualified eligible students enrolled in at that institution. The director of accounts and reports shall cause such warrant to be delivered to the accredited independent qualified institution in at which such student or students are enrolled. Upon receipt of such warrant, the accredited independent amount thereof shall be credited to the tuition grant fund of the qualified institution shall credit immediately and allocated within the fund to the account of each qualified eligible student enrolled in at that institution by an. The amount to be credited to the account of each such student shall be specified by the board of regents for each such student.

(b) If a student discontinues attendance before the end of any semester or other term, after the accredited independent qualified institution has received payment under this section, the accredited independent institution shall pay to the state: (1) debit the account of the student by an amount equal to the entire amount which such student would otherwise qualify to have refunded, not to exceed the amount of the payment made credited to the account of the student under such the tuition grant program at the beginning of such semester or term; or (2) and, if the student has received payments under any federal program of student assistance in the semester or other term, less an amount equal to the state's pro rata share of the such entire amount which such student would otherwise qualify to have refunded, not to exceed the amount of the payment made under such tuition grant at the beginning of such semester or term is attributable to the assistance received by the student under such federal program or programs.

(c) All amounts paid to the state debited by an accredited independent a qualified institution under subsection (b) shall be deposited in the state treasury and credited to reallocated within

the tuition grant discontinued attendance fund which is hereby created. All expenditures from the tuition grant discontinued attendance fund shall be for tuition grants of the institution to the account of other eligible students as specified by the board of regents.

Sec. 5. K.S.A. 72-6111 is hereby amended to read as follows: 72-6111. (a) The board of regents shall administer the provisions of this act tuition grant program and shall:

(1) Provide information regarding application forms and forms for parents' confidential statements procedures;

(2) adopt rules and regulations for determining financial need and cost of attendance at qualified institutions, selecting financial needs need analysis agencies, defining tuition and required fees and determining the average amount thereof charged to full-time, in-state students enrolled at the state universities and to full-time, in-state students enrolled at the accredited independent qualified institutions, determining residence, determining priority or apportionment of tuition grants and other matters necessary for the administration of this act the program;

(3) approve and eligible students for the award of tuition grants;

(4) determine and identify those institutions of postsecondary higher education which qualify as accredited independent are qualified institutions; and

(5) evaluate the tuition grant program annually, and make an annual a report thereon to the governor and legislature; and evaluate the tuition grant program for the period.

(b) Rules and regulations adopted by the board of regents to determine residence for the purpose of this act the tuition grant program shall be consistent with rules and regulations adopted pursuant to K.S.A. 76-729, and amendments thereto, for determination of residence of persons enrolling at the state universities. Persons meeting any one or more of the qualifications of persons whom the board of regents may authorize to pay an amount equal to resident fees for enrollment at the state universities, as provided in K.S.A. 76-729, and amendments thereto, shall be considered residents of Kansas.

(c) The board of regents may require any accredited independent qualified institution to promptly furnish any information which the board of regents requests relating to administration or effect of this act the tuition grant program.

(d) The board of regents may provide for apportionment of tuition grants if the appropriations therefor are insufficient to pay all approved tuition grants.

Sec. 6. K.S.A. 72-6112 is hereby amended to read as follows: 72-6112. Each applicant for a tuition grant, in accordance with the rules and regulations of the board of regents, shall:

(a) Complete and file an application for a tuition grant.

(b) Be responsible for the submission of the parents' confidential statement to the board of regents and to the accredited independent institution at which such student is enrolling.

(c) Report promptly to the board of regents and to the qualified institution at which the applicant is enrolled or enrolling any information requested relating to administration of this act the tuition grant program.

(d) (c) File a new application and parents' confidential statement annually on the basis of which eligibility for renewal of a tuition grant shall be evaluated and determined.

New Sec. 7. (a) For the 1994 fiscal year, appropriations to the board of regents for the tuition grant program shall be made as two separate items of appropriation. One such item shall be the amount of the appropriation for tuition grants to be awarded eligible students enrolled at the accredited independent institutions and one such item shall be the amount of the appropriation for tuition grants to be awarded eligible students enrolled at the municipal university.

(b) For the purpose of this section, the term "accredited independent institution" means a qualified institution which is operated independently and not controlled or administered by the state or any agency or subdivision thereof.

(c) The provisions of this section shall expire on June 30, 1994.

Sec. 8. K.S.A. 72-6107, 72-6108, 72-6109, 72-6110, 72-6111 and 72-6112 are hereby repealed.

Sec. 9. 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 two line-item vetoes by the Governor. One of the vetoes was subsequently overridden by the Kansas Legislature and is indicated with a (\*). The Governor's line-item veto message and the Legislature's certificate overriding the veto immediately follow the bill.)

(Published in the Kansas Register, May 6, 1993.)

HOUSE BILL No. 2122

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1993, June 30, 1994, June 30, 1995, and June 30, 1996, for certain capital improvement projects for the state historical society, state fair board, department of social and rehabilitation services, Kansas state school for the blind, Kansas state school for the deaf, department of corrections, Lansing correctional facility, Norton correctional facility, department of wildlife and parks, Topeka state hospital, department of commerce and housing and university of Kansas; authorizing the initiation and completion of certain capital improvement projects; imposing certain requirements, restrictions and limitations and directing or authorizing certain disbursements and acts incidental to the foregoing.

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

Section 1. (a) For the fiscal years ending June 30, 1993, June 30, 1994, June 30, 1995, and June 30, 1996, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized to initiate and complete capital improvement projects as provided in this act.

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

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 1992 Supp. 75-6702.

Sec. 2.

STATE HISTORICAL SOCIETY

\* (a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows: Construct and equip center for historical research \$1,200,000

(b) There is appropriated for the above agency from the special capital improvements fund for the fiscal year ending June 30, 1994, for the capital improvement project specified as follows: Historical society—capital improvements \$400,000

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1994, 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: Construct and equip center for historical research—EDIF fund \$689,858

(d) On October 15, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$689,858 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the center for historical research—EDIF fund of the state historical society.

(e) On the effective date of this act, the director of accounts and reports shall transfer any unencumbered balance from the EDIF—Funston Home fund of the state historical society to the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing.

Sec. 3.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1994, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Table with 2 columns: Fund Name and Amount. Funds include State fair capital improvements fund (No limit), Grandstand renovation project fund (No limit), Grandstand cost of issuance fund (No limit), Grandstand principal and interest fund (No limit), Grandstand renovation reserve fund (No limit), Grandstand rebate fund (No limit), Grandstand renovation surplus fund (No limit), Grandstand contingency fund (No limit).

(continued)

Sec. 4.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1994, for the capital improvement project specified as follows:

Wichita office building debt service ..... \$73,313

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1994, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$3,475,100

Provided, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 1994 from this account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for projects approved by the secretary of social and rehabilitation services: Provided further, That expenditures also may be made from this account during fiscal year 1994 for the purposes of remodeling, maintenance, emergency repair, roof repair, or equipment replacement or acquisition for facilities of the department of social and rehabilitation services other than any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto.

(c) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1994, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Chanute area office rehabilitation and repair fund ..... \$75,148

(d) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1994, for the capital improvement project specified as follows:

Rehabilitation and repair projects ..... \$1,000,000

Provided, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 1994 from this account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01 or 76-12a18 and amendments thereto, for projects approved by the secretary of social and rehabilitation services.

Sec. 5.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1994, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$50,000

(b) On July 1, 1993, any unencumbered balance as of June 30, 1993, in the following account of the state institutions building fund is hereby lapsed: Replace roof—Johnson building.

(c) For the fiscal years ending June 30, 1994, June 30, 1995, and June 30, 1996, of the amounts appropriated for the Kansas state school for the visually handicapped by section 4(b) of chapter 326 of the 1992 Session Laws of Kansas from the state institutions building fund for the Irwin building renovation and administration building demolition project, no expenditures for construction shall be made for this project except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto except that the state finance council shall act on this matter only after the state finance council has received the recommendations of the joint committee on state building construction on a study to be produced and presented by the state department of education on the feasibility of consolidating the Kansas state school for the blind and the Kansas state school for the deaf.

Sec. 6.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1994, for the capital improvement projects specified as follows:

Rehabilitation and repair projects ..... \$75,000
Asbestos removal ..... 30,000
Total ..... \$105,000

(b) On July 1, 1993, any unencumbered balance as of June 30, 1993, in the following account of the state institutions building fund is hereby lapsed: Energy technical assistance grant—matching.

(c) For the fiscal years ending June 30, 1994, June 30, 1995, and June 30, 1996, of the amounts appropriated for the Kansas state school for the deaf by section 5(a) of chapter 326 of the 1992 Session Laws of Kansas from the state institutions building fund for the

construct and equip new elementary school, site improvement and Emery hall demolition project, no expenditures for construction shall be made for this project except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c and amendments thereto except that the state finance council shall act on this matter only after the state finance council has received the recommendations of the joint committee on state building construction on a study to be produced and presented by the state department of education on the feasibility of consolidating the Kansas state school for the blind and the Kansas state school for the deaf.

Sec. 7.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1994, for the capital improvement projects specified as follows:

Debt service payment for the revenue refunding bond issue ..... \$6,261,916

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1993, in the debt service payment for the Larned correctional mental health facility pooled money investment board loan account, any unencumbered balance in excess of \$100 as of June 30, 1993, in the debt service payment for the Larned correctional mental health facility bond issue account, any unencumbered balance in excess of \$100 as of June 30, 1993, in the debt service payment for the El Dorado correctional facility pooled money investment board loan account, and any unencumbered balance in excess of \$100 as of June 30, 1993, in the debt service payment for the El Dorado correctional facility bond issue account are hereby reappropriated to the debt service payment for the revenue refunding bond issue account for fiscal year 1994: Provided however, That expenditures from such reappropriated balance shall not exceed \$1,021,084 except upon approval of the state finance council.

Debt service payment for the Wichita work release facility bond issue ..... 164,000

Debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas ..... 1,714,000

Total ..... \$8,139,916

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 1994, for the capital improvement projects specified as follows:

Capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions ..... \$3,243,678

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1994 from this account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 1994 by the institution or facility for capital improvement projects, including security improvement projects, approved by the secretary of corrections: Provided further, That the secretary of corrections also may make expenditures from this account for the following projects: Raze barn building at the Topeka correctional facility; construct storage building at the Ellsworth correctional facility.

(c) On July 1, 1993, any unencumbered balance as of June 30, 1993, in the Larned correctional mental health facility construction account of the correctional institutions building fund is hereby lapsed.

(d) On July 1, 1993, the director of accounts and reports shall transfer \$426,519 from the correctional institutions building fund to the state general fund.

(e) On July 1, 1993, the director of accounts and reports shall transfer all moneys in the capital improvements—rehabilitation, renovation and repair of correctional institutions account of the correctional institutions building fund to the capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions account of the correctional institutions building fund. On July 1, 1993, all liabilities of the capital improvements—rehabilitation, renovation and repair of correctional institutions account are imposed on the capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions account and the capital improvements—rehabilitation, renovation and repair account is hereby abolished.

(f) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1994, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Ellsworth correctional facility—principal and interest fund—KDFA B bonds.....	No limit
Ellsworth correctional facility—principal and interest fund—KDFA C bonds.....	No limit
Wichita work release facility—principal and interest fund—KDFA F bonds.....	No limit
Revenue refunding bond—principal and interest fund—KDFA L bonds.....	No limit

Sec. 8.

LANSING CORRECTIONAL FACILITY

(a) On July 1, 1993, any unencumbered balance as of June 30, 1993, in each of the following accounts of the correctional institutions building fund is hereby lapsed: Plan, construct and equip inmate housing unit, renovate existing facilities and related construction and improvements, including razing of existing buildings; renovate A cellhouse and locking system; plan and construct the electrical service for the maximum security complex.

Sec. 9.

NORTON CORRECTIONAL FACILITY

(a) During the fiscal year ending June 30, 1994, the Norton correctional facility is hereby authorized to make expenditures to raze cottage 10 (state property number 125013).

Sec. 10.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1994, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Department access road fund.....	No limit
----------------------------------	----------

(b) On July 1, 1993, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(c) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 1995, all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fees—Wichita education center fund.....	\$148,913
EDIF—Wichita education center fund.....	302,337

(d) On July 15, 1994, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$148,913 from the wildlife fees fund of the department of wildlife and parks to the wildlife fees—Wichita education center fund of the department of wildlife and parks.

(e) On July 15, 1994, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$302,337 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF—Wichita education center fund of the department of wildlife and parks.

(f) In addition to the purposes for which expenditures may be made from the parks fee fund for the fiscal year ending June 30, 1994, expenditures may be made by the above agency from the parks fee fund for fiscal year 1994 to open north gate Cheney state park: *Provided*, That such expenditures shall not exceed \$26,500: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 1994.

Sec. 11.

TOPEKA STATE HOSPITAL

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1994, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Topeka state hospital rental property rehabilitation and repair fund....	\$135,788
--	-----------

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1994, for the capital improvement project specified as follows:

Add parking stalls at Jarrett and Sullivan buildings.....	\$18,900
---	----------

Sec. 12.

DEPARTMENT OF COMMERCE AND HOUSING

~~(a) In addition to the purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund for the fiscal year ending June 30, 1994, moneys may be expended by the above agency from the Kansas economic development endowment account of the state economic development initiatives fund during the fiscal year 1994 for the following, subject to the expenditure limitations prescribed therefor:~~

<del>Olathe travel information center.....</del>	<del>\$880,000</del>
--	----------------------

~~Provided, That no expenditures for construction shall be made until the department of commerce and housing receives clear title to the land on which the travel information center is to be constructed, and that the final construction plans have been reviewed by the joint committee on state building construction. *Provided further*, That no expenditures shall be made from this subaccount for construction of a driveway.~~

~~(b) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the state economic development initiatives fund is hereby increased from \$9,085,305 to \$10,715,305.~~

~~(c) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$9,085,305 to \$10,715,305.~~

~~(d) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the tourist attraction development grants subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$250,000 to \$1,000,000. *Provided*, That \$750,000 of the total amount is for a grant to the Kansas cosmospere to match private sector grants of the same or larger size.~~

Sec. 13.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the Kansas educational building fund for the capital improvement project and for the fiscal years specified as follows:

Construct addition to Duche hall	
For the fiscal year ending June 30, 1994.....	\$395,000
For the fiscal year ending June 30, 1995.....	395,000

Sec. 14. *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. 15. *Savings.* Any unencumbered balance in any special revenue fund, or account thereof, which is not otherwise specifically appropriated or limited by this or other appropriation act of the 1993 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1994, for the same use and purpose as the same was heretofore appropriated.

Sec. 16. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1993 regular session of the legislature, and having an unencumbered balance as of June 30, 1993, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1994, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 17. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 1993 regular session of the legislature, and having an unencumbered balance as of June 30, 1993, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1994, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 18. *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 2122 with my signature approving the bill, except for the items enumerated below.

Section 2(a) that reads as follows has been line-item vetoed:

“(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows: Construct and equip center for historical research . . . . \$1,200,000”

During the 1991 Session of the Legislature, project cost estimates for the Center for Historical Research were \$7.9 million. It appears the magnitude for the project has significantly increased at a time when resources are scarce from all funding sources. Therefore, I am approving an amount in this appropriation bill which would fund the project at a level similar to that approved by the Legislature in the past.

Section 12 that reads as follows has been line-item vetoed:

“Sec. 12.

DEPARTMENT OF COMMERCE AND HOUSING

(a) In addition to the purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund for the fiscal year ending June 30, 1994, moneys may be expended by the above agency from the Kansas economic development endowment account of the state economic development initiatives fund during the fiscal year 1994 for the following, subject to the expenditure limitations prescribed therefor:

Olathe travel information center . . . . . \$880,000

Provided, That no expenditures for construction shall be made until the department of commerce and housing receives clear title to the land on which the travel information center is to be constructed; and that the final construction plans have been reviewed by the joint committee on state building construction: Provided further, That no expenditures shall be made from this subaccount for construction of a driveway.

(b) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the state economic development initiatives fund is hereby increased from \$9,085,305 to \$10,715,305.

(c) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$9,085,305 to \$10,715,305.

(d) The expenditure limitation established by section 6(b) of 1993 House Bill No. 2063 on the tourist attraction development grants subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$250,000 to \$1,000,000: Provided, That \$750,000 of the total amount is for a grant to the Kansas cosmosphere to match private sector grants of the same or larger size.”

Because the state cannot afford large program expansions at this time, I veto this section which would authorize expenditures from the Economic Development Initiatives Fund of \$880,000 to build a travel information center in Olathe and \$750,000 to be granted to the Kansas Cosmosphere. I find it especially difficult to accept the appropriation of state money for the

physical expansion of a privately-owned facility when the needs of state-owned facilities remain unmet.

Dated April 23, 1993.

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 2122,

An act making and concerning appropriations for the fiscal years ending June 30, 1993, June 30, 1994, June 30, 1995, and June 30, 1996, for certain capital improvements projects for the state historical society, state fair board, department of social and rehabilitation services, Kansas state school for the blind, Kansas state school for the deaf, department of corrections, Lansing correctional facility, Norton correctional facility, department of wildlife and parks, Topeka state hospital, department of commerce and housing and university of Kansas; authorizing the initiation and completion of certain capital improvements projects; imposing certain requirements, restrictions and limitations and directing or authorizing certain disbursements and acts incidental to the foregoing.

was approved by the Governor on April 23, 1993 except that the following line item in Section 2(a) which reads as follows:

“(a) There is appropriated for the above agency from the Kansas special capital improvements fund for the fiscal year ending June 30, 1993, for the capital improvement project specified as follows:

Construct and equip center for historical research . . . . . \$1,200,000”

of HB 2122, was not approved by the Governor on April 19, 1993, was returned by her with her objections and approved on April 28, 1993 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 28, 1993 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.

There being no motion to reconsider the line item veto of Section 12, the Speaker ruled the line item veto sustained.

This certificate is made this 30th day of April 1993, 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  
Robert H. Miller  
Speaker of the House of Representatives

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

(Published in the Kansas Register, May 6, 1993.)

HOUSE BILL No. 2428

AN ACT relating to waste; concerning solid waste management; concerning fees imposed upon the disposal of hazardous waste; amending K.S.A. 65-3402, 65-3406, 65-3407, 65-3415b, 65-3424d and 65-3431 and repealing the existing sections; also repealing K.S.A. 65-3415d.

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

Section 1. K.S.A. 65-3402 is hereby amended to read as follows: 65-3402. As used in this act, unless the context otherwise requires:

(a) "Solid waste" means garbage, refuse and other discarded materials including, but not limited to, solid, semisolid, sludges, liquid and contained gaseous waste materials resulting from industrial, commercial, agricultural and domestic activities. Solid waste does not include hazardous wastes as defined by subsection (f) of K.S.A. 65-3430, and amendments thereto, recyclables or the waste of domestic animals as described by subsection (a)(1) of K.S.A. 65-3409, and amendments thereto.

(b) "Solid waste management system" means the entire process of storage, collection, transportation, processing, and disposal of solid wastes by any person engaging in such process as a business, or by any state agency, city, authority, county or any combination thereof.

(c) "Solid waste processing facility" means incinerator, compost plant, transfer station, reclamation facility or any other location where solid wastes are consolidated, temporarily stored, salvaged or otherwise processed prior to being transported to a final disposal site. This term does not include a scrap material recycling and processing facility.

(d) "Solid waste disposal area" means any area used for the disposal of solid waste from more than one residential premise, or one or more commercial, industrial, manufacturing or municipal operations.

(e) "Person" means individual, partnership, firm, trust, company, association, corporation, individual or individuals having controlling or majority interest in a corporation, institution, political subdivision, state agency or federal department or agency.

(f) "Waters of the state" means all streams and springs, and all bodies of surface or groundwater, whether natural or artificial, within the boundaries of the state.

(g) "Secretary" means the secretary of health and environment.

(h) "Department" means the Kansas department of health and environment.

(i) "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that such solid waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any water.

(j) "Open dumping" means the disposal of solid waste at any solid waste disposal area or facility which is not permitted by the secretary under the authority of K.S.A. 65-3407, and amendments thereto, or the disposal of solid waste contrary to rules and regulations adopted pursuant to K.S.A. 65-3406, and amendments thereto.

(k) "Generator" means any person who produces or brings into existence solid waste.

(l) "Monitoring" means all procedures used to (1) systematically inspect and collect data on the operational parameters of a facility, an area or a transporter, or (2) to systematically collect and analyze data on the quality of the air, groundwater, surface water or soils on or in the vicinity of a solid waste disposal facility or area.

(m) "Closure" means the permanent cessation of active disposal operations, abandonment of the disposal area, revocation of the permit or filling with waste of all areas and volume specified in the permit and preparing the area for the long-term care.

(n) "Post closure" means that period of time subsequent to closure of a solid waste disposal area when actions at the site must be performed.

(o) "Reclamation facility" means any location at which material containing a component defined as a hazardous substance pursuant to K.S.A. 65-3452a and amendments thereto is processed.

(p) "Designated city" means a city or group of cities which, through interlocal agreement with the county in which they are located, is delegated the responsibility for preparation, adoption or implementation of the county solid waste plan.

(q) "Nonhazardous special waste" means any solid waste designated by the secretary as requiring extraordinary handling in a solid waste disposal area.

(r) "Recyclables" means any scrap materials that can be used as a replacement for virgin material in manufacturing, including but not limited to ferrous metals, scrap paper products, scrap plastics and nonferrous metals. Nonferrous metals shall be defined by rule and regulation.

(s) "Scrap material processing industry" means any person who accepts, processes and markets recyclables.

(t) "Scrap material recycling and processing facility" means a fixed location that utilizes machinery and equipment for processing only recyclables.

(u) "Construction and demolition waste" means solid waste resulting from the construction, remodeling, repair and demolition of structures, roads, sidewalks and utilities; and solid waste consisting of vegetation from land clearing and grubbing, utility maintenance, and seasonal or storm-related cleanup. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, roofing materials, soil, rock, wood, wood products, wall covering, plaster, drywall, plumbing fixtures, electrical wiring, electrical components containing no hazardous materials and nonasbestos insulation. It shall not include asbestos waste, garbage, cardboard, furniture, appliances, electrical equipment containing hazardous materials, tires, drums and containers even though such wastes resulted from construction and demolition activities. Clean rubble that is mixed with other construction and demolition waste during demolition or transportation shall be considered to be construction and demolition waste.

(v) "Construction and demolition landfill" means a permitted solid waste disposal area used exclusively for the disposal on land of construction and demolition wastes. This term shall not include a site that is used exclusively for the disposal of clean rubble.

(w) "Clean rubble" means inert uncontaminated construction and demolition waste which includes concrete and concrete products, reinforcing steel, asphalt pavement, brick, soil or rock.

Sec. 2. K.S.A. 65-3406 is hereby amended to read as follows: 65-3406. (a) The secretary is authorized and directed to:

(1) Adopt such rules and regulations, standards and procedures relative to solid waste management as necessary to protect the public health and environment, prevent public nuisances and enable the secretary to carry out the purposes and provisions of this act.

(2) Report to the legislature on further assistance needed to administer the solid waste management program.

(3) Administer the solid waste management program pursuant to provisions of this act.

(4) Cooperate with appropriate federal, state, interstate and local units of government and with appropriate private organizations in carrying out duties under this act.

(5) Develop a statewide solid waste management plan.

(6) Provide technical assistance, including the training of personnel to cities, counties and other political subdivisions.

(7) Initiate, conduct and support research, demonstration projects and investigations and coordinate all state agency research programs with applicable federal programs pertaining to solid waste management systems.

(8) Establish policies for effective solid waste management systems.

(9) Assist counties and groups of counties to establish and implement solid waste planning and management.

(10) Authorize issuance of such permits and orders and conduct such inspections as may be necessary to implement the provisions

(continued)

of this act and the rules and regulations and standards adopted pursuant to this act.

(11) Conduct and contract for research and investigations in the overall area of solid waste storage, collection, transportation, processing, treatment, recovery and disposal including, but not limited to, new and novel procedures.

(12) Adopt rules and regulations for permitting of all solid waste disposal areas, including those that are privately owned.

(13) Adopt rules and regulations establishing criteria for the location of processing facilities and disposal areas for solid wastes.

(14) Adopt rules and regulations establishing appropriate measures for monitoring solid waste disposal areas and processing facilities, both during operation and after closure.

(15) Adopt rules and regulations requiring that, for such period of time as the secretary shall specify, any assignment, sale, conveyance or transfer of all or any part of the property upon which a permitted disposal area for solid waste is or has been located shall be subject to such terms and conditions as to the use of such property as the secretary shall specify to protect human health and the environment.

(16) Adopt suitable measures, including rules and regulations if appropriate, to encourage recovery and recycling of solid waste for reuse whenever feasible.

(17) Adopt rules and regulations establishing standards for transporters of solid waste.

(18) Adopt rules and regulations establishing minimum standards for closing, termination, and long-term care of sites for the land disposal of solid waste. In this subsection, "site" refers to a site for the land disposal of solid waste which has a permit issued under K.S.A. 65-3407 and amendments thereto. The owner of a site shall be responsible for the long-term care of the site for 30 years after the closing of the site, except the secretary may extend the long-term care responsibility of a particular site or sites as the secretary deems necessary to protect the public health and safety or the environment. Any person acquiring rights of ownership, possession or operation in a permitted site or facility for the land disposal of solid waste at any time after the site has begun to accept waste and prior to closure shall be subject to all requirements of the permit for the site or facility, including the requirements relating to long-term care of the site or facility.

(19) Enter into cooperative agreements with the secretary of commerce for the development and implementation of statewide market development for recyclable materials.

(20) Adopt rules and regulations for the management of non-hazardous special wastes.

(b) In adopting rules and regulations, the secretary shall allow the exemption contained in subsection (f)(1) of 40 CFR 258.1.

(c) *The secretary shall report on or before January 20 of each year to the house and senate standing committees on energy and natural resources any rules and regulations adopted by the secretary which establish standards for solid waste processing facilities or solid waste disposal areas that exceed or are in addition to those required by federal law. The secretary's report shall include the reasons for the adoption of such standards.*

(d) *Standards adopted by rule and regulation of the secretary and applicable to requirements for solid waste processing facilities or solid waste disposal areas should be no more stringent than the standards required by federal law or applicable federal regulations in effect on the effective date of this act. Any such standards adopted by the secretary which are more stringent than the standards required by federal law or applicable federal regulations on such date shall not become effective until 45 days after the beginning of the next ensuing session of the legislature, which date shall be specifically provided in such rule and regulation.*

Sec. 3. K.S.A. 65-3415b is hereby amended to read as follows: 65-3415b. (a) *Except for construction and demolition landfills and industrial solid waste landfills, there is hereby imposed a state solid waste tonnage fee of \$1.50 for each ton or equivalent volume of solid waste disposed of at any solid waste disposal area in this state on or after January 1, 1993. This provision shall not apply to any solid waste by-product produced and disposed in or at a permitted solid waste disposal area located on the site of generation or to any waste tire, as defined by subsection (j) of K.S.A. 65-3424, and amendments thereto, disposed in or at a permitted solid waste disposal area.*

(b) *There is hereby imposed a state solid waste tonnage fee of \$1.50 for each ton or equivalent volume of construction and demolition waste disposed of at any construction and demolition landfill and solid waste disposed of at any industrial solid waste landfill on and after the effective date of this act, other than waste enumerated in subsection (c). No such fee shall be imposed prior to the effective date of this act, except that, to the extent such fees were collected prior to the effective date of this act, such fee shall be remitted to the state.*

(c) *The fees imposed by this section shall not apply to:*

(1) *Any waste tire, as defined by subsection (j) of K.S.A. 65-3424, and amendments thereto, disposed in or at a permitted solid waste disposal area;*

(2) *any of the following wastes when disposed of at a monofill permitted by the department:*

(A) *Sludges from public drinking water supply treatment plants;*

(B) *cement kiln dust from the manufacture of portland and masonry cement;*

(C) *flue gas desulfurization sludge, fly ash and bottom ash from coal-fired electric generating facilities; and*

(D) *foundry sand;*

(3) *clean rubble;*

(4) *solid waste solely consisting of vegetation from land clearing and grubbing, utility maintenance and seasonal or storm-related cleanup but such exception shall not apply to yard waste;*

(5) *construction and demolition waste generated before January 1, 1996, from federal facilities as provided for under contract with the U.S. army corps of engineers before the effective date of this act; and*

(6) *construction and demolition waste disposed of by the state and any city or county, or by any person on their behalf.*

(b) (d) *The operator of a solid waste disposal area shall pay the fee imposed by this section.*

(e) (e) *The secretary of health and environment shall administer, enforce and collect the fee imposed by this section. Except as otherwise provided by subsection (b) subsections (a) and (b), all laws and rules and regulations of the secretary of revenue relating to the administration, enforcement and collection of the retailers' sales tax shall apply to such fee insofar as they can be made applicable, and the secretary of health and environment shall adopt such additional rules and regulations as necessary for the efficient and effective administration, enforcement and collection thereof.*

(d) (f) *The secretary of health and environment shall remit daily to the state treasurer all moneys collected from fees imposed pursuant to subsection (a) subsections (a) and (b). Upon receipt thereof, the state treasurer shall deposit the entire amount in the state treasury and credit it to the solid waste management fund created by K.S.A. 65-3415a and amendments thereto.*

Sec. 4. K.S.A. 65-3407 is hereby amended to read as follows: 65-3407. (a) *It shall be unlawful for any person to construct, alter or operate a solid waste processing facility or a solid waste disposal area of a solid waste management system, except for clean rubble disposal sites, without first obtaining a permit from the secretary.*

(b) *Every person desiring to obtain a permit to construct, alter or operate a solid waste storage, treatment or processing facility or disposal area shall make application for such a permit on forms provided for such purpose by the rules and regulations of the secretary and shall provide the secretary with such information as necessary to show that the facility or area will comply with the purpose of this act. Upon receipt of any application and payment of the application fee, the secretary, with advice and counsel from the local health authorities and the county commission, shall make an investigation of the proposed solid waste processing facility or disposal area and determine whether it complies with the provisions of this act and any rules and regulations and standards adopted thereunder. The secretary also may consider the need for the facility or area in conjunction with the county or regional solid waste management plan. When the investigation reveals that the facility or area does conform with the provisions of the act and the rules and regulations and standards adopted thereunder the secretary shall approve the application and shall issue a permit for the operation of each solid waste processing or disposal facility or area set forth in the application. In the event that the facility or area fails to meet the rules and regulations and standards required by this act the secretary shall*



issue a report to the applicant stating the deficiencies in the application. The secretary may issue temporary permits conditioned upon corrections of construction methods being completed and implemented.

(c) Before reviewing any application for permit, the secretary shall conduct a background investigation of the applicant. The secretary shall consider the financial, technical and management capabilities of the applicant as conditions for issuance of a permit. The secretary may reject the application prior to conducting an investigation into the merits of the application if the secretary finds that:

(1) The applicant currently holds, or in the past has held, a permit under this section and while the applicant held a permit under this section the applicant violated a provision of subsection (a) of K.S.A. 65-3409, and amendments thereto; or

(2) the applicant previously held a permit under this section and that permit was revoked by the secretary; or

(3) the applicant failed or continues to fail to comply with any of the provisions of the air, water or waste statutes, including rules and regulations issued thereunder, relating to environmental protection or to the protection of public health in this or any other state or the federal government of the United States, or any condition of any permit or license issued by the secretary; or if the secretary finds that the applicant has shown a lack of ability or intention to comply with any provision of any law referred to in this subsection or any rule and regulation or order or permit issued pursuant to any such law as indicated by past or continuing violations; or

(4) the applicant is a corporation and any principal, shareholder, or other person capable of exercising total or partial control of such corporation could be determined ineligible to receive a permit pursuant to subsection (c)(1), (2) or (3) above.

(d) Before reviewing any application for a permit, the secretary may request that the attorney general perform a comprehensive criminal background investigation of the applicant; or in the case of a corporate applicant, any principal, shareholder or other person capable of exercising total or partial control of the corporation. The secretary may reject the application prior to conducting an investigation into the merits of the application if the secretary finds that serious criminal violations have been committed by the applicant or a principal of the corporation.

(e) The fees for a solid waste processing or disposal permit shall be established by rules and regulations adopted by the secretary. The fee for the application and original permit shall not exceed \$5,000. The annual permit renewal fee shall not exceed \$2,000. No refund shall be made in case of revocation. All fees shall be deposited in the state treasury and credited to the solid waste management fund. A city, county, other political subdivision or state agency shall be exempt from payment of the fee but shall meet all other provisions of this act.

(f) Plans, designs and relevant data for the construction of solid waste processing facilities and disposal sites shall be prepared by a professional engineer licensed to practice in Kansas and shall be submitted to the department for approval prior to the construction, alteration or operation of such facility or area. In adopting rules and regulations, the secretary may specify sites, areas or facilities where the environmental impact is minimal and may waive such preparation requirements provided that a review of such plans is conducted by a professional engineer licensed to practice in Kansas.

(g) Each permit granted by the secretary, as provided in this act, shall be subject to such conditions as the secretary deems necessary to protect human health and the environment and to conserve the sites. Such conditions shall include approval by the secretary of the types and quantities of solid waste allowable for processing or disposal at the permitted location.

(h) As a condition of granting a permit to operate any processing facility or disposal area for solid waste, the secretary shall require the permittee to provide a trust fund, surety bond, cash bond, a secured trust fund, irrevocable letter of credit or insurance to pay costs of closure and postclosure cleanup, or shall require the permittee to meet a financial test established by the secretary for closure and postclosure, which test may be met by a permittee's ad valorem taxing power. In addition, the secretary shall require the permittee to provide liability insurance, including coverage against sudden and nonsudden occurrences, or any combination thereof, in such amount as determined necessary by the secretary to insure the financial

responsibility of the permittee for any: (1) Operational activities contemplated by the act, rules and regulations adopted pursuant thereto, and the permit; and (2) liability incurred in the operation of the facility or area and to insure that, upon abandonment, cessation or interruption of the operation of the facility or area, all appropriate measures are taken to prevent present or future damage to human health and the environment. Any such liability insurance as may be required pursuant to this subsection or pursuant to the rules and regulations of the secretary shall be issued by an insurance company authorized to do business in Kansas or by a licensed insurance agent operating under authority of K.S.A. 40-246b, and amendments thereto, and shall be subject to the insurer's policy provisions filed with and approved by the commissioner of insurance pursuant to K.S.A. 40-216, and amendments thereto, except as authorized by K.S.A. 40-246b, and amendments thereto. Nothing contained in this subsection shall be deemed to apply to any state agency or department or agency of the federal government.

(i) Permits granted by the secretary, as provided in this act: (1) Shall not be transferable; and (2) shall be revocable or subject to suspension whenever the secretary shall determine that the solid waste processing or disposal facility or area is, or has been constructed or operated in violation of this act or the rules and regulations or standards adopted pursuant to the act, or is creating or threatens to create a hazard to persons or property in the area or to the environment, or is creating or threatens to create a public nuisance, or upon the failure to make payment of any fee required under this act. The secretary also may revoke, suspend or refuse to issue a permit when the secretary determines that past or continuing violations of the provisions of subsection (c)(3) of K.S.A. 65-3407, and amendments thereto, have been committed by a permittee, or any principal, shareholder or other person capable of exercising partial or total control over a permittee.

(j) In case any permit is denied, suspended or revoked the person, city, county or other political subdivision or state agency may request a hearing before the secretary in accordance with K.S.A. 65-3412, and amendments thereto.

(k) (1) No permit to construct or operate a solid waste disposal area shall be issued on or after the effective date of this act if such area is located within  $\frac{1}{2}$  mile of a navigable stream used for interstate commerce or within one mile of an intake point for any public surface water supply system.

(2) Any permit, issued before the effective date of this act, to construct or operate a solid waste disposal area is hereby declared void if such area is not yet in operation and is located within  $\frac{1}{2}$  mile of a navigable stream used for interstate commerce or within one mile of an intake point for any public surface water supply system.

(3) The provisions of this subsection shall not be construed to prohibit: (A) Issuance of a permit for lateral expansion onto land contiguous to a permitted solid waste disposal area in operation on the effective date of this act; (B) issuance of a permit for a solid waste disposal area for disposal of a solid waste by-product produced on-site; (C) renewal of an existing permit for a solid waste area in operation on the effective date of this act; or (D) activities which are regulated under K.S.A. 65-163 through 65-165 or 65-171d, and amendments thereto.

Sec. 5. K.S.A. 65-3431 is hereby amended to read as follows: 65-3431. The secretary is authorized and directed to: (a) Adopt such rules and regulations, standards and procedures relative to hazardous waste management as may be necessary to protect the public health and environment and enable the secretary to carry out the purposes and provisions of this act.

(b) Report to the legislature on further assistance needed to administer the hazardous waste management program.

(c) Administer the hazardous waste management program pursuant to provisions of this act.

(d) Cooperate with appropriate federal, state, interstate and local units of government and with appropriate private organizations in carrying out the duties under this act.

(e) Develop a statewide hazardous waste management plan.

(f) Provide technical assistance, including the training of personnel, to industry, local units of government and the hazardous waste management industry to meet the requirements of this act.

(continued)

(g) Initiate, conduct and support research, demonstration projects, and investigations and coordinate all state agency research programs with applicable federal programs pertaining to hazardous waste management.

(h) Establish policies for effective hazardous waste management.

(i) Authorize issuance of such permits and orders, conduct inspections and collect samples or require information and copy records or data as may be necessary to implement the provisions of this act and the rules and regulations and standards adopted pursuant to this act.

(j) Conduct and contract for research and investigations in the overall area of hazardous waste storage, collection, transportation, treatment, recovery and disposal including, but not limited to, new and novel procedures.

(k) Adopt rules and regulations establishing criteria for identifying the characteristics of hazardous waste and for listing hazardous waste. The secretary shall prepare and keep current a listing of hazardous wastes and set of characteristics based on the rules and regulations adopted pursuant to this subsection. The listing shall identify, but need not be inclusive of, all the hazardous waste subject to the provisions of this act. The criteria for identification and listing shall be consistent with the criteria for identification and listing adopted by the administrator of the United States environmental protection agency under the authority vested in the administrator by the Resource Conservation and Recovery Act of 1976 (42 USC 6921) as amended by the Solid Waste Disposal Act of 1980 (P.L. 94-482, October 21, 1980), and as amended by the Hazardous and Solid Waste Act of 1984 (P.L. 98-616, November 8, 1984).

(l) Adopt rules and regulations establishing: (1) Appropriate measures for monitoring generators, transporters and facilities during operation, closure, and after closure of such facilities to insure compliance with the rules and regulations adopted under this act and any permit issued under this act; (2) procedures to suspend operation of such generators, transporters or facilities as may be required to protect the public health and safety or the environment; and (3) appropriate measures to insure that any use of a hazardous waste disposal facility after closure will not endanger the public health or safety or the environment.

(m) Adopt rules and regulations establishing standards for hazardous waste generators including, but not limited to, notification of hazardous waste generation, reporting, recordkeeping, labeling, containerization, source separation, storage, manifests, monitoring, sampling and analysis and manner of filing notifications, reports and manifests.

(n) Adopt rules and regulations prescribing the form of the manifest and requiring such manifest to accompany any hazardous waste collected, transported, treated, recovered or disposed of, and prescribing the contents of the manifest which shall include, but not be limited to, the quantity and composition of the hazardous waste, generator, transporter, destination, facility and the manner of signing and filing of the manifest and for the maintenance of records.

(o) Adopt rules and regulations establishing standards for routes used for transporting hazardous waste within the state with the concurrence of the state corporation commission. Such standards shall be consistent with those of the United States department of transportation and the state corporation commission, with respect to transportation of hazardous materials. Motor vehicles which are used for the transportation of hazardous waste in accordance with this act shall be exempt from the requirements of K.S.A. 66-1,108 *et seq.* and amendments thereto, and any rules and regulations adopted thereunder pertaining to routes which shall be under the jurisdiction of the secretary as provided in this act including any rules and regulations adopted thereunder. Otherwise such motor vehicles shall be subject to the requirements of K.S.A. 66-1,108 *et seq.* and amendments thereto, and any rules and regulations adopted thereunder.

(p) Adopt rules and regulations establishing standards for transporters of hazardous waste including, but not limited to, notification of hazardous waste transport, manifests, labeling, recordkeeping and the filing of reports.

(q) Adopt rules and regulations establishing standards and procedures to protect public health and the environment from any release of hazardous waste into the environment and to insure the prompt correction of any such release and damage resulting therefrom by the person transporting, handling or managing such hazardous waste.

(r) Adopt rules and regulations requiring that, for such period of time as the secretary shall specify, any assignment, sale, conveyance or transfer of all or any part of the real property upon which a hazardous waste treatment, storage or disposal facility is or has been located shall be subject to such terms and conditions as to the use of such property as the secretary shall specify to protect human health and the environment.

(s) Adopt rules and regulations establishing a permit system which includes standards for facilities and procedures for implementation of a permit system for the construction, alteration, or operation of a hazardous waste treatment, storage or disposal facility including, but not limited to, content of applications, evidence of financial responsibility, existing hydrogeological characteristics, environmental assessment, training of personnel, maintenance of operations, qualifications of ownership, continuity of operation, public notification and participation and compliance with those standards established pursuant to subsection (t).

(t) Adopt rules and regulations establishing minimum standards for the design, location, construction, alteration, operation, termination, closing and long-term care of facilities for the treatment, storage or disposal of hazardous waste including, but not limited to, notification of hazardous waste treatment, storage or disposal, general facility standards, contingency plans, emergency procedures, manifest system, recordkeeping, inspections, monitoring, reporting, closure and postclosure plans and financial requirements. The operator of the facility shall be responsible for long-term care of the facility for 30 years after closure of the facility except that the secretary may modify the long-term care requirements for any facility when all hazardous waste is removed from the facility at closure. The secretary may extend the long-term care responsibility of any operator of a facility as the secretary may deem necessary to protect the public health and safety or the environment. Any person acquiring rights of possession or operation of any facility permitted by the secretary for the treatment, storage or disposal of hazardous waste at any time after the facility has begun to accept waste and prior to the end of the required period of long-term care shall be subject to all of the requirements, terms and conditions of the permit for the facility including all requirements relating to long-term care of the facility. The sale or acquisition of a hazardous waste disposal facility during the long-term care period shall be subject to the assignment of long-term care responsibilities as determined by the secretary.

(u) Adopt rules and regulations establishing a schedule of annual fees to be paid to the secretary by: (1) Persons owning or operating hazardous waste treatment, storage or disposal facilities; (2) hazardous waste transporters; or (3) hazardous waste generators producing or bringing into existence hazardous waste in Kansas. The fees shall be for monitoring facilities both during and after operation, for monitoring generators of hazardous waste in Kansas and for monitoring the transportation of hazardous wastes. The fees shall be sufficient to reimburse the cost of the state in performing these monitoring responsibilities. The fee established under this subsection for each hazardous waste facility shall not exceed \$50,000 annually. In setting fees, the secretary may exempt those fees which would be payable by generators for hazardous waste which is treated to recover substantial amounts of either energy or materials from hazardous wastes. The secretary shall remit at least monthly any moneys collected from such fees to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the state general fund.

(v) (1) Adopt rules and regulations establishing a schedule of fees to be paid to the secretary by permittees operating hazardous waste disposal facilities. In establishing fees, the secretary shall give consideration to degree of hazard, costs of treatment and disposal, estimated future receipts and estimated future expenses to the state for monitoring, maintenance and supervision of the facilities after closure. Fees shall be in an amount of not to exceed \$.01 per pound of hazardous waste disposed of. Each permittee, as an advance payment of the fees authorized under this subsection, shall remit to the secretary an amount to be established by the secretary not to exceed \$25,000 upon request and notification by the secretary that an initial application for a permit or initial renewal thereof has been approved, subject to receipt of the advance payment. Commencing with the second renewal, no advance payment shall be required. The advance payment shall constitute a credit against any fee which may be assessed pursuant to this subsection.

(2) The secretary shall remit at least monthly any moneys collected pursuant to this subsection to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the hazardous waste perpetual care trust fund, which fund is hereby limited to the following uses: (A) Payment of extraordinary costs of monitoring a permitted hazardous waste disposal facility after the responsibility of the operator has terminated; (B) payment of costs of repairing a hazardous waste disposal facility, as a result of a postclosure occurrence which poses a substantial hazard to public health or safety or to the environment. If an expenditure made under this subsection would not have been necessary had the person responsible for the operation or long-term care of the permitted hazardous waste disposal facility, complied with the requirements of a plan of operation approved by the secretary when the permit was issued, a cause of action in favor of the hazardous waste perpetual care trust fund shall be accrued to the state of Kansas against such person, and the secretary shall take such action as is appropriate to enforce this cause of action by recovering any amounts so expended. The net proceeds of any such recovery shall be deposited in the state treasury and credited to the hazardous waste perpetual care trust fund; and (C) on an emergency basis up to 20% of the balance in the hazardous waste perpetual care trust fund may be allocated for investigation, engineering and construction related to the removal, treatment and disposal of hazardous waste disposed of in any hazardous waste disposal facility, when such hazardous waste is found to pose an imminent and substantial risk to the public health or safety or the environment.

(3) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the hazardous waste perpetual care trust fund the amount of money certified by the pooled money investment board in accordance with this paragraph. Prior to the 10th day of each month, the pooled money investment board shall certify to the director of accounts and reports the amount of money equal to the proportionate amount of all the interest credited to the state general fund for the preceding month, pursuant to K.S.A. 75-4210a and amendments thereto, that is attributable to moneys in the hazardous waste perpetual care trust fund. Such amount of money shall be determined by the pooled money investment board based on: (A) The average daily balance of moneys in the hazardous waste perpetual care trust fund during the preceding month as certified to the board by the director of accounts and reports and (B) the average interest rate on repurchase agreements of less than 30 days duration entered into by the pooled money investment board for that period of time. On or before the fifth day of each month, the director of accounts and reports shall certify to the pooled money investment board the average daily balance of moneys in the hazardous waste perpetual care trust fund during the preceding month.

(4) All expenditures from the hazardous waste perpetual care trust fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for the purposes set forth in this subsection.

(w) (1) Adopt rules and regulations establishing a schedule of fees to be paid to the secretary by applicants for permits to construct, modify or operate a hazardous waste facility. The fees established under this subsection shall not exceed \$175,000 for each application submitted. These fees shall be based upon resources required to review the application, the type of facility, quantity of waste processed, type of waste processed, degree of hazard and potential impact upon human health and environment. Fees collected under this subsection shall be used by the secretary to recover the costs associated with the review and processing of the permit application for which the fee was paid.

(2) The secretary shall remit at least monthly any money collected pursuant to this subsection to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the environmental permit fund, which fund is hereby established in the state treasury. Moneys in the environmental permit fund may be expended for the following purposes: (A) Technical reviews of applications for permits including permit modifications and permit renewals for hazardous waste facilities; (B) evaluating options available for minimizing

the generation of hazardous wastes; (C) completing background investigations of applicants pursuant to subsection (c) of K.S.A. 65-3437 and amendments thereto; (D) completing the site investigations pursuant to subsection (d) of K.S.A. 65-3437 and amendments thereto; or (E) assuring that the permittee fulfills all permit conditions during the effective period of the permit.

(3) On or before the 10th day of the month following the month in which moneys are first credited to the environmental permit fund, and monthly thereafter on or before the 10th day of the month, the director of accounts and reports shall transfer from the state general fund to the environmental permit fund, the amount of money certified by the pooled money investment board in accordance with this paragraph. Prior to the 10th day of the month following the month in which moneys are first credited to the environmental permit fund, and monthly thereafter prior to the 10th day of the month, the pooled money investment board shall certify to the director of accounts and reports the amount of money equal to the proportionate amount of all the interest credited to the state general fund for the preceding month, pursuant to K.S.A. 75-4210a and amendments thereto, that is attributable to moneys in the environmental permit fund. Such amount of money shall be determined by the pooled money investment board based on: (A) The average daily balance of moneys in the environmental permit fund during the preceding month as certified to the board by the director of accounts and reports and (B) the average interest rate on repurchase agreements of less than 30 days duration entered into by the pooled money investment board for that period of time. On or before the fifth day of the month following the month in which moneys are first credited to the environmental permit fund, and monthly thereafter on or before the fifth day of the month, the director of accounts and reports shall certify to the pooled money investment board the average daily balance of moneys in the environmental permit fund during the preceding month.

(4) All expenditures from the environmental permit fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for the purposes set forth in this subsection.

(x) (1) Adopt rules and regulations establishing a schedule of fees to be paid to the secretary by off-site hazardous waste treatment and disposal facilities. In establishing fees, the secretary shall give consideration to the degree of hazard, quantity of waste, costs of treatment or disposal, and estimated future receipts. Fees shall be in an amount not to exceed \$.01 per pound of hazardous waste treated, except that in no event shall the fees established under this subsection for treatment of hazardous waste exceed a total amount of \$200,000 per year for any single facility. Fees shall be in an amount not to exceed \$.01 per pound of hazardous waste burned by any facility which recycles and utilizes hazardous waste primarily to recover useful energy or materials to be used in the manufacture of a product, including but not limited to the burning of hazardous waste in kilns to recover energy or materials for use in the commercial production of cement, except that in no event shall the fees established under this subsection for burning of hazardous waste by any such facility exceed a total amount of \$50,000 per year for any single facility. In all other cases, fees shall be in an amount not to exceed \$.05 per pound of hazardous waste disposed of *except that in no event shall any fee be established under this exception prior to July 1, 1996, and which exceeds \$50,000 in any 12-month period for the treatment or disposal of hazardous waste at any facility if such facility: (A) Operates under a permit or permits granted by the secretary pursuant to K.S.A. 65-3430 et seq., and amendments thereto; (B) treats or disposes of hazardous waste generated by such facility or a single generator located on property contiguous to such facility, or both; and (C) was treating or disposing of hazardous waste generated on such contiguous property as of July 1, 1991, with the knowledge of the secretary. In establishing the amount of fees pursuant to the immediately preceding exception, the secretary shall base the same upon the degree of hazard, quantity of waste, costs of treatment or disposal, estimated receipts for disposal services and waste reduction efforts of such facility.*

(2) The secretary shall remit at least monthly any money collected pursuant to this subsection to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the environ-

(continued)

mental permit fund, except that 25% of any such deposit shall be deposited to the credit of the hazardous waste collection fund.

(y) Encourage, coordinate or participate in one or more waste exchange clearing houses for the purpose of promoting reuse and recycling of industrial wastes.

(z) Adopt rules and regulations establishing the criteria to specify when a change of principal owners or management of a hazardous waste treatment, storage or disposal facility occurs and under what circumstances and procedures a new permit shall be required to be issued to the transferees of a facility which was permitted to the transferor.

(aa) Adopt rules and regulations concerning the generation, transportation, storage, blending, marketing, burning and types of hazardous waste for which any method, technique or process to recover energy will be considered hazardous waste treatment. Such rules and regulations should specify a minimum heat value of the waste so as to ensure that a legitimate energy recovery will occur and should consider other characteristics of the waste which are appropriate to ensure that such method, technique or process for energy recovery will not pose a threat to the public health or environment.

Sec. 6. K.S.A. 65-3424d is hereby amended to read as follows: 65-3424d. (a) In addition to any other tax imposed upon the retail sale of new tires, there is hereby imposed an excise tax on retail sales of new tires at the rate of \$.50 per tire sold including new tires mounted on a vehicle sold at retail for the first time. Such tax shall be paid by the purchaser of such tires and collected by the retailer thereof.

(b) The tax imposed by this section collected by the retailer shall become due and payable monthly, or on or before the 25th day of the month immediately succeeding the month in which the tire is sold, but any person filing an annual or quarterly return under the Kansas retailers' sales tax act, as prescribed in K.S.A. 79-3607 and amendments thereto, shall, upon such conditions as the secretary of revenue may prescribe, pay the tax imposed by this act on the same basis and at the same time the person pays such retailers' sales tax. Each person collecting the tax imposed pursuant to this section shall make a true report to the department of revenue, on a form prescribed by the secretary of revenue, providing such information as may be necessary to determine the amounts of taxes due and payable hereunder for the applicable month or months, which report shall be accompanied by the tax disclosed thereby. Records of sales of new tires shall be kept separate and apart from the records of other retail sales made by the person charged to collect the tax imposed pursuant to this section in order to facilitate the examination of books and records as provided herein.

(c) The secretary of revenue or the secretary's authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of the person required to collect the tax imposed pursuant to this section as may be necessary to determine the accuracy of such reports required hereunder.

(d) The secretary of revenue is hereby authorized to administer and collect the fees imposed hereunder and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement of the collection thereof. Whenever any person liable to collect the taxes imposed hereunder refuses or neglects to pay them, the amount, including any penalty, shall be collected in the manner prescribed for the collection of the retailers' sales tax by K.S.A. 79-3617 and amendments thereto.

(e) The secretary of revenue shall remit daily to the state treasurer all revenue collected under the provisions of this act. The state treasurer shall deposit the entire amount of each remittance in the state treasury and credit it to the waste tire management fund.

(f) Whenever, in the judgment of the secretary of revenue, it is necessary, in order to secure the collection of any taxes, penalties or interest due, or to become due, under the provisions of this act, the secretary may require any person charged with the collection of such tax to file a bond with the director of taxation under conditions established by and in such form and amount as prescribed by rules and regulations adopted by the secretary.

Sec. 7. K.S.A. 65-3402, 65-3406, 65-3407, 65-3415b, 65-3415d, 65-3424d and 65-3431 are hereby repealed.

Sec. 8. 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 2428.

I object to the bill for the following reasons:

By repealing county authority to assess a \$25 per ton tipping fee on out-of-state wastes, and by directing the Kansas Department of Health and Environment to conform to minimal federal standards, the bill serves to encourage large scale importation of solid waste into Kansas.

By deferring and capping, at a very low level, fees to be paid by the state's largest hazardous waste generators, the bill undermines efforts to encourage pollution prevention and discourage underground injection of hazardous waste.

By extending and adding another layer to the process for adoption and implementation of regulations, the bill jeopardizes efforts to gain state primacy for operating the federal solid waste program. Without authorization, the state loses flexibilities in areas key to controlling local solid waste management costs. Delays in implementation could also increase frustrations as local planning committees attempt to make near term federally-mandated decisions about solid waste management in the absence of clear regulatory guidance from the state.

For these reasons, I am vetoing House Bill 2428. At the same time, I am mindful of concerns about implementation of the federal solid waste program, and am directing the Department of Health and Environment to make all prudent efforts to both increase local flexibility and contain local costs related to implementing solid waste management programs. Additionally, I am directing KDHE to reconsider, in light of legislative intent, the issue of assessing tipping fees on construction and demolition wastes.

Dated April 23, 1993.

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 2428**,

An act relating to waste; concerning solid waste management; concerning fees imposed upon the disposal of hazardous waste; amending K.S.A. 65-3402, 65-3406, 65-3407, 65-3415b, 65-3424d and 65-3431 and repealing the existing sections; also repealing K.S.A. 65-3415d.

was not approved by the Governor on April 23, 1993; was returned by her with her objections and approved on April 28, 1993, by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and was approved on April 28, 1993 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 30th day of April 1993, 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

Robert H. Miller  
Speaker of the House of Representatives

(Editor's Note: The following bill contains three line-item vetoes by the Governor. One of the vetoes was subsequently overridden by the Kansas Legislature and is indicated with a (\*). The Governor's line-item veto message and the Legislature's certificate overriding the veto immediately follow the bill.)

(Published in the Kansas Register, May 6, 1993.)

HOUSE BILL No. 2062

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

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

Section 1. For the fiscal year ending June 30, 1993, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

Abilene Machine, Inc., P.O. Box 281, Solomon, KS 67480	\$1,118.73
Aetna Cattle Co., Inc., Box 732, Coldwater, KS 67029	154.84
Albers, Ronald L., Rural Route, Cunningham, KS 67035	79.40
Alexander, Ted, Route 1, Box 74, Sun City, KS 67143	151.78
Alpert, Jack, Route 2, Box 61, Paola, KS 66071	22.76
Amos, J. Max, Route 1, Box 20, Council Grove, KS 66846	57.42
Anderson, Lloyd, Route 1, Box 273, Sylvan Grove, KS 67481	48.00
Angleton, Cecil A., Route 1, Box 195, Erie, KS 66733	36.70
Armstrong, James D., Route 2, Box 86, Frankfort, KS 66427	406.08

Arndt, Frank, Route 4, Box 59, Emporia, KS 66801	19.00
Arnhold, Bruce A., 1600 E. 13th, Hays, KS 67601	31.72
Atchison, Darrell D., Route 1, Box 119, Kirwin, KS 67644	16.08
Auld, Glenn A., Route 1, Box 37, Eskridge, KS 66423	17.00
Bahr, Bernard, Box 87, Olmitz, KS 67564	37.80
Balderson, Inc., P.O. Box 6, Wamego, KS 66547	230.13
Barrand, William, Route 1, Box 26, Denton, KS 66017	17.00
Beckmann, Inc., Fred, Route 1, Box 360, Athol, KS 66932	107.14
Beemer & Beemer, Route 2, Abilene, KS 67410	86.44
Berg Bros, Route 2, Box 4, Blaine, KS 66549	166.75
Bergin, Wayne W., Route 1, Box 149, Clay Center, KS 67432	33.96
Bergmeier, Clarence F., Longford, KS 67458	24.75
Bergmeier, William R., Route 1, Wakefield, KS 67487	33.00
Blackwood, Rex, Rural Route, Box 129, Miltonvale, KS 67466	73.00
Blakely, Max, HCR 1, Box 200, Beeler, KS 67518	499.49
Bollig, Gilbert E., HCR 01, Box 43, Clayton, KS 67629	30.22
Bolz, Junior, Hoyt, KS 66440	65.00
Boucher, Henry F., Route 1, Box 78, Douglass, KS 67039	30.00
Bowles, Lyle W., P.O. Box 403, Atwood, KS 67730	47.40
Boyce, Bill J., Route 1, Box 141, Council Grove, KS 66846	200.25
Bromley & Sons Concrete, Inc., 15th & Skyway, Box 406, Atchison, KS 66002	754.00
Bromley Quarry & Asphalt, Inc., Route 2, Box 670, Atchison, KS 66002	1,254.29
Brown, Gregory A., Route 1, Box 70, Lucas, KS 67648	368.50
Broxterman, Daniel, Route 2, Box 95, Centralia, KS 66415	54.60
Broyles, Kenneth M., Delia, KS 66418	83.56
Buckner, Jack A., 2453 Military, Baxter Springs, KS 66713	81.00
Bussmann, Bernard, Route 1, Box 134, Marysville, KS 66508	111.40
Carlson, Eric A., Route 1, Box 59, Clay Center, KS 67432	17.00
Cauble, Dean B., 14915 E. Parallel Rd., Mount Hope, KS 67108	32.52
Circle J. Farms, Inc., Route 4, Box 22, Great Bend, KS 67530	317.79
Classen, R. C. or Dwight, Route 5, Box 41A, Newton, KS 67114	49.00
Clemence, Jon, Route 1, Box 202, Abilene, KS 67410	102.92
Comp, Jon D., Route 1, Box 122, White City, KS 66872	102.44
Concordia Country Club, Box 342, Concordia, KS 66901	45.80
Cook, James W., Box 129, Elwood, KS 66024	9.00
Coover, Allen L., Route 1, Box 77, Erie, KS 66733	9.00
Costello, Eugene, Route 1, Box 46, Tampa, KS 67483	52.32
Council, Dewey, Box 273, Winona, KS 67764	277.24
Crane, Leslie, Route 1, Gypsum, KS 67448	52.36
Cressler, Larry, Route 1, Box 26, Hoxie, KS 67740	74.92
Cuthbertson, Floyd Merle, Route 2, Box 9B, Girard, KS 66743	97.00
Dan-D-Glenn Farms, Route 1, Box 40, 12505 McIntyre Creek Rd., Olsburg, KS 66520	206.93
Daniel, Ray E., Route 1, Box 65, Hallowell, KS 66744	23.88
Deeds, Warren L., P.O. Box 154, Scott City, KS 67871	138.60
Deines, Larry, Route 2, Box 144, Wakeeney, KS 67672	429.07
Demel, Jerome, Route 3, Box 171, Augusta, KS 67010	41.00
Deneault, Levi, 321 E. 15th, Concordia, KS 66901	30.12
Denniston, Percy, Route 1, Box 120, Natoma, KS 67651	30.00
Derzinski, Gary E., 17245 Springdale Rd., Leavenworth, KS 66048	47.00
Dietz, Elroy, Route 1, Box 70, Russell, KS 67665	43.24
Dillon, Ralph E., Route 2, Box 25, Hope, KS 67451	388.28
Diskin, C. M., Route 1, Box 17, St. Paul, KS 66771	62.44
DKR Farms, Kenneth Steinert, 1025 Kilian, Russell, KS 67665	10.60
Drew, John L., 1219 Stone St., Great Bend, KS 67530	41.00
Duane Donovan Aerial Farming, P.O. Box 373, Concordia, KS 66901	244.80
Elmore, Jack E., Route 1, Box 12, Rozel, KS 67574	65.00
Ericksen, Mrs. Wayne, Route 2, Box 26, Junction City, KS 66441	99.88
Evans, Dorothy, Route 3, Box 165, Marion, KS 66861	9.00
Faidley, Bill, Box 234, Longford, KS 67458	9.00
Faidley, Harold, Longford, KS 67458	32.20
Faidley, Lon, Box 97, Solomon, KS 67480	288.72
Failer, Roy, Route 1, Neodesha, KS 66757	105.38
Falen, Dan J., Route 2, Box 100, Hope, KS 67451	131.55
Ferguson Brothers, Inc., Route 1, Box 146, Kensington, KS 66951	1,422.51
Ferguson Ranch, Box 236, Wellington, KS 67152	97.00
Field, Fred, 1611 North B Street, Wellington, KS 67152	4.95
Fischer, Faye E., Adm. for Lloyd Valburg Estate, 21121 Walnut, Duth, KS 66521	272.73
Flin, Earl, Route 2, Box 53, Beattie, KS 66406	120.44
Flora, Samuel E., Route 3, Box 33, Quinter, KS 67752	65.00
Frazier, Thomas R., Route 1, Pratt, KS 67124	32.04
Freidenberger, Alex, Route 1, Box 52, Bison, KS 67520	143.10
Furst, Stacey A., Jr., Route 2, Box 49, Mound City, KS 66056	21.80
Gaines, Floyd, Route 2, Box 107, Overbrook, KS 66524	144.00
George, Nadine, Box 865, Ashland, KS 67831	316.72
Gibson, Gary W., Route 2, Box 240, Douglass, KS 67039	125.00
Gibson, Larry, Route 1, Box 130, Kensington, KS 66951	171.08
Gilbert, R. D., Route 1, Box 171, LeRoy, KS 66857	25.00
Graber, Donald L., Route 2, Box 155C, Kingman, KS 67068	355.02
Griffee, Glen, Route 1, Box 41, Marysville, KS 66508	17.00
Griffin, Ed, Route 1, Box 94, Cottonwood Falls, KS 66845	65.00
Grimm, Kenneth D., Route 3, Box 12, Sabetha, KS 66534	75.90
Grosdidier, F. E., St. Paul, KS 66771	29.00
Haag, Gerald, Route 1, Olpe, KS 66865	1.96
Hainke Farms LTD, c/o Gary Hainke, Route 1, Box 33, Kensington, KS 66951	61.50

(continued)



Hallagin, Clarence, Route 2, Box 46, Goodland, KS 67735	103.08	Prairie Land & Cattle Co., 155 N. Market #500, Wichita, KS 67202	21.80
Haslouer, Bill, Route 1, Box 101, Hope, KS 67451	431.05	Prairie View Farm, Inc., Route 1, Box 39, Admire, KS 66830	33.00
Hegwald, Nadine F., Route 1, Box 169, Humboldt, KS 66748	31.40	Price, Robert J., Route 1, Box 110, Deerfield, KS 67838	232.71
Heller & Wehrman, Route 1, Box 64, Sylvan Grove, KS 67481	265.36	Pschigoda, Von, Box 112, Hope, KS 67451	33.00
Herrmann, William E., Route 1, Box 65, Offerle, KS 67563	61.80	Quinlan, Gerald F., Route 1, Box 61, Perry, KS 66073	57.48
Hess, William F., Route 2, Box 47, Humboldt, KS 66748	32.68	Reed, Freddie, 610 N. Walnut, Stockton, KS 67869	27.72
Higbie, Leland, Route 2, Box 78, Lewis, KS 67552	112.95	Renken, Floyd, Route 1, Box 58, Downs, KS 67437	266.83
Hockersmith, Harold, Route 1, Box 18, Oakley, KS 67748	46.60	Reynolds, David F., Route 1, Box 104, Orleans, NE 68966	93.16
Hoffman, Gene, Route 2, Box 185, Abilene, KS 67410	64.20	Rice, Raymond E., Route 1, Box 5, Melvern, KS 66510	26.12
Holt, Dale L., Route 1, Manchester, KS 67463	93.00	Roesler, Herman J., Route 4, Box 37, Junction City, KS 66441	30.60
Holt, Ilene, Route 1, Manchester, KS 67463	39.08	Rosproy, Louis, Route 1, Box 160, Ransom, KS 67572	434.70
Holt, Norman D., Route 1, Manchester, KS 67463	36.52	Rowe, Bill, Route 4, Winfield, KS 67156	137.50
Holt, Walter E., Route 2, Box 168, Abilene, KS 67410	574.14	Rusco, Orville, 3415 Meadow Lark, Great Bend, KS 67530	65.00
Holthaus, Aloysius A. or Hazel, Route 1, Seneca, KS 66538	33.00	Sand Springs Feedyard, Inc., Route 4, Box 91, Abilene, KS 67410	509.52
Holub, Mary or Kenneth, Route 1, Box 24, Tampa, KS 67483	22.50	Sankey, Norman, Box 87, Republic, KS 66964	65.00
House, Bill, Box 98, Cedarvale, KS 67024	116.20	Satterlee, Thad, 9640 S. Fairchild Road, Assaria, KS 67416	65.00
Hulsing, John P., Route 1, Box 87, Baileyville, KS 66404	33.00	Schade, Kenneth, Route 1, Olpe, KS 66865	31.44
Humble, Eugene, Route 2, Box 866, Pittsburg, KS 66762	87.40	Schemper, Gary W., Box 67, Long Island, KS 67647	33.00
Hund, Duane, Box 185, Paxico, KS 66526	19.40	Schlobohm, Starr F., Box 184, Durham, NH 03824	60.00
Huppert, Rose L., Route 3, Box 128, Hiawatha, KS 66434	17.00	Schmidt, Alfred, Jr., Route 1, Box 68, Chapman, KS 67431	12.52
Imm, Tony, Route 3, Box 83, Phillipsburg, KS 67661	134.28	Schwartz, Randy, Route 4, Box 179A, Great Bend, KS 67530	69.15
J-Hawk, Inc., Route 1, Box 33, Ness City, KS 67560	151.34	Setzer, Vernon, Route 1, Box 285, St. George, KS 66535	33.00
J.L.S. Farms, Route 1, Box 205, Overbrook, KS 66524	144.00	Shawnee Country Club, 913 SE 29th, Topeka, KS 66605	579.00
Jansonius, Harold, Rural Route, Box 40, Prairie View, KS 67664	33.00	Shorter, Clyde A., P.O. Box 36, Lucas, KS 67648	17.80
Janzen, Leon M., Route 1, Box 37, Lorraine, KS 67459	99.24	Sigel, Eric, Route 1, Box 51, Cottonwood Falls, KS 66945	387.29
Janzen, Wilbert F., 408 E. 9th, Ellsworth, KS 67439	15.40	Simmons, Lee, Route 1, Box 219, Leona, KS 66532	24.00
Johnson, Donald D., 1939 Highway K-68, Ottawa, KS 66067	114.60	Sippel, Walter, Box 110, Route 1, Cypsum, KS 67448	28.20
Johnson, L. Dean or Lois, Route 1, Box 124, Marquette, KS 67464	194.69	Smoky River Cattle Co., Box 114, Arapahoe, CO 80802	40.93
Johnson, Phillip Mark, Route 1, Box 4, Gaylord, KS 67638	318.28	Sonkabob, Inc., 513 N. Madison, Anthony, KS 67003	153.00
Johnston Cattle Co., 9675 So. Hwy. 83, Garden City, KS 67846	611.13	Spencer, Edward L., Route 2, Box 95A, Spearville, KS 67876	94.60
Juenemann, Thomas, HCO 1, Box 90A, Selden, KS 67757	33.16	Sperfsilage, William D., Route 2, Box 24, Goff, KS 66428	32.20
Juhnke, Leonard J., Route 1, 125th St. North, Sedgwick, KS 67135	32.36	Standley, Frank, Route 1, Box 54, Courtland, KS 66939	120.36
Kaff, Lee, Route 1, Box 175, Carbondale, KS 66414	135.14	Steele, Ellis W., 6742 NW Humphrey, Silver Lake, KS 66539	17.00
Kahrs, Richard, Route 1, 2612 Limestone Rd., Morganville, KS 67468	40.52	Steinberger, Thomas A., 7380 Louis Vieox Road, Wamego, KS 66547	31.40
Kansas Instruments, 1100 Union Street, Council Grove, KS 66846	146.92	Stelter, Robert H., Route 1, Box 178, Burrton, KS 67020	143.37
Kansas State University-Controller, Anderson Hall, R212, Manhattan, KS 66506	539.70	Stepanich, Edward J., Route 1, Box 95, Cherryvale, KS 67335	119.88
Keast Bros., Route 3, Box 58, Larned, KS 67550	70.44	Stich, John, Route 1, Box 29, Thayer, KS 66776	17.00
Keast, Don, Estate of, Route 3, Larned, KS 67550	1,374.72	Stillwagon, Curtis D., 104 Westwood Drive, Abilene, KS 67410	37.50
Kehler, John, 412 West 3rd, Holton, KS 66436	148.86	Stilwell, Larry, Route 1, Box 50, White City, KS 66872	124.04
Kehre, Larry, Route 1, Box 46, Olpe, KS 66865	73.64	Stockstill, Harry E., Route 1, Uniontown, KS 66779-9802	34.30
Kernohan, Max, Route 1, Box 44, Zenda, KS 67159	135.88	Stone, Chester & Roger, Route 1, Box 46A, Leonardville, KS 66449	646.43
Kimball, Thomas E., 3981 Pillsbury Crossing Road, Manhattan, KS 66502	59.56	Stoppel Farm, P.O. Box 51, Sublette, KS 67877	166.18
Kitten, Raymond G., Box 497, Lakin, KS 67860	26.60	Stos, Leo J., Jr., 5501 W. 9th, Lot 40, Great Bend, KS 67530	49.00
Knowles, Stephen J., Route 1, Box 139, Kirwin, KS 67644	31.08	Stroda, Boyd, Route 1, Box 175, Hope, KS 67451	31.88
Koehler, James R., Route 1, Box 20, Hanover, KS 66945	67.09	Sumpter Farms, Route 2, Box 116, Downs, KS 67437	25.00
Krey Farms, Inc., Route 1, Box 107, Rolla, KS 67954	670.82	Sundgren, John, 6249 E. Schilling Road, Salina, KS 67401	33.00
Krohn, Myron, Route 2, Box 28, Blaine, KS 66549	77.80	Sunrise Stock Farm, Inc., Route 2, Box 108, Valley Falls, KS 66088	550.78
Kvasnicka, Richard, HC 1, Box 1, Winona, KS 67764	33.00	Swanson, Fred E., Route 3, Box 243, Arkansas City, KS 67005	49.00
Leck, Richard, Route 1, Box 93, Thayer, KS 66776	24.75	Swanson, Romaine, 4349 S. Kipp Road, Gypsum, KS 67448	75.88
Leitner, Randy R., Box 104, Herndon, KS 67739	229.55	Thompson, Arlan M., Route 2, Box 167, Meriden, KS 66512	243.00
Lies, Donald N., Box 205A, Colwich, KS 67030	29.80	Thurlow, D. Jack, Route 1, Box 227, Wakefield, KS 67487	31.40
Lindquist, Ural, Route 1, Box 40, Wiley, KS 66873	26.60	Triple H. Farms, Route 2, Box 80, Nashville, KS 67112	63.56
Lockhart, Robert, Route 2, Box 112, Osborne, KS 67473	33.00	True, Lynn M., P.O. Box 658, Gaylord, KS 67638	31.40
Long, Eldon, Route 1, Box 123, Norcat, KS 67653	82.12	Tuttle, Wey S., Route 1, Box 108, Lucas, KS 67648	11.88
Lueker, Gaylon, Box 1, Woodbine, KS 67492	1,063.24	Umscheid, Dennis, Route 2, Box 364, Wamego, KS 66547	8.68
Maness, Fred H., 18376 - 198th Street, Tonganoxie, KS 66086	119.56	Valley Township, Route 1, Box 89, Burrton, KS 67020	49.00
Martin, Max, Route 3, Box 179, Clay Center, KS 67432	53.80	Visser Farms, Inc., Route 1, Box 204, Riley, KS 66531	612.65
Martin, Ray H., Route 2, Box 11A, Dexter, KS 67038	32.20	Warstler, Kent, 201 E. 12th St., Baxter Springs, KS 66713	18.60
Massieon, Robert M., 901 Poplar, Wamego, KS 66547	42.76	Watson, Wilbur, Miltonvale, KS 67466	13.90
McDonald, Gary, Route 2, Box 124A, Smith Center, KS 66967	532.62	Wehkamp, J. A., Route 1, Box 75, Ingalls, KS 67853	272.52
McGarity, Bob, Route 1, Box 376, Meriden, KS 66512	145.66	Wehling, Gale, Route 2, Box 115, Washington, KS 66068	387.06
Metzinger, Dale T., 2005 MacKenzie Way, Yukon, OK 73099	182.54	Weishaar, Vernon, Route 1, Box 182, Nortonville, KS 66060	27.08
Meyer, Donald W., Route 1, Box 170, Hanover, KS 66945	32.20	Weixelman, Paul, 653 Delaware, Box 118, Ozawie, KS 66070	221.85
Meyer, George A., Route 1, Box 145, Powhattan, KS 66527	27.88	Wenger, Kenneth E., Route 4, Box 188, Hiawatha, KS 66434	17.80
Miller, B & B Farms, Inc., 218 N. Brownlee Road, Sylvia, KS 67581	586.30	Wenzl, Ernest, Route 1, Box 77, Vermillion, KS 66544	49.00
Miller, Harold, 13446 SW Highway K-4, Topeka, KS 66610	29.32	Werth, Steven A., Route 1, Box 34, McCracken, KS 67556	87.51
Miller, Melvyn, Route 1, Marysville, KS 66508	224.55	Whittaker Bros., HC 1, Box 175, Brewster, KS 67732	18.92
Monnich, Richard, Route 2, Box 171, Herington, KS 67449	31.56	Wiebe, Allen, P.O. Box 124, Summerfield, KS 66541	32.52
Moon, Rex, P.O. Box 215, Toronto, KS 66777	762.91	Wieland, Donald J., Route 1, Box 108, Morrowville, KS 66958	146.40
Moore, Malcolm, 7330 SW Urish Road, Auburn, KS 66402	51.02	Wiens, Walter, Route 1, Box 146, Inman, KS 67546	163.80
Moss, Harold L., Route 2, Box 72, Eureka, KS 67045	32.52	Wildin, D. C., Route 1, Hutchinson, KS 67501	42.48
Musil, Elmer R., Route 2, Box 6, Burdette, KS 67523	36.60	Wilroads Feed Yard, Route 3, Dodge City, KS 67801	144.72
Nelson, Vernon, 10657 S. Muir, Falun, KS 67442	73.64	Wilson, Dennis C., Route 1, Box 102, Breman, KS 66412	99.08
Neumeyer, Herbert, Route 2, Box 55A, White City, KS 66872	17.00	Wohletz, Raphael L., Route 4, Atchison, KS 66002	33.62
Nichols, Kendall L., Box 34, Oberlin, KS 67749	114.30	Wolgamott, David, Star Route, Box 62, Hardtner, KS 67057	253.58
Nutter, Charles M., Route 2, Box 56, Belleville, KS 66935	19.00	Young, Robert L., 1207 Park Place, Marysville, KS 66508	29.80
Odgers, Alice, 608 N., Belleville, KS 66935	153.00	Youngers, John R., Route 3, Box 158, Kingman, KS 67068	192.89
Otott, Roger, Route 2, Washington, KS 66968	617.38	Zimbleman, Rell D., Route 2, Box 44, St. Francis, KS 67756	116.84
Paola Country Club, Inc., Box 141, Paola, KS 66071	267.95	Zimmers, Marvin, Route 1, Box 37, Howard, KS 67349	78.60
Petracek, Elmer, Route 1, Box 82, Jennings, KS 67643	58.12		
Pittsburg Garden of Memories, Route 1, Pittsburg, KS 66762	61.00		
Prairie Dunes Country Club, 4812 East 30th, Hutchinson, KS 67502	2,034.46		
		Total	\$38,862.87

Sec. 3. (a) The department of revenue is hereby authorized and directed to pay the following amounts from the sales tax refund fund for sales tax paid for materials and services incorporated in a tax exempt project, to the following claimants:

Jefferson County, Courthouse, Oskaloosa, KS 66066	\$10,016.00
City of Eastborough, 1 Douglas, Wichita, KS 67207	821.21
American Institute of Baking, 1213 Bakers Way, Manhattan, KS 66502	7,982.92
Shawnee County, c/o County Counselor, 200 E. 7th, Topeka, KS 66603	171.25
Harvey County, 8th and Main, Newton, KS 67114	492.30
U.S.D. #378, P.O. Box 326, Riley, KS 66531	3,646.41
City of Lawrence, Utilities Department, P.O. Box 708, Lawrence, KS 66044	3,697.90
City of Topeka, 215 E. 7th, Topeka, KS 66603	12,330.86
Library Board of Clay Center, 706 6th St., Clay Center, KS 67432	145.00
Lawrence Public Library, 707 Vermont St., Lawrence, KS 66044	3,083.40
U.S.D. #364, 1005 Walnut, Marysville, KS 66508	2,538.00
Clay County Hospital, 617 Liberty, Clay Center, KS 67432	3,204.31
City of Inman, 104 N. Main, Box 177, Inman, KS 67546	908.34
U.S.D. #307, 1757 N. Halstead Rd., Salina, KS 67401	2,134.54
<b>Total</b>	<b>\$51,172.44</b>

(b) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund as a refund of a sales tax bond deposit to the following claimant:

Performance Materials Supply, Inc., P.O. Box 7352, North Kansas City, MO 64116-0052	\$900.00
---	----------

Sec. 4. The department of administration is hereby authorized and directed to pay the following amounts from the canceled warrants payment fund for payment of expired warrants, to the following claimants:

Julie L. Halling, 3000 Tam O'Shanter, Hays, KS 67601	\$112.30
Ralph Ostmeyer, Route 1, Box 67, Grinnell, KS 67738	230.22
McLane Livestock Transport, Inc., P.O. Box 309, Poplar Bluff, MO 63901	261.00
Georgia "Wilma" Baker Estate, c/o Leo Wetta, 200 W. Douglas, Suite 830, Wichita, KS 67202	561.38
John P. Benfer, Box 56, Longford, KS 67458	90.49
Bernard F. Oelschlager, 601 W. Wea, Paola, KS 66071	207.00
<b>Total</b>	<b>\$1,462.39</b>

Sec. 5. (a) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund as payment for services rendered in moving department property, to the following claimant:

Wegele and Wegele, 1100 S. Main, Pratt, KS 67124	\$2,780.60
--	------------

(b) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund as compensation for a personal injury, to the following claimant:

Bernard Pfeifer, 5638 Minnie, Wichita, KS 67217	\$486.03
---	----------

(c) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund as compensation for property damage, to the following claimants:

Lois Wilson, 1201 Money, Lot 124, Augusta, KS 67301	\$1,250.00
Floyd Holloway, Route 4, Box 228, Independence, KS 67301	1,250.00
<b>Total</b>	<b>\$2,500.00</b>

~~(d) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund as full compensation for all past, present and future loss of claimant's gravel business due to not being issued permits required by law to remove gravel from the Neosho river, to the following claimant:~~

<del>Chauncey Shepard, d/b/a Valley Gravel, Route 2, Box 115A, McGune, KS 66753</del>	<del>\$38,000.00</del>
---	------------------------

~~Provided, That prior to payment of this amount the director of accounts and reports shall obtain a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding the subject matter of this claim, including any claim for any past, present and future loss of gravel business due to not being issued permits required by law to remove gravel from the Neosho river in accordance with the subject matter of this claim.~~

Sec. 6. The El Dorado Correctional Facility is hereby authorized and directed to pay from the operating expenditures account of the state general fund for reimbursement for loss of or damage to the claimants' personal property which was in the care, custody and control of the personnel at such facility, to the following claimants:

Timothy Gonzales, #47015, P.O. Box 311, El Dorado, KS 67042	\$39.00
Jerome Scaife, #40080, P.O. Box 311, El Dorado, KS 67042	12.90
Robbie D. Hubbard, #8838, P.O. Box 311, El Dorado, KS 67042	107.00
Jessie J. Jones, #49233, P.O. Box 311, El Dorado, KS 67042	5.00
<b>Total</b>	<b>\$163.90</b>

Sec. 7. (a) The Hutchinson Correctional Facility is hereby authorized and directed to pay the following amounts from the operating expenditures account of the state general fund for reimbursement for loss of or damage to the claimants' personal property which was in the care, custody and control of the personnel at such facility, to the following claimants:

La Juan Eugene Clemons, #53020, P.O. Box 2, Lansing, KS 66043	\$14.95
Jerome Jones, #48847, P.O. Box 546, Norton, KS 67654	42.94
<b>Total</b>	<b>\$57.89</b>

(b) There is hereby appropriated for the following claimant from the state general fund for payment as compensation for a personal injury sustained in the course and scope of the claimant's activity during a facility work detail, the following:

Gordon McDowell, c/o Stanley Wiles, 906 Grand Ave., Suite 205, Kansas City, MO 64106	\$29,661.60
--	-------------

(c) The Hutchinson Correctional Facility is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for lost wages caused by lack of required working shoes, to the following claimant:

Mark E. Barnett, #30984, 401 S. Emporia, Wichita, KS 67202	\$97.04
--	---------

Sec. 8. (a) The Lansing Correctional Facility is hereby authorized and directed to pay the following amounts from the operating expenditures account of the state general fund as reimbursement for loss of claimants' personal property, which was in the care, custody and control of such facility's personnel, to the following claimants:

Billy Jack Hayes, #33951, P.O. Box 2, Lansing, KS 66043	33.85
Peter E. Dow, #40782, P.O. Box 1568, Hutchinson, KS 67504-1568	85.00
Michael Colbert, #39536, P.O. Box 311, El Dorado, KS 67042	50.00
Ricky R. Redford, #43834, P.O. Box 311, El Dorado, KS 67042	40.00
Wayne L. Morris, #41222, P.O. Box 2, Lansing, KS 66043	65.66
<b>Total</b>	<b>\$274.51</b>

(b) The department of corrections is hereby authorized and directed to pay the following amount from the correctional industries fund, as compensation for personal injuries sustained in the course and scope of the claimant's activity during a facility work detail, to the following claimant:

Archie C. Simons, c/o Donald T. Taylor, Attorney at Law, 827 Armstrong, Kansas City, KS 66101	\$11,197.25
---	-------------

Sec. 9. The Norton Correctional Facility is hereby authorized and directed to pay the following amounts from the operating expenditures account of the state general fund as reimbursement for personal property loss sustained while the property was in the care, custody and control of such facility's personnel, to the following claimants:

Gaylon Gillis, #50904, P.O. Box 1568, Hutchinson, KS 67504	\$21.75
Wanda Friesland, 519 W. 10th, Junction City, KS 66441	41.80
Benigno Johnston, #55586, P.O. Box 306, Oswego, KS 67356	28.11
<b>Total</b>	<b>\$91.66</b>

Sec. 10. The department of corrections is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund as payment of an employee suggestion award, to the following claimant:

Larry Peter, 3137 Meadow Lane, Topeka, KS 66614	\$4,000.00
---	------------

Provided, That prior to payment of this amount the director of accounts and reports shall obtain a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding the subject matter of this claim, including that portion of any claim the claimant has in pending case of Ackley, et al v. Department of Corrections of the State of Kansas, United States District Court for Kansas, Case No. 92-1360-B, that is based on the subject matter of this claim.

Sec. 11. The department of corrections is hereby authorized and directed to pay the following amount from the correctional industries fund, as compensation for personal injuries sustained during the course and scope of a state sponsored work detail, to the following claimant:

Patrick Martin, #35946, P.O. Box 1568, Hutchinson, KS 67504-1568	\$4,750.43
--	------------

(continued)

Sec. 12. (a) The Topeka Correctional Facility is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund as compensation for lost personal property, to the following claimant:

Bob James, c/o Ron Svaty, Attorney at Law, P.O. Box 83, Ellsworth, KS 67439 \$1,333.84

(b) The Topeka Correctional Facility is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund as compensation for personal injuries sustained during a facility work detail, to the following claimant:

Troy L. Ricks, c/o Derek J. Shafer, Attorney at Law, 1400 Bank IV Tower, Topeka, KS 66603 \$350.00

Sec. 13. The department of transportation is hereby authorized and directed to pay the following amounts from the claims account of the state highway fund as reimbursement for damage to claimants' automobiles as a result of a department road project, to the following claimants:

Don & Kathy Fordiana, 15500 Horton, Overland Park, KS 66223 \$500.00
Richard A. Soden, Route 1, Box 0505, Maple Hill, KS 66507 521.50

Total \$1,021.50

Sec. 14. The University of Kansas is hereby authorized and directed to pay the following amount from the operating expenditures (including official hospitality) account of the state general fund as reimbursement for personal property loss sustained while the property was in the care, custody and control of university officials, to the following claimant:

Marshall A. Sloo, P.O. Box 1697, Lawrence, KS 66044-8697 \$2,392.85

Sec. 15. Pittsburg State University is hereby authorized and directed to pay the following amount from the 1962 dormitory and student apartment repair and replacement fund as payment for services rendered on a construction project, to the following claimant:

Miles Roofing and Coating, Inc., Route 1, Box 65A, El Dorado Springs, MO 64744 \$18,731.50

Sec. 16. Fort Hays State University is hereby authorized and directed to pay the following amount from the general fees fund as compensation for personal injuries sustained during a slip and fall accident on university property, to the following claimant:

Natalie Jaynes, c/o Don Staab, 106 W. 12th, Hays, KS 67601 \$250.00

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

Joe C. Jones, c/o Benjamin Wood, Attorney at Law, 729 1/2 Massachusetts, Suite 210, Lawrence, KS 66044 \$350,000.00

Provided, That in addition to the above sum, Mr. Jones will also be provided, at no cost to Mr. Jones, the following services: (1) An occupational evaluation to determine Mr. Jones' present job skills and employment interests; (2) appropriate job training; and (3) assistance in obtaining suitable employment: Provided further, The services to be provided under items (1) and (2) shall be provided by or through the department of human resources: And provided further, The services to be provided under item (3) shall be provided by or through the division of personnel services of the department of administration: And provided further, That such services shall be offered within two years after the effective date of this act.

Sec. 18. The department of administration is hereby authorized and directed to pay the following amount from the state institutions building fund, account number 507 00 8100 7 8028 06 as payment for retainage on Parsons State Hospital and Training Center project, to the following claimant:

La Forge and Budd Construction Co., Inc., 2020 N. 21st St., P.O. Box 833, Parsons, KS 67357 \$4,847.70

Sec. 19. The adjunct general is hereby authorized and directed to pay the following amount from the rehabilitation and repair projects account of the state general fund as payment for services rendered, to the following claimant:

Integral Construction Services, Inc., 9507 E. 63rd St., Raytown, MO 64133 \$1,356.20

Sec. 20. The Parsons State Hospital and Training Center is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund as compensation for property damage caused by the violent action of a client, to the following claimant:

La Donna Melton, 2501 Belmont, Parsons, KS 67357 \$1,144.07

Sec. 21. The attorney general—Kansas bureau of investigation is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund as compensation for property damage, to the following claimant:

Sindey Schueler, 1620 Tyler, Topeka, KS 66612 \$100.00

Sec. 22. The University of Kansas Medical Center is hereby authorized and directed to pay the following amount from the hospital revenue fund as reimbursement for personal property loss sustained while the property was in the care, custody and control of university officials, to the following claimant:

Angelena O'Reilly, 2215 Vista, Kansas City, KS 66106 \$993.93

Sec. 23. The office of the special prosecutor for the Kansas Public Employees Retirement System is hereby authorized and directed to pay the following amount from the governor's department account of the state general fund for legal services, moneys for the payment of which were not encumbered for the proper fiscal year, to the following claimant:

James P. Moroney, 417 E. 13th St., Suite 400, Kansas City, MO 64106 \$4,569.00

Sec. 24. The youth center at Atchison is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for a refuse services billing which was not submitted in the proper fiscal year, to the following claimant:

Sunflower Disposal of Atchison County, 501 Maple Lane, Lansing, KS 66043 \$432.08

Sec. 25. The director of accounts and reports is hereby authorized and directed to pay the following amount from the state general fund for payment of court costs associated with the election contested in the Matter of the Election of Henry Shockley to the Position of Cloud County, Kansas, Sheriff, Cloud County District Court No. 92-CV-37, to the following claimant:

Jerilynn D. Palmer, Clerk of the District Court, 811 Washington, Concordia, KS 66901 \$698.32

Sec. 26. (a) The Kansas lottery is hereby authorized and directed to pay the following amount from the lottery operating fund for payment for the July 20, 1988, cash lotto drawing, to the following claimant:

Orin J. Fowles, 1415 Fifth Street, Clay Center, KS 67432 \$117,037.00

(b) The expenditure authorized and directed to be made by this section from the lottery operating fund shall be in addition to any expenditure limitation imposed on the lottery operating fund or any account thereof for fiscal year 1988.

Sec. 27. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

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

Sec. 28. 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 2062, approving the bill except for the items enumerated below:

Section 5(d), Section 18 and Section 26 are vetoed in their entirety.

Regarding Section 5(d), the claim of Chauncey Shepard of McCune in the amount of \$38,000: The Department of Wildlife and Parks is required by federal mandate to protect the Neosho Madtom. This claim arose as a result of the Department's work to protect the species. The U.S. Fish and Wildlife Service has advised the Kansas Department of Wildlife and Parks that it could be held legally liable if some action it had permitted were to result in death, harm or harassment to Neosho Madtoms.

Regarding Section 18, the claim of La Forge and Budd Construction Co., Inc., of Parsons, in the amount of \$4,847.70: the general contractor (through its mechanical subcontractor) breached its contract with the state and as a result, the state received three new boilers with 10 percent of their tube wall eaten away. The State attempted to assess a fair amount of damages as a result of the breach of contract.

Regarding Section 26, the claim by Orrin J. Fowles of Clay Center in the amount of \$117,037: Mr. Fowles, in 1992, filed a suit in the District Court of Shawnee County, Kansas, Division 9, under Case No. 91 CV 955, claiming the money should be paid. The Lottery's contention was that the plaintiff had failed to state a claim because he had failed to comply with Lottery rules and regulations and the Kansas Lottery Act. The court found a similar case in New Jersey and had ruled that the State was not liable with the court emphasizing the fact that the legislative body had restricted, by statute, payment of Lottery prizes to "holders of winning tickets" who present their winning tickets with a completed claim form. The local courts ruled that this had not occurred and therefore they sustained the Lottery's motion for summary judgment and severed the Lottery from this particular case.

Again, I state that the precedent that would be set in this matter would open the doors to anyone in the State claiming that they had not been paid because they had lost their ticket.

Dated April 19, 1993.

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 2062,

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

was approved by the Governor on April 19, 1993 except that the following line item in Section 5(d) which reads as follows:

(d) The department of wildlife and parks is hereby authorized and directed to pay the following amount from the wildlife fee fund as full compensation for all past, present and future loss of claimant's gravel business due to not being issued permits required by law to remove gravel from the Neosho river, to the following claimant:

Chauncy Shepard, d/b/a/ Valley Gravel, Route 2, Box 115A,  
McCune, KS 66753 ..... \$38,000.00

*Provided*, That prior to payment of this amount the director of accounts and reports shall obtain a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding the subject matter of this claim, including any claim for any past, present and future loss of gravel business due to not being issued permits required by law to remove gravel from the Neosho river in accordance with the subject matter of this claim.

of HB 2062, was not approved by the Governor on April 19, 1993; was returned by her with her objections and approved on April 28, 1993 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 28, 1993 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.

The motion to reconsider the line item veto of Section 26 did not pass.

There being no motion to reconsider the line item veto of Section 18, the Speaker ruled the line item veto sustained.

This certificate is made this 30th day of April, 1993, 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

Paule E. Burke, Jr.  
President of the Senate

Janet E. Jones  
Chief Clerk of the House of Representatives

Robert H. Miller  
Speaker of the House of Representatives

**NOW AVAILABLE . . .**

**CUSTOM-MADE  
LOOSELEAF BINDERS  
for the  
KANSAS REGISTER**



**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 Notice of Meeting.....	21
Kansas Apprenticeship Committee Notice of Meeting.....	21
Notice to Bidders for State Purchases City of Hillsboro.....	22
	22
	23

We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

**Order your binders today!**

***Kansas Register* binders . . . \$18.00 each includes shipping and handling.**

CLIP AND MAIL

Dear Secretary Graves: Please send \_\_\_\_\_ *Kansas Register* binders.  
(Quantity)

Price: \$18.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ \_\_\_\_\_

SHIP TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Shipping is by  
U.P.S. Delivery Service;  
STREET ADDRESS  
IS NECESSARY.

Mail order, with payment, to: *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

**Kansas Register  
Secretary of State  
2nd Floor, State Capitol  
Topeka, KS 66612-1594**

---

**Use this form or a copy of it to enter a subscription:**

**One-year subscriptions @ \$60 ea.  
(Kansas residents must include  
\$3.54 state and local sales tax.)**

**Total Enclosed \_\_\_\_\_  
(Make checks payable to the Kansas Register)**

**Send to:**

(Please, no  
more than  
4 address  
lines.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Zip code must be included

This space for Register office use only.
Rec. No. _____ Exp. _____ Code _____

---

**Use this form or a copy of it to enter a name or address change:**

**Remove your mailing label (above) and affix it here:**

**Indicate change of name or address  
here:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**Mail either form to: Kansas Register, Secretary of State, 2nd Floor,  
State Capitol, Topeka, KS 66612-1594**