

# Kansas Register

Bill Graves, Secretary of State

Vol. 13, No. 17

April 28, 1994

Pages 573-614

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

## State of Kansas

**Kansas Council on Employment  
and Training****Notice of Meeting**

The Kansas Council on Employment and Training will meet from 9 a.m. to noon Thursday, May 12, at the Employment Security Systems Institute (ESSI) Building, center classroom, lower level, 1309 S.W. Topeka Blvd., Topeka. The meeting is open to the public.

Joe Dick  
Secretary of Human Resources

Doc. No. 014780

## State of Kansas

**Health Care Data Governing Board****Notice of Meeting**

The Health Care Data Governing Board will meet from 11:30 a.m. to 1:30 p.m. Wednesday, May 4, and every first Wednesday of the month thereafter, at the Kansas Medical Society Building, 623 S.W. 10th, Topeka. The meetings are open to the public. Any person requiring visual or communication aid or assistance, building access assistance or other similar assistance should contact Dr. Lou Saadi at (913) 296-5639 immediately so appropriate arrangements can be made.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 014778

## State of Kansas

**Social and Rehabilitation Services****Notice of Hearing on Proposed  
Administrative Regulations**

The public hearing scheduled for Tuesday, May 3, which was announced in the March 31 Kansas Register, will be held on that date. However, due to a delay in obtaining the necessary approvals of the proposed regulations, the public comment period for those regulations will continue until May 9, at which time the public hearing will reconvene at 9 a.m. Monday, May 9, in the SRS Executive Board Room, Docking State Office Building, 915 S.W. Harrison, Topeka, for the purpose of allowing additional opportunity for comment. At the conclusion of the public hearing portion of the open meeting, the proposed regulations will be adopted. These proposed regulations are scheduled to become effective July 1, 1994.

Donna L. Whiteman  
Secretary of Social and  
Rehabilitation Services

Doc. No. 014776

## State of Kansas

**Board of Mortuary Arts****Notice of Meeting**

The Kansas State Board of Mortuary Arts will meet Thursday-Friday, July 7-8, in Topeka. The July 7 meeting will begin at 9 a.m. at the board's office, Suite 904, 700 S.W. Jackson. The July 8 meeting will begin with the administering of the funeral director examination at the Downtown Holiday Inn City Centre at 9 a.m.

Mack Smith  
Executive Secretary

Doc. No. 014756

## State of Kansas

**Secretary of State****Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. The following appointments were filed April 11-22:

**District Judge, 25th Judicial District,  
Division 2**

**Michael L. Quint**, 1706 Van Dittie, Garden City 67846. Term expires when a successor is elected and qualifies according to law. Succeeds Paul D. Handy, resigned.

**Miami County Sheriff**

**Ken L. Davis**, 22929 W. 220th, Spring Hill 66083. Term expires when a successor is elected and qualifies according to law. Succeeds Daniel R. Morgan, resigned.

**State Board of Barbering**

**Teresa L. Heath**, The Razor's Edge, 121 S.W. 7th, Topeka 66603. Term expires April 30, 1997. Succeeds Ronald Nespor.

**Emergency Medical Services Board**

**Daniel J. Caliendo**, 16220 E. Central, Wichita 67230. Term expires May 31, 1997. Succeeds John McMaster.

**Governor's Adoption Reform Task Force**

**Howard Fricke**, Chairman, Security Benefit Group of Companies, 700 S.W. Harrison, Topeka 66636. Serves at the pleasure of the Governor. Succeeds Donna Whiteman.

**Northeast Kansas Regional Library System**

**Eileen Larson**, Route 3, Lawrence 66044. Term expires June 30, 1997. Succeeds Bettie-Lou Metsker.

**Kansas Real Estate Commission**

**Anthony J. "Tony" Lang**, 11914 W. 59th Terrace, Shawnee 66216. Term expires April 30, 1998. Succeeds Harvey Bodker.

Bill Graves  
Secretary of State

## State of Kansas

## Office of the State Treasurer

## Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1992 Supp. 75-4210. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended by the 1993 Session Laws of Kansas, Chapter 207.

## Effective 5-2-94 through 5-8-94

Term	Rate
0-90 days	3.73%
3 months	3.82%
6 months	4.37%
9 months	4.67%
12 months	4.97%
18 months	5.29%
24 months	5.63%
36 months	6.04%
48 months	6.33%

Sally Thompson  
State Treasurer

Doc. No. 014758

## State of Kansas

## Kansas Sentencing Commission

Notice of Acceptance of Applications  
for Research Analyst

An unclassified state position for a research analyst with the Kansas Sentencing Commission will be available May 18. The research analyst will organize research studies; develop questionnaires; collect and analyze criminal justice data; design, implement and maintain databases; perform statistical analysis; and report correlations and conclusions. Requirements include the ability to design, test and maintain database in IBM PC compatible LAN environment; design and use SPSS, dBASE, or Microsoft Excel databases; analyze and interpret statistical data; and communicate concise, accurate technical information.

Applicants must have a bachelor's degree and knowledge of database structures and systems, research design methods and procedures, basic mathematics, standard statistical methods and applications to analysis and evaluation of data; and IBM PC compatible experience. Education and experience in the criminal justice field is extremely helpful.

Send resume, including references and letter of interest, to Lisa Moots, Executive Director, Kansas Sentencing Commission, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603, by May 18.

Lisa Moots  
Executive Director

Doc. No. 014767

## State of Kansas

## State Employees Health Care Commission

## Request for Proposals

The State Employees Health Care Commission intends to issue a request for proposals (RFP) May 4 for coverage provided to Kansas state employees and retirees by health maintenance organizations (HMOs). The deadline for receipt of proposals is 2 p.m. Wednesday, June 15.

There are presently 38,976 active employees and 8,565 retirees participating in the health plan, of which 9,843 are enrolled in HMOs.

Requests for a copy of the RFP should be forwarded to Frances Welch, Division of Purchases, Room 102-N, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-2372, Fax (913) 296-7240.

Dave Charay  
Health Benefits Administrator

Doc. No. 014781

## State of Kansas

Department of Health  
and Environment

## Notice of Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction/conditional operating permit in accordance with K.A.R. 28-19-24 (permits required) to Gladden Excavating, Inc., Dodge City, to install and operate a portable asphalt concrete mixing plant to be initially located at Section 32, T26S, R24W, Ford County.

Written materials, including the permit application and information relating to the application submitted by Gladden, and the draft permit are available for public inspection during normal business hours through May 27 by contacting Wayne Neese, Air Quality District Representative, Southwest District KDHE Office, Dodge City, (316) 225-0596. This material also can be reviewed at the KDHE Office, Building 283, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinthner, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to the permit's issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication.

A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before May 27.

Robert C. Harder  
Secretary of Health  
and Environment

Doc. No. 014783

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

Monday, May 9, 1994

30367

Adjutant General's Department—Janitorial services, Leavenworth

30389

Department of Social and Rehabilitation Services—Muslin

98693

Board of Agriculture—Miniature waterflow meters and miscellaneous

98694

Kansas State University—Lab bench mixer

98695

Kansas State University—Duplicating system

98734

University of Kansas—Musical equipment (timpani set)

Tuesday, May 10, 1994

30411

Department of Wildlife and Parks—Uniform garments

98697

University of Kansas Medical Center—Autoradiography imaging system

98698

Kansas State University—Beef

98699

University of Kansas—Paper, printing and binding: 1001 Colorado Place Names

98705

Pittsburg State University—Furnish all labor and materials for concrete sidewalk replacement

Wednesday, May 11, 1994

98242 Rebid

Department of Revenue—Computer terminals (Memorex/Telex 1482V)

98713

Kansas State University—Cattle working tub, alley and hydraulic squeeze chute, Hays

98714

Emporia State University—Token ring access units

98715

Department of Corrections—Computer-aided software engineering (CASE) technology

Thursday, May 12, 1994

A-7202

Youth Center at Atchison—Replace patio at Administration Building

98700

Department of Health and Environment—Furnish all labor and materials for Bone Creek reclamation, Crawford County

98722

University of Kansas Medical Center—Cryostat

98723

Kansas State University—Coordinate measuring system

98747

University of Kansas Medical Center—Endoscopic instruments

98748

Kansas State University—Biofeedback system

Friday, May 13, 1994

A-7073(c)

Kansas State University—Salina—Site work and paving

98732

University of Kansas Medical Center—Refrigerated ultracentrifuge

98735

Wichita State University—Professional CCD video with pan/tilt equipment

98736

Kansas Neurological Institute—Water heater and softener

98737

Osawatomie State Hospital—Furnish and install heating and air conditioning

98738

University of Kansas Medical Center—Furnish and install monitoring system

98739

Department of Social and Rehabilitation Services—Handicapped van modifications, Parsons

98745

University of Kansas Medical Center—Sleep diagnostic system

98746

University of Kansas Medical Center—Hospital furniture

98749

University of Kansas—Floor covering

98754

Kansas Correctional Industries—Liquid manure spreader

98757

Department of Social and Rehabilitation Services—Lounge furniture

Monday, May 16, 1994

30404

Wichita State University—Laboratory services

(continued)

30409

University of Kansas Medical Center—Coagulation reagents and supplies

98743

University of Kansas Medical Center—Furnish and install interactive learning system

Tuesday, May 17, 1994

A-7170

Osawatomie State Hospital—Upgrade fire alarm system

Wednesday, May 18, 1994

98758

Kansas Highway Patrol, Salina—Furnish and install paging system

Thursday, May 19, 1994

98674

Department of Administration, Division of Facilities Management—Wichita State Office Building moving services

Tuesday, May 24, 1994

A-7390

University of Kansas—Firing range improvement, Hutchinson

Wednesday, June 8, 1994

30377

Statewide—Plain paper copier

Tuesday, June 14, 1994

30412

Lansing Correctional Facility—Inmate telephone services

\*\*\*\*\*

Request for Proposals

Wednesday, May 18, 1994

30408

A Statewide Adoptive Family Recruitment Program for the Department of Social and Rehabilitation Services

Friday, May 27, 1994

98744

Laboratory information system for the University of Kansas Medical Center

Jack R. Shipman  
Director of Purchases

Doc. No. 014766

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, May 16, at the State Conservation Commission Office, Room 500, 109 W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at (913) 296-3600. If special accommodations are needed, please contact the agency three days in advance of meeting date.

Kenneth F. Kern  
Executive Director

Doc. No. 014762

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 45,000 cubic yard detention dam, Site 3-11 in Ford County, will be received by the Pawnee Watershed Joint District No. 81 at the district office, Route 2, Box 135, West Highway 156, Jetmore 67854, until 8 p.m. May 16, and then opened. A copy of the invitation for bids and plans and specifications can be obtained at the district office, (316) 357-6420.

Kenneth F. Kern  
Executive Director

Doc. No. 014763

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. May 19, and then publicly opened:

District One—Northeast

**Brown**—20-7 K-4752-01—K-20, Culvert #524 northeast of Everest, 0.5 mile, culvert replacement. (State Funds)

**Jefferson**—4-44 K-5203-01—K-4, Delaware River bridge 20, 0.2 mile northeast of the west junction of K-16 in Valley Falls, bridge painting. (State Funds)

**Jefferson**—59-44 K-569-01—U.S. 59, from the north city limits of Oskaloosa, north to K-4, 13.2 miles, seal. (State Funds)

**Johnson**—35-46 K-4435-01—I-35 and K-150 junction in Olathe, grading, bridge and surfacing. (State Funds)

**Johnson**—56-46 K-5556-01—U.S. 56, westbound lanes in Gardner, 0.1 mile, overlay. (State Funds)

**Johnson**—46 N-0023-01—Intersection of Nieman Road and 65th Street in Shawnee, intersection improvement. (Federal Funds)

**Osage**—70 K-1314-04—Eisenhower State Park roads, overlay. (State Funds)

**Osage**—70 K-1803-03—Pomona State Park roads, overlay. (State Funds)

**Osage**—31-70 K-4621-01—K-31, from the junction of K-170 east to 4th Street in Osage City, 0.5 mile, pavement reconstruction. (State Funds)

**Osage**—35-70 K-5570-01—I-35, from the Coffey-Osage county line northeast, 3.5 miles, bituminous overlay. (State Funds)

**Riley**—81 C-3263-01—County road, 4 miles south and 1.8 miles east of Zendale, grading. (Federal Funds)

**Shawnee/Douglas**—40-106 K-5551-01—U.S. 40, from Green Road in Shawnee County to Stull Road in Douglas County, 12 miles, pavement marking. (Federal Funds)

**Various counties**—106 K-5557-01—Pottawatomie, Wabaunsee, Doniphan, Atchison, Wyandotte, Johnson and Leavenworth counties, mudjacking. (State Funds)

#### District Two—Northcentral

**Dickinson**—70-21 K-5558-01—I-70, from 1.7 miles east of county route 189, east to 2.3 miles east of K-43, 9 miles, pavement reconstruction. (State Funds)

**Dickinson**—18-21 K-4374-01—K-18, Mud Creek bridge 64, 5.7 miles east of the Ottawa-Dickinson county line, replacement. (Federal Funds)

**Geary**—57-31 K-5396-01—K-57, Dry Creek drainage bridge 57, 8.9 miles southeast of I-70, bridge replacement. (State Funds)

**Jewell**—45 C-3033-01—County road, 2 miles south and 1.3 miles east of Jewell, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**McPherson**—135-59 K-5262-01—I-135, from the Harvey-McPherson county line northwest to north of the north junction of K-260, 7 miles, patching. (State Funds)

**Mitchell**—62 K-1315-01—Flood-damaged roads in Waconda Lake Park, patching. (State Funds)

**Ottawa**—18-72 K-2097-01—K-18, Coal Creek bridge 23, 7.6 miles east of the north junction of U.S. 81, bridge replacement. (Federal Funds)

**Washington**—148-101 K-5217-01—K-148, Parsons Creek bridge 30, 6.1 miles east of the Republic-Washington county line, 0.1 mile, bridge overlay. (State Funds)

#### District Three—Northwest

**Ellis**—70-26 K-4440-01—I-70, junction of I-70 and Commerce Parkway east of Hays, grading, bridge and surfacing. (State Funds)

**Sherman**—70-91 K-5322-01—I-70, Port of Entry, east of the Colorado-Kansas state line, install concrete barriers. (State Funds)

**Sherman**—91 C-2156-01—County road, 8 miles south and 7 miles west of Goodland, then west, 0.2 mile, bridge replacement. (Federal Funds)

#### District Four—Southeast

**Chautauqua**—10 C-3114-01—County road, 0.5 mile south and 3.8 miles east of Chautauqua, 0.2 mile, grading and bridge. (Federal Funds)

**Coffey**—35-16 K-5571-01—I-35, 0.5 mile west of the Coffey-Osage county line northeast to the Coffey-Osage

county line, (northbound lanes), 0.5 mile, bituminous overlay. (State Funds)

**Coffey**—57-16 K-4617-01—K-57, 3rd Street to Railroad Street in Gridley, 0.3 mile, pavement reconstruction. (State Funds)

**Franklin**—68-30 K-5233-01—K-68, Island Creek bridge 71, 10.9 miles east of the Osage-Franklin county line, bridge painting. (State Funds)

#### District Five—Southcentral

**Butler**—8 C-2953-01—Andover Road, from Waggoner Street to 21st Street in Andover, 0.8 mile, grading and surfacing. (Federal Funds)

**Cowley**—77-18 K-5568-01—U.S. 77, from the Timber Creek bridge north 9.7 miles and K-15 from U.S. 77 west 1,300 feet, 9.8 miles, seal. (State Funds)

**Harvey**—135-40 K-4358-01—I-135, bridges 22 and 21 over 12th Street in Newton, bridge replacement. (Federal Funds)

**Harvey**—50-40 K-3386-03—U.S. 50, from the Reno-Harvey county line, east to the junction of K-89, 11 miles, seeding. (Federal Funds)

**Pratt**—76 C-3170-01—County road, 3.2 miles north of Preston, 8 miles, surfacing. (Federal Funds)

#### District Six—Southwest

**Ford**—29 C-3046-01—County road, 2.5 miles north of Dodge City, 0.1 mile, bridge replacement. (Federal Funds)

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

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

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston  
Secretary of Transportation

Doc. No. 014727

## State of Kansas

## Attorney General

## Opinion No. 94-44

**Constitution of the State of Kansas—Legislative—Subject and Title of Bills; Amendment or Revival of Statutes; Two Subjects in One Bill. Senator Doug Walker, 12th District, Osawatomie, March 31, 1994.**

The provisions of 1994 House Bill 2056 do not embrace two or more subjects which are so dissimilar and discordant that the provisions cannot reasonably be considered as having any legitimate connection with or relationship to each other. The bill does not violate Section 16 of Article 2 of the Kansas Constitution. Cited herein: K.S.A. 72-5443; K.S.A. 1993 Supp. 72-6410; 72-6433; 76-11a03; Kan. Const., art. 2, sec. 16; 1994 House Bill No. 2056. RDS

## Opinion No. 94-45

**Cities and Municipalities—Buildings, Structures and Grounds; Public Building Commission—Acquisition of Sites and Facilities; Home Rule Powers; Bond Issues. Thomas R. Powell, Bond Counsel for Sedgwick County, Wichita, April 8, 1994.**

Sedgwick County, Kansas, may exempt itself by charter ordinance pursuant to its home rule authority, K.S.A. 19-101a, from the provisions of K.S.A. 12-1758, enacting substitute and additional provisions which would allow the county to create a public building commission and to thereafter issue bonds to finance a science center museum. K.S.A. 12-1758 is part of an enactment which is not uniformly applicable to all counties. Cited herein: K.S.A. 12-1747; 12-1758; 12-1764a; K.S.A. 1993 Supp. 19-101a. REF

## Opinion No. 94-46

**State Boards, Commissions and Authorities—Regulation of Psychologists—Violations; Representing Oneself as a Psychologist Without a License. Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board, Topeka, April 8, 1994.**

A person not licensed as a psychologist does not violate the prohibition against representing oneself as a psychologist merely by virtue of obtaining a state civil service position within a class designated by the Kansas division of personnel services as a "psychology trainee," "psychologist I," "psychologist II," "psychologist III," or "psychologist IV." Persons employed in specified state agencies and institutions are exempt from the prohibition. Others are not considered as being held out to the public as a psychologist; rather the person's employment position has been classified by the division of personnel services for its own internal purposes. Cited herein: K.S.A. 74-5340; 74-5341; 74-5344; 74-5362; 74-5363; 74-5367. CN

## Opinion No. 94-47

**Procedure, Civil—Rules of Civil Procedures—Class Actions; Awarding Attorneys Fees. Representative Elaine Wells, 59th District, Carbondale, April 7, 1994.**

Attorney's fees are recoverable in a class action lawsuit under two exceptions to the American no fee rule:

one involving a party who has acted in bad faith and the other involving a benefit created by counsel for the benefit of the class. Retaliatory termination of water service by a rural water district may subject the district to a civil rights action under 42 U.S.C. § 1983. Cited herein: K.S.A. 12-631k; 60-223; U.S. Const., Amendments IV, V, XIV. GE

## Opinion No. 94-48

**Cities and Municipalities—Public Recreation and Playgrounds—Recreation Commission; Membership; Removal; Authority of Individual Member of Commission. Senator Bob Vancrum, 11th District, Overland Park, April 8, 1994.**

The recreation commission, as the appointing authority, has the power to remove the member of the recreation commission it appointed for any cause which would justify removal of an appointive officer of the city or school district. An implied power of the authority to remove the member is the authority to conduct an investigation of that member in an attempt to determine whether that member has engaged in activities which would constitute grounds for removal from the recreation commission. An individual member of the recreation commission may not unilaterally exercise the powers of the recreation commission. Cited herein: K.S.A. 12-1922; 12-1924; K.S.A. 1993 Supp. 12-1926; 77-201; L. 1993, ch. 46, § 1. RDS

## Opinion No. 94-49

**Counties and County Officers—Employment Systems—Civil Service System in Urban Area and Other Counties; Dismissal and Suspension by the Sheriff; Meaning of "Days."**

**Procedure, Civil—Rules of Civil Procedure—Time, Computation and Extension; Application to K.S.A. 19-4327 Procedure. Stephen B. Plummer, Sedgwick County Counselor, Wichita, April 13, 1994.**

K.S.A. 1993 Supp. 60-206 provides that, unless otherwise specifically provided, the computation of time amounting to greater than 10 days shall be calculated using calendar days. Therefore, the suspension of sheriff's deputies, pursuant to K.S.A. 19-4327(a), shall be limited to a period not to exceed 30 calendar days. Cited herein: K.S.A. 19-4327; K.S.A. 1993 Supp. 60-206. NKF

## Opinion No. 94-50

**Counties and County Officers—Cemeteries—Abandoned or Uncared for Cemeteries or Burial Places; Tax Levy. William A. Taylor III, Cowley County Counselor, Winfield, April 13, 1994.**

An abandoned cemetery transferred to a municipality pursuant to K.S.A. 17-1367 must be cared for and maintained by the municipality using the moneys of the pre-existing cemetery corporation. If such funds are insufficient, then maintenance must be funded by the municipality. K.S.A. 19-3106 authorizes the board of county commissioners to make an annual tax levy not to exceed .10 mill for the purpose of funding the support of an abandoned cemetery if it has been abandoned for a period of at least five years and if the county has not



reached its levy limit. Cited herein: K.S.A. 17-1366; 17-1367; 19-3106; 79-1947. NKF

#### Opinion No. 94-51

**Counties and County Officers—County Commissioners; Powers and Duties—Rearrangement of Commissioner Districts.** Senator Al Ramirez, 5th District, Bonner Springs, April 13, 1994.

Because Richard Kaminski was elected as a member of the board of county commissioners prior to enactment of L. 1993, ch. 250, § 2, he was required to be a resident of the commissioner district at the time he took the oath of office, but not at the time he filed his candidacy or at the time of election. If Mr. Kaminski was successful in moving his residence to the third commissioner district, he was then qualified to take the oath of office and begin service as the county commissioner for the third district. Based on the information provided, it appears the board of county commissioners for Wyandotte County operated within its authority in enacting Resolution No. 3008. Cited herein: K.S.A. 19-202; K.S.A. 1993 Supp. 19-202; K.S.A. 19-204; K.S.A. 1993 Supp. 19-204; K.S.A. 25-407; 25-2022a; 72-7504; K.S.A. 1993 Supp. 77-201; L. 1992, ch. 38, §§ 2, 6; L. 1993, ch. 250, §§ 2, 5; Kan. Const., art. 5, § 1; Kan. Const., art. 10, § 1; 18 U.S.C. § 591; 42 U.S.C. § 1971; U.S. Const., art. 1, § 2; U.S. Const., Amend. XIV, XV, XIX, XXIV, XXVI. RDS

#### Opinion No. 94-52

**Constitution of the State of Kansas—Finance and Taxation—System of Taxation; Classification; Commercial and Industrial Machinery and Equipment No Longer Being Used.** Representative Clyde D. Graeber, 41st District, Leavenworth, April 13, 1994.

Unless and until the phrase "as long as such property is being used" is defined by the legislature or the judiciary to mean otherwise, we must defer to the director of property valuation's interpretation: property that ceases to be used may no longer be considered as commercial and industrial machinery and equipment for property tax purposes but instead falls into the catch-all class and assessed at the rate of 30 percent of its fair market value. Cited herein: K.S.A. 1993 Supp. 79-1404; 79-1439; Kan. Const., art. 11, sec. 1. JLM

#### Opinion No. 94-53

**Minors—Kansas Juvenile Offenders Code; General Provisions—Waiver of Right to an Attorney.** Judge Elizabeth Carleen, 22nd Judicial District, Marysville, April 18, 1994.

A juvenile may waive the right to counsel provided that it is a knowing and intelligent waiver based upon the totality of circumstances. Cited herein: K.S.A. 38-1606; 38-1633. MF

#### Opinion No. 94-54

**Crimes and Punishments—Trading Stamps—Trading Stamp Act Inapplicable to Certain Coupons and Similar Devices; Manufacturers' Exemption.** Representative Tim Shallenburger, 1st District, Baxter Springs, April 18, 1994.

An entity that retains extensive control over another's manufacture of a product exclusively for that entity is considered a manufacturer for purposes of the trading stamp act. Evidence of the control necessary includes: requiring that the product be manufactured according to the entity's explicit specifications; requiring the entity's logo or trademark be affixed to each product manufactured; prohibiting distribution of the product to anyone other than at the direction of the entity for which it is made; and dictating the level of production. Cited herein: K.S.A. 8-601; 8-1434; K.S.A. 1993 Supp. 8-2401; K.S.A. 21-2801; 21-2802; K.S.A. 1993 Supp. 21-2803; K.S.A. 41-102; K.S.A. 1993 Supp. 60-3302; K.S.A. 75-1212; K.S.A. 1993 Supp. 79-201; K.S.A. 79-3370; 79-3402. JLM

#### Opinion No. 94-55

**State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings—Application to William I. Koch Commission on Crime Reduction and Prevention.** Representative Doug Lawrence, 9th District, Burlington; Representative Don C. Smith, 116th District, Dodge City, April 18, 1994.

Based on the facts provided, the Koch Commission on Crime Reduction and Prevention, established by executive order, is an independent entity, not itself a public body or subordinate to any public body. It does not receive or expend nor is it supported in whole or in part by public funds. Therefore, the Koch Commission is outside the scope of the requirements of the KOMA. Cited herein: K.S.A. 75-4318. NKF

#### Opinion No. 94-56

**Waters and Watercourses—Water Transfers—Decision of Panel; Review of Legislature.** Senator August Bogina, Jr., 10th District, Shawnee, April 20, 1994.

1993 House Bill 2070 amended the water transfer act, specifically K.S.A. 82a-1504(c), eliminating the legislative oversight of water transfers. The amendment contained procedural changes that are applied retroactively unless the legislature indicates otherwise. Thus, the legislative review requirement in the former statute, K.S.A. 82a-1504(c) (Ensley 1989), does not apply to a water transfer in litigation during the amendment of the statute wherein the legislative oversight provision was eliminated. Cited herein: K.S.A. 65-4801; 82a-701; K.S.A. 82a-1501; 82a-1504 (Ensley 1989); K.S.A. 1993 Supp. 82a-1504. GE

#### Opinion No. 94-57

**State Boards, Commissions and Authorities—Public Employees Retirement Systems; Kansas Public Employees Retirement System—Powers and Duties of Board and Investment Committee; Confidentiality of Member's Account and Records, Exception; Kansas Open Records Act.** Meredith Williams, Executive Director, Kansas Public Employees Retirement System, Topeka, April 20, 1994.

Subsection (10) of K.S.A. 74-4909 precludes the Kansas Public Employees Retirement System from disclosing a member's name and address to persons or organizations,

(continued)

other than the member's employer or other state or federal agencies, without written authorization from the member. Pursuant to subsection (a)(1) of K.S.A. 45-221, the Kansas Public Employees Retirement System is not obligated to disclose a member's name and address. Cited herein: K.S.A. 45-215; 45-216; 45-217; 45-221; 74-4909. RDS

Robert T. Stephan  
Attorney General

Doc. No. 014782

(Published in the Kansas Register, April 28, 1994.)

**Notice of Redemption  
City of Marion, Kansas  
Industrial Development Revenue Bonds  
(Lynn and Wilma Christensen - Tenant)  
\$400,000 Dated June 1, 1980**

Notice is hereby given that all of the above mentioned bonds maturing on and after December 1, 1994, and all unmatured coupons appertaining thereto, have been called for redemption and payment on June 1, 1994, at the office of the Southwest National Bank of Wichita, 400 E. Douglas, P.O. Box 1401, Wichita, KS 67201 (the paying agent).

Maturity Date	Principal Amount	Interest Rate
12/1/94	\$45,000	11.00%
12/1/95	\$50,000	11.00%

On such redemption date there shall become due and payable, upon presentation and surrender of each such bond and unmatured coupons, the redemption price thereof equal to par of the principal amount of each bond together with interest accrued to the redemption date, provided funds are on deposit with the fiscal agent. Interest shall cease to accrue on the bonds so called for redemption from and after June 1, 1994.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on mutual securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated April 15, 1994.

Southwest National Bank of Wichita  
Fiscal Agent for  
City of Marion, Kansas  
400 E. Douglas  
P.O. Box 1401  
Wichita, KS 67201

Doc. No. 014759

(Published in the Kansas Register, April 28, 1994.)

**Notice of Full Redemption  
to holders of  
Crawford County, Kansas  
Single Family Mortgage Revenue Bonds  
Series 1980 A**

**Cusip Number 224851 and Suffixes  
APO; AQ8; AR6; AS4; AT2; AU9; AV7; AW5 and AX3**

Please take notice that Crawford County, Kansas, a political subdivision of the state of Kansas (the issuer), intends to call the above referenced bonds for redemption and payment and to pay the principal, interest and premium due for all bonds on June 1, 1994.

On June 1, 1994, all bonds will become due and payable at a redemption price equal to 101.5 percent of the par value of the principal amount thereof; thereafter, interest will cease to accrue on said bonds provided moneys sufficient for such redemption and payment are deposited with the trustee as provided in the indenture pursuant to which the bonds are issued and secured. Bonds with the June 1, 1994, coupons and all subsequent coupons attached thereto should be presented to one of the offices of the paying agent:

**By Mail:**  
Continental Bank, N.A.  
Corporate Trust Operations  
231 S. LaSalle St., 19th Floor  
Chicago, IL 60697

**By Hand Delivery:**  
Continental Bank, N.A.  
Corporate Trust Operations  
231 S. LaSalle St., 19th Floor  
Chicago, IL 60697

Intrust Bank, N.A.  
Attn: Corporate Trust  
105 N. Main  
Wichita, KS 76202

The issuer intends to provide for redemption and payment of the bonds for the proceeds of the issuer's Single Family Mortgage Revenue Refunding Bonds, Series 1994 (the 1994 Bonds), which are expected to be issued and delivered on or about May 12, 1994. In the event the 1994 Bonds are not issued and delivered prior to May 20, 1994, this notice of redemption shall be void and of no force and effect and all bonds, together with the attached coupons, surrendered for redemption shall be returned by the trustee at the issuer's expense.

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, beginning May 21, 1994, and only after confirming with the trustee (1-800-828-3833) the issuance of the 1994 Bonds. The method of delivery of the bonds for payment is at the election and risk of the holder, but if sent by mail, insured registered mail, return receipt requested, is recommended.

To avoid a 31 percent backup withholding tax required by federal law effective January 1, 1993, holders must submit a properly completed IRS Form W-9 with their bond, unless such a form has been provided previously.

Dated April 28, 1994.

Crawford County, Kansas  
By: Continental Bank, National Association  
as Trustee

Doc. No. 014777

(Published in the Kansas Register, April 28, 1994.)

**Notice of Call for Redemption  
to the holders of  
City of Abilene, Kansas  
Industrial Revenue Bonds  
Series June 1, 1983  
(Duckwall-Alco Stores, Inc.)**

Notice is hereby given that pursuant to Section 4 of Ordinance No. 2566 of the city of Abilene, Kansas, the following described bonds maturing on and after June 1, 1998, and all unmatured coupons appertaining thereto, have been called for redemption and payment on June 1, 1994, at the office of the First National Bank, Abilene, Kansas (formerly Citizens Bank and Trust Co.), the paying agent.

**Term Bonds**

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
R43 (472,554)	6-1-98	\$10,000.00	9.50%
R58 (405)	6-1-98	5,000.00	9.50%
R56 (576)	6-1-98	5,000.00	9.50%
R59 (596)	6-1-98	5,000.00	9.50%
414	6-1-98	5,000.00	9.50%
416	6-1-98	5,000.00	9.50%
417	6-1-98	5,000.00	9.50%
425	6-1-98	5,000.00	9.50%
426	6-1-98	5,000.00	9.50%
429	6-1-98	5,000.00	9.50%
432	6-1-98	5,000.00	9.50%
439	6-1-98	5,000.00	9.50%
440	6-1-98	5,000.00	9.50%
445	6-1-98	5,000.00	9.50%
449	6-1-98	5,000.00	9.50%
451	6-1-98	5,000.00	9.50%
465	6-1-98	5,000.00	9.50%
488	6-1-98	5,000.00	9.50%
516	6-1-98	5,000.00	9.50%
522	6-1-98	5,000.00	9.50%
528	6-1-98	5,000.00	9.50%
536	6-1-98	5,000.00	9.50%
540	6-1-98	5,000.00	9.50%
551	6-1-98	5,000.00	9.50%
559	6-1-98	5,000.00	9.50%
572	6-1-98	5,000.00	9.50%
583	6-1-98	5,000.00	9.50%
584	6-1-98	5,000.00	9.50%
591	6-1-98	5,000.00	9.50%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after June 1, 1994, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the Series June 1, 1983 Bonds who wish to

avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated April 28, 1994.

City of Abilene, Kansas  
By: First National Bank  
Abilene, Kansas  
(Formerly Citizens Bank and Trust Co.)  
as Fiscal Agent

Doc. No. 014775

(Published in the Kansas Register, April 28, 1994.)

**Notice of Redemption  
City of Clay Center, Kansas  
Industrial Development Revenue Bonds  
(Liberty Square, Inc. - Tenant)  
\$500,000 Dated June 1, 1975**

Notice is hereby given that all of the above mentioned bonds maturing on and after June 1, 1995, and all unmatured coupons appertaining thereto, have been called for redemption and payment on June 1, 1994, at the office of the Southwest National Bank of Wichita, 400 E. Douglas, P.O. Box 1401, Wichita, KS 67201 (the paying agent).

Cusip Numbers	Bond Nos.	Maturity Date	Principal Amount	Interest Rate
183152BB2	91-120	6/1/95	\$50,000	8.75%

On such redemption date there shall become due and payable, upon presentation and surrender of each such bond and unmatured coupons, the redemption price thereof equal to par plus 4 percent of the principal amount of each bond together with interest accrued to the redemption date, provided funds are on deposit with the fiscal agent. Interest shall cease to accrue on the bonds so called for redemption from and after June 1, 1994.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on mutual securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated April 15, 1994.

Southwest National Bank of Wichita  
Fiscal agent for  
City of Clay Center, Kansas  
400 E. Douglas  
P.O. Box 1401  
Wichita, KS 67201

Doc. No. 014760

(Published in the Kansas Register, April 28, 1994.)

## NOTICE OF FULL REDEMPTION

**City of Great Bend, Kansas**  
**Industrial Revenue Bonds Series 1980C**  
**(Great Bend Manufacturing Company, Inc. - Tenant)**  
*and*  
**Industrial Revenue Refunding Bonds Series 1988**  
**(Great Bend Manufacturing Company, Inc.)**

NOTICE IS HEREBY GIVEN that, pursuant to the optional redemption provisions of Section 4(b) of Ordinance No. 3526 of the City of Great Bend, Kansas dated as of December 1, 1980 and pursuant to the optional redemption provisions of Section 3.02(c) of the Trust Indenture dated as of December 1, 1988 by and between the City of Great Bend, Kansas and Commerce Bank (formerly Farmers State Bank and Trust Company of Hays, Kansas), as Trustee, all outstanding bonds for the above-referenced bond issues will be redeemed in FULL on June 1, 1994. Both series will be redeemed at the Redemption Price shown below, together with all interest accrued to, but not including, the redemption date. Interest on all outstanding bonds for both the Series 1980C and the Series 1988 bond issues will cease to accrue from and after June 1, 1994. The bonds for both issues are described as follows:

**SERIES 1980C (BEARER BONDS) FULL CALL — REDEMPTION PRICE 103%**

CUSIP No.*	Issued Date	Rate	Maturity Date	Amount	Certificates	CUSIP No.*	Issued Date	Rate	Maturity Date	Amount	Certificates
390195-GX7	12/01/80	11.00%	12/01/94	\$15,000	151 156 157	No CUSIP	12/01/80	11.00%	12/01/95	\$35,000	177 178 181 184 185 191 192
										<b>Total</b>	<b>\$50,000</b>

**SERIES 1988 (REGISTERED BONDS) FULL CALL — REDEMPTION PRICE 100%**

CUSIP No.*	Issued Date	Rate	Maturity Date	Amount	Certificates	CUSIP No.*	Issued Date	Rate	Maturity Date	Amount	Certificates	
390195-GG4	12/01/88	6.25%	06/01/94	\$40,000	9 128	390195-GN9	12/01/88	7.00%	12/01/97	45,000	35 122 124	
390195-GH2	12/01/88	6.25%	12/01/94	30,000	13 14 101 110	390195-GP4	12/01/88	7.25%	06/01/98	60,000	39 42 73 83 116 117 118 119	
390195-GJ8	12/01/88	6.50%	06/01/95	45,000	96 106 848 849	390195-GQ2	12/01/88	7.25%	12/01/98	45,000	43 44 46 47 114 125 126 129	
390195-GK5	12/01/88	6.50%	12/01/95	35,000	74 77 95	390195-GR0	12/01/88	7.25%	06/01/99	65,000	51 53 102 105 115 121	
390195-GL3	12/01/88	6.75%	06/01/96	50,000	79 80 108 109 120 123 856 857	390195-GS8	12/01/88	7.25%	12/01/99	30,000	111	
390195-GM1	12/01/88	7.00%	06/01/97	55,000	30 32 34 89 103						<b>Total</b>	<b>\$500,000</b>

The bearer certificates for the Series 1980C bond issue may be presented to the Paying Agent by U.S. Mail using the following address:

Commerce Bank of Kansas City, N.A.  
 c/o First National Bank of Chicago  
 Bearer Securities Redemption Unit  
 Suite 0125  
 One First National Plaza  
 Chicago, IL 60670-0125

The registered certificates for the Series 1988 bond issue may be presented to the Paying Agent by U.S. Mail using the following address:

Commerce Bank of Kansas City, N.A.  
 c/o First National Bank of Chicago  
 Registered Securities Processing Unit  
 Suite 0122  
 One First National Plaza  
 Chicago, IL 60670-0122

Overnight, express, and courier deliveries for both the Series 1980C and the Series 1988 bond issues must be presented to the following address:

Commerce Bank of Kansas City, N.A.  
 c/o First National Bank of Chicago  
 1 North State Street  
 9th Floor, Securities Processing Counter  
 Chicago, IL 60602

For same day payment on or after the redemption date, any bonds presented to the Securities Processing counter prior to 11:00 a.m. (CST) will be paid after 3:30 p.m.

If you have questions in regard to this call for redemption, you may contact Investor Relations at (800) 524-9472 or Dane A. Lee at (816) 234-2096.

Under the provisions of the National Energy Policy Act of 1992, Paying Agents making payments of principal on municipal securities may be obligated to withhold an amount equal to 31% of remittances to individuals who have failed to furnish the Paying Agent with a valid Taxpayer Identification Number. Holders of the above described securities who wish to avoid the imposition of this withholding should submit certified Taxpayer Identification Numbers on an IRS Form W-9 when presenting their securities for collection.

**CITY OF GREAT BEND, KANSAS**  
**Commerce Bank of Kansas City, N.A.**  
*as Trustee*

Dated: April 28, 1994

\*The CUSIP is included solely for the convenience of the bondholders. Neither the Issuer nor the Trustee is responsible for the selection or use of the CUSIP numbers, nor is any representation made as to their correctness in the Redemption Notice or on any certificate.

Doc. No. 014761

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 20, in the Rehabilitation Center for the Blind conference room, 2516 S.W. 6th, Topeka.

Richard A. Schutz  
Director

Doc. No. 014770

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the item 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.

Tuesday, May 10, 1994

40141

Research microscope

William H. Sesler  
Director of Purchasing

Doc. No. 014769

(Published in the Kansas Register, April 28, 1994.)

Notice of Redemption  
to the holders of

Crawford County, Kansas  
Single Family Mortgage Revenue Bonds  
1980 Series A

Notice is hereby given that pursuant to Section 3.01 of the Indenture dated as of February 1, 1980, and as amended by the First Supplemental Indenture dated April 1, 1989, \$725,000 principal amount of bonds has been drawn pro-rata among maturities and by lot for redemption at par on June 1, 1994.

Coupon bonds of \$5,000 denominations called in full bearing CUSIP No. 224851 and Suffix:

APO	917	1817	2267	2563	2924
589	920	1841	2271	2579	2933
612	AT2	1848	2277	2600	2943
636	923	1877	2284	2615	2947
650	942	1879	2298	2617	2969
AQ8	956	1895	2303	2618	2970
661	963	1910	2313	2665	2981
663	964	1911	2335	2679	2987
713	969	1945	2379	2683	2998
719	997	1951	2396	2695	3009
720	1019	1980	2415	2699	3031
726	AU9	1988	2425	2702	3033
AR6	1037	2039	2437	2717	3050
747	1056	2046	2442	2733	3071
749	1066	2050	2443	2757	3077
756	1076	2060	2447	2771	3086

757	1086	2062	2452	2779	3122
798	1090	2063	2462	2781	3143
803	1100	2116	2463	2812	3147
AS4	1104	2123	2476	2820	3150
828	AW5	2128	2481	2833	3165
845	1704	2147	2497	2855	
863	1734	2223	2506	2858	
868	1740	2246	2533	2889	
904	1814	2257	2547	2913	

In addition to the coupon bonds listed above, the following fully registered bonds to be redeemed in whole or in part and the principal amount to be redeemed, bearing CUSIP No. 224851, are as follows:

Bond Number	Par Value	Amount Called	Suffix
R293	\$10,000	\$5,000	AP0
R301	5,000	5,000	AW5
R272	5,000	5,000	AW5
R296	5,000	5,000	AW5
R283	10,000	5,000	AW5
R298	10,000	5,000	AW5

Bonds with the June 1, 1994, coupon and all subsequent coupons attached should be presented to one of the offices of the paying agents:

**By Mail:**  
Continental Bank, N.A.  
Corporate Trust Operations  
231 S. LaSalle St., 19th Floor  
Chicago, IL 60697

**By Hand Delivery:**  
Continental Bank, N.A.  
Corporate Trust Operations  
231 S. LaSalle St., 19th Floor  
Chicago, IL 60697

Intrust Bank, N.A.  
Attn: Corporate Trust  
105 N. Main  
Wichita, KS 67202

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before June 1, 1994, to the above Continental Bank address. The method of delivery of the bonds for payment is at the election and risk of the holder, but if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

Although registered bondholders have the option of presenting bonds to the Kansas paying agent, there will be a delay in the issuance of bonds for any unredeemed portion unless such presentment is made to the principal paying agent in Chicago. Accordingly, the registered bonds which have been called in part should be presented to the paying agent in Chicago at the address given above.

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. Interest on the bonds or portions of the bonds called for redemption will cease to accrue on June 1, 1994.

To avoid a 31 percent backup withholding tax required by federal law effective January 1, 1993, holders must submit a properly completed IRS Form W-9 with their bonds, unless such a form has been provided previously.

Dated April 28, 1994.

By: Continental Bank, National Association  
as Trustee for  
Crawford County, Kansas

Doc. No. 014768

(Published in the Kansas Register, April 28, 1994.)

**Summary Notice of Bond Sale  
City of Dodge City, Kansas  
\$2,325,000**

**General Obligation Bonds, Series 1994**

**(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Sealed Bids**

Subject to the notice of bond sale dated April 18, 1994, sealed bids will be received by the clerk of the city of Dodge City, Kansas (the issuer), on behalf of the governing body at City Hall, 705 1st Ave., Dodge City, KS 67801, until 5 p.m. C.D.T. on May 16, 1994, for the purchase of \$2,325,000 principal amount of General Obligation Bonds, Series 1994. No bid of less than the entire par value of bonds, except a discount of not greater than 1 percent of the par value of the bonds, and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 1994, and will become due on September 1 in the years as follows:

Year	Principal Amount
1996	\$ 90,000
1997	110,000
1998	115,000
1999	125,000
2000	335,000
2001	360,000
2002	380,000
2003	400,000
2004	410,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on September 1 and March 1 in each year, beginning on September 1, 1994.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$46,500 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 7, 1994, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$94,526,025. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$10,905,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 225-8100, or from the financial advisor, Stifel, Nicolaus & Company, Inc., 250 N. Water, Wichita, KS 67202, Attention: Steven F. Randle, (316) 264-6321.

Dated April 19, 1994.

City of Dodge City, Kansas

Doc. No. 014771

(Published in the Kansas Register, April 28, 1994.)

**Summary Notice of Bond Sale  
Unified School District 512  
Johnson County, Kansas  
(Shawnee Mission)  
\$30,000,000**

**(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Sealed Bids**

Subject to the notice of bond sale and preliminary official statement dated April 27, 1994, sealed bids will be received by Lyle Stenfors, Treasurer of Unified School District 512, Johnson County, Kansas (the issuer), on behalf of the governing body at the district office, 7235 Antioch, Overland Park, KS 66204, until 11 a.m. C.D.T. on Monday, May 9, 1994, for the purchase of \$30,000,000 principal amount of General Obligation School Bonds, Series 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 15, 1994, and will become due on October 1 in the years as follows:

Principal Amount	Year
\$3,400,000	1995
100,000	1996
100,000	1997
535,000	1998
595,000	1999
675,000	2000
710,000	2001
725,000	2002
745,000	2003
770,000	2004
865,000	2005
930,000	2006
1,020,000	2007
1,025,000	2008
1,030,000	2009
1,685,000	2010

1,705,000	2011
1,910,000	2012
1,345,000	2013
1,440,000	2014
1,555,000	2015
1,675,000	2016
1,805,000	2017
1,945,000	2018
1,710,000	2019

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the notice of bond sale and preliminary official statement.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on April 1 and October 1 in each year, beginning April 1, 1995.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$600,000 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 26, 1994, at such location as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed valuation of taxable tangible property in the district for the year 1993 is \$1,821,947,178. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$74,545,000.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the bonds may be obtained from Connie Sue Brand, Supervisor of Finance, 7235 Antioch, Overland Park, KS 66204, (913) 831-1900; or from the financial advisor, Mark Twain Bank, Public Finance Division, 106 W. 11th, Kansas City, MO 64105, (816) 421-4440.

Dated April 27, 1994.

Unified School District 512  
Johnson County, Kansas

Doc. No. 014779

(Published in the Kansas Register, April 28, 1994.)

#### Summary Notice of Bond Sale

City of Bel Aire, Kansas

\$610,575.60

#### General Obligation Bonds, Series A, 1994

(General obligation bonds payable  
from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated April 19, 1994, sealed bids will be received by the clerk of the city of Bel Aire, Kansas (the issuer), on behalf of the governing body at City Hall, 4551 N. Auburn, Bel Aire, KS 67220, until noon C.D.T. on May 17, 1994, for the purchase of \$610,575.60 principal amount of General Obligation Bonds, Series A, 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

#### Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$5,575.60. The bonds will be dated May 1, 1994, and will become due on September 1 in the years as follows:

Year	Principal Amount
1995	\$15,575.60
1996	25,000.00
1997	30,000.00
1998	30,000.00
1999	35,000.00
2000	35,000.00
2001	40,000.00
2002	40,000.00
2003	40,000.00
2004	45,000.00
2005	45,000.00
2006	50,000.00
2007	55,000.00
2008	60,000.00
2009	65,000.00

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning on March 1, 1995.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$12,211.51 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 31, 1994, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

(continued)



**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$19,249,994. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$5,687,731.02.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 744-2451, or from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attention: David K. Shupe, (316) 262-4955.

Dated April 19, 1994.

City of Bel Aire, Kansas

Doc. No. 014772

(Published in the Kansas Register, April 28, 1994.)

**Summary Notice of Bond Sale****Unified School District 410**

Marion County, Kansas

(Durham-Hillsboro-Lehigh)

\$2,350,000

General Obligation Bonds, Series 1994

(General obligation bonds payable from unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated April 19, 1994, sealed bids will be received by the clerk of Unified School District 410, Marion County, Kansas (Durham-Hillsboro-Lehigh)(the issuer), on behalf of the governing body at 812 E. A St., Hillsboro, KS 67063, until 5 p.m. C.D.T. on May 10, 1994, for the purchase of \$2,350,000 principal amount of General Obligation Bonds, Series 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1994, and will become due on December 1 in the years as follows:

Year	Principal Amount
1995	\$ 35,000
1996	105,000
1997	110,000
1998	120,000
1999	125,000
2000	130,000
2001	135,000
2002	140,000
2003	150,000

2004	155,000
2005	165,000
2006	175,000
2007	185,000
2008	195,000
2009	205,000
2010	220,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on June 1 and December 1 in each year, beginning on June 1, 1995.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$47,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 31, 1994, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$20,541,114. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$3,250,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 947-3184, or from the financial advisor, First Securities Company of Kansas, Inc., 200 Hardage Center, 100 S. Main, Wichita, KS 67202, Attention: Patricia A. Hinojos, (316) 262-4411.

Dated April 19, 1994.

Unified School District 410  
Marion County, Kansas

Doc. No. 014773



(Published in the Kansas Register, April 28, 1994.)

**Notice of Bond Sale**  
**\$2,257,000**  
**Riley County, Kansas**  
**General Obligation Bonds**  
**Series 1994-A**  
**(Landfill Remediation, Transfer Station**  
**Improvements)**

**Sealed Bids**

Sealed bids for the purchase of \$2,257,000 principal amount of General Obligation Bonds, Series 1994-A (Landfill Remediation, Transfer Station Improvements), of the county hereinafter described, will be received by the undersigned county clerk of Riley County, Kansas, on behalf of the governing body of the county at the Riley County Courthouse, 110 Courthouse Plaza, Manhattan, Riley County, Kansas, until 11 a.m. C.D.T. on Monday, May 9, 1994. All bids will be publicly opened and read at said time and place and will be acted upon by the county immediately thereafter. No oral or auction bids will be considered.

**Bond Details**

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof (except one bond in the denomination of \$7,000). The bonds will be dated May 1, 1994, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1995	\$117,000
1996	\$115,000
1997	\$115,000
1998	\$115,000
1999	\$115,000
2000	\$115,000
2001	\$115,000
2002	\$115,000
2003	\$115,000
2004	\$115,000
2005	\$115,000
2006	\$110,000
2007	\$110,000
2008	\$110,000
2009	\$110,000
2010	\$110,000
2011	\$110,000
2012	\$110,000
2013	\$110,000
2014	\$110,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1995.

**Place of Payment and Bond Registration**

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon

earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The county will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

**Redemption of Bonds Prior to Maturity**

At the option of the county, bonds maturing on September 1, 2005, and thereafter, will be subject to redemption and payment prior to maturity on September 1, 2004, and thereafter in whole on any date or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the county is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the county shall elect to call any bond for redemption and payment prior to the maturity thereof, the county shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 60 days prior to the redemption date. Thereafter the paying agent and bond registrar will notify the owners of the bonds of the county's redemption call by United States mail, postage prepaid. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

**Conditions of Bids**

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of  $\frac{1}{8}$  or  $\frac{1}{20}$  of 1 percent. No interest rate shall exceed the index of treasury bonds published by *The Bond Buyer*, New York, New York, on the Monday next preceding the day on which

(continued)

the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the county during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the county on the basis of such bid. Each bid shall also specify the average annual net interest rate to the county on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

#### **Basis of Award**

The award of the bonds will be made on the basis of the lowest net interest cost to the county, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the county. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the county shall determine which bid, if any, shall be accepted, and its determination shall be final.

#### **Security for the Bonds**

The bonds will be general obligations of the county payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the county.

#### **Internal Revenue Code of 1986**

The Internal Revenue Code of 1986 imposes requirements on the county which must be met subsequent to the issuance of the bonds by the county and, as a result, the county will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The county's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the county's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income, with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed

whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The county does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

#### **Legal Opinion**

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the county with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income.

#### **Delivery and Payment**

The county will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about May 26, 1994, at such bank or trust company in the contiguous United State of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the county. The denominations of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the county and bond registrar not later than 3 p.m. C.D.T. on May 16, 1994. In the absence of such information, the county will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the county by 3 p.m. C.D.T. on May 16, 1994, a certificate acceptable to the county's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par

amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$45,140, payable to the order of the county to secure the county from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the county until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the county, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the county shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the county, and the county reserves the right to pursue any consequential damages as a result of such default.

#### CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the county.

#### Bid Forms

All bids must be made on forms which may be procured from the county clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The county reserves the right to waive irregularities and to reject any or all bids.

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned county clerk and marked "Proposal for the Purchase of General Obligations Bonds." Bids may be submitted by mail or delivered in person to the undersigned at Riley County Courthouse and must be received by the undersigned prior to 11 a.m. C.D.T. on Monday, May 9, 1994.

#### Date and Delivery of Preliminary and Final Official Statement

The county has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the purchaser and

the price or yield at which the purchaser will re-offer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the county will provide without cost to the purchaser such reasonable number of printed copies of the final official statement, and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds is awarded to a syndicate, the county will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The county will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the chairman and the county clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the county's preliminary official statement relating to the bonds may be obtained from the county clerk.

#### Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1993 is \$198,271,129. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$10,490,255, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$4,224,255, of which \$2,149,255 will be retired out of the proceeds of the bonds herein offered for sale.

Dated April 18, 1994.

Riley County, Kansas  
Ilene Colbert, County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
(913) 537-0700

Doc. No. 014765

## State of Kansas

Department of Wildlife  
and ParksPermanent Administrative  
Regulations

## Article 4.—BIG GAME

**115-4-6. Deer; management units.** (a) High Plains; unit 1: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(b) Smoky Hill; unit 2: that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries.

(c) Kirwin-Webster; unit 3: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with state highway K-8, except federal and state sanctuaries.

(d) Kanopolis; unit 4: that part of Kansas bounded by a line from the interstate highway I-70 and state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries.

Smoky Hill Weapons' Range; subunit 4a: the following described area shall be designated a subunit of unit 4 and, with approval of air national guard command, the area shall be open for the taking of deer during the firearm season: United States government land lying entirely within the boundaries of the Smoky Hill Weapons Range. Persons hunting in this subunit during the firearm deer season are required to be in possession of a subunit 4a permit and any permits and licenses required by air national guard.

(e) Pawnee; unit 5: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with federal highway US-156, then west on federal highway US-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries.

(f) Middle Arkansas; unit 6: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with state highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries.

(g) Solomon; unit 7: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(h) Republican; unit 8: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-77, except federal and state sanctuaries.

Fort Riley; subunit 8a: the following described area shall be designated a subunit of unit 8 and unit 9 and, with approval of Fort Riley command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Persons hunting in this subunit during the firearm deer season are required to be in possession of a subunit 8a permit and any permits and licenses required by Fort Riley.

(i) Tuttle Creek; unit 9: that part of Kansas bounded by a line from the Nebraska-Kansas state line, south on federal highway US-75 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

(j) Kaw; unit 10: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on fed-

eral highway US-75 to its junction with interstate highway I-35, then northeasterly on interstate highway I-35 to its junction with state highway K-150, then east on state highway K-150 to the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

Fort Leavenworth; subunit 10a: the following described area shall be designated a subunit of unit 10 and, with approval of Fort Leavenworth command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Leavenworth military reservation. Persons hunting in this subunit during the firearm deer season are required to be in possession of a subunit 10a permit and any permits and licenses required by Fort Leavenworth.

(k) Osage Prairie; unit 11: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway I-35, then northeasterly on interstate highway I-35 to its junction with state highway K-150, then east on state highway K-150 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(l) Chautauqua Hills; unit 12: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

Game Tag Subunit; subunit 12a: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47 then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with state highway K-39, then west on state highway K-39 to its junction with state highway K-96, then west on state highway K-96 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-

Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(m) Lower Arkansas; unit 13: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(n) Flint Hills; unit 14: that part of Kansas bounded by a line from the junction of interstate highway I-70 and federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with federal highway US-75, except federal and state sanctuaries.

(o) Ninnescab; unit 15: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-179, except federal and state sanctuaries.

(p) Red Hills; unit 16: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-1 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-1, except federal and state sanctuaries.

(q) West Arkansas; unit 17: that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to

(continued)



its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-156, then east on federal highway US-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-144, then west on state highway K-144 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with state highway K-96, except federal and state sanctuaries.

(r) Cimarron; unit 18: that part of Kansas bounded by a line from the Colorado-Kansas state line east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-54, then northeast on federal highway US-54 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with state highway K-1, then south on state highway K-1 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-160, except federal and state sanctuaries. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-937; effective April 30, 1990; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994.)

**115-4-7. Elk; legal equipment, taking methods, and general provisions.** (a) Hunting equipment for the taking of elk during an archery elk season shall consist of bows and arrows.

(1) Each bow shall not be less than 50 pounds pull up to or at full draw.

(2) Each bow shall be hand-drawn.

(3) Each bow shall have no mechanical device that locks the bow at full or partial draw.

(4) Each bow shall be designed to shoot only one arrow at a time.

(5) Each bow shall have no more than 65% let-off.

(6) Each bow shall have no electronic or chemical devices attached to the bow or arrow with the exception of lighted pin sights attached to the front of the bow.

(7) Each arrow used for hunting shall be equipped with a nonbarbed broadhead point with all metal cutting edges.

(8) Each arrow used for hunting shall be not less than 20 inches in length.

(b) Hunting equipment for the taking of elk during a firearm elk season shall consist of:

(1) equipment as authorized in subsection (a);

(2) centerfire rifles that fire a bullet greater than .25 inches in diameter, use a cartridge (case and bullet)

greater than two and one-half inches in length, and are not fully automatic;

(3) muzzleloading rifles that fire a bullet of .49 inches in diameter or larger and can only be loaded through the front of the firing chamber with separate components; and

(4) only soft point, hollow point or other expanding bullets shall be used with centerfire rifles.

(c) Hunting equipment for the taking of elk during a muzzleloader-only firearm season shall be single barrel, muzzleloading rifles with iron or peep sights, which fires a bullet of .49 inches in diameter or larger and that can only be loaded through the front of the firing chamber with separate components.

(d) Nonelectronic calls, lures and decoys, except live decoys, shall be legal.

(e) Blinds and stands may be used while hunting elk.

(f) General provisions.

(1) Removal of the game tag from the permit shall invalidate the permit for hunting. Each permittee shall sign and date the game tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for an elk taken under an "any elk" permit, the head shall accompany the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation.

(2) Any legally acquired elk meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(3) Each permittee receiving an informational card shall report the results of the hunt no later than 48 hours after the close of the season.

(4) Archery-only elk permittees shall not have a firearm in possession while hunting elk.

(5) Muzzleloader-only elk permittees shall not have a rimfire or centerfire firearm in possession while hunting elk.

(6) A permit shall not be transferable.

(7) A permit refund shall be granted only if the permittee dies prior to the opening date of the season for which the permit was issued.

(8) In addition to other penalties prescribed by law, each permit obtained by an individual through false representation, misrepresentation, or in excess of the number of permits authorized by these regulations shall be invalid from the date of issuance.

(9) Each applicant shall only apply for or obtain either an archery elk permit or a firearm elk permit in the same calendar year.

(10) An individual receiving an elk hunting permit shall not be eligible to apply for or receive an elk hunting permit in subsequent seasons with the following exceptions.

(A) Any individual receiving an any elk or a bull only elk hunting permit may apply for and be eligible to receive an antlerless only elk permit in subsequent seasons.

(B) Any individual receiving an antlerless only elk hunting permit shall not be eligible to apply for or receive an antlerless only elk hunting permit for a five-

year period thereafter. However, such an individual may apply for and shall be eligible to receive an any elk or bull only elk hunting permit without a waiting period. (Authorized by K.S.A. 32-807 and K.S.A. 32-937; implementing K.S.A. 32-807, K.S.A. 32-937 and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994.)

### Article 30.—BOATING

**115-30-10. Personal watercraft; definition, requirements and restrictions.** (a) Personal watercraft means a vessel which uses an inboard motor powering a jet pump as its primary source of propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting, standing or kneeling inside the vessel.

(b) Personal watercraft shall be subject to all applicable laws and rules and regulations which govern the operation, equipment, registration, numbering and all other matters relating to vessels whenever a personal watercraft is operated on the waters of this state, except as modified below.

(1) A personal watercraft may not be operated unless each person aboard the personal watercraft is wearing a type I, type II, type III or type V United States coast guard-approved personal floatation device.

(2) Each person operating a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch shall attach the lanyard to the operator's person, clothing or personal floatation device as appropriate.

(3) A person shall not operate a personal watercraft during the time period of sunset to sunrise.

(4) Each person shall operate a personal watercraft at no wake speeds of five miles per hour or less when within 100 feet of:

- (A) a dock;
- (B) a boat ramp;
- (C) a person swimming;
- (D) a bridge structure;
- (E) a moored or anchored vessel;
- (F) a sewage pump-out facility; or
- (G) a nonmotorized watercraft.

(5) A person shall operate a personal watercraft in a reasonable and prudent manner. Maneuvers which unreasonably or unnecessarily endanger life, limb or property shall be prohibited. This includes weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance.

(6) A person shall not operate a personal watercraft unless facing forward.

(7) A person shall not operate or use a personal watercraft to tow a person on water skis, kneeboards, inflatable crafts or any other device unless the personal watercraft is designed to accommodate more than one person.

(8) Effective January 1, 1995, person under 16 years of age shall not operate a personal watercraft on the waters of this state unless a person 17 years of age or older is aboard the personal watercraft. Except, any person under 16 years of age, but not less than 12 years of age

may operate a personal watercraft provided the person has successfully completed a boating safety course of study approved by the Department and has been issued a valid boating safety certificate.

(c) Effective January 1, 1995, a boat livery shall not lease, hire or rent a personal watercraft to, or for the operation by, any person who is under 16 years of age. A boat livery may lease, hire or rent a personal watercraft to, or for the operation by, any person who is under 16 years of age, but not less than 12 years of age, provided the person has met the boating safety and certificate requirements of subsection (b)(8).

(d) The provisions of subsections (b)(4), (5), (6) and (8) shall not apply to a person participating in a regatta, race, marine parade, tournament or exhibition which has been authorized or permitted by the Department or is otherwise exempt from such authorization or permit. (Authorized by and implementing K.S.A. 32-1103 and K.S.A. 32-1119; effective June 13, 1994.)

Ted Ensley  
Secretary of Wildlife  
and Parks

Doc. No. 014764

### State of Kansas

### Secretary of State

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

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

Bill Graves  
Secretary of State

(Published in the Kansas Register, April 28, 1994.)

### HOUSE BILL No. 2752

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1994, for the behavioral sciences regulatory board, state board of mortuary arts, consumer credit commissioner, state board of indigents' defense services, department of revenue, Kansas lottery, Kansas racing commission, department of commerce and housing, Kansas, Inc., department of education, state historical society, state board of agriculture, Kansas animal health department, department of wildlife and parks, El Dorado correctional facility, department of social and rehabilitation services, Kansas neurological institute, Parsons state hospital and training center, Larned state hospital, Osawatimie state hospital, Rainbow mental health facility, Topeka state hospital, Winfield state hospital and training center, state fair board, state board of veterinary examiners, Kansas board of examiners in fitting and dispensing of hearing aids, department of corrections, department of administration and state board of indigents' defense services; 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 3 of chapter 218 of the 1993 Session Laws of Kansas, section 70 of chapter 292 of the 1993 Session Laws of Kansas, and sections 4, 5 and 8 of chapter 270 of the 1993 Session Laws of Kansas and repealing the existing sections.

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

Section 1: For the fiscal year ending June 30, 1994, 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.

(continued)

Sec. 2.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) The position limitation established by section 22 of chapter 269 of the 1993 Session Laws of Kansas for the behavioral sciences regulatory board is hereby increased from 6.0 to 6.5.

Sec. 3.

STATE BOARD OF MORTUARY ARTS

(a) The expenditure limitation established by the state finance council on the mortuary arts fee fund is hereby increased from \$149,696 to \$153,475.

Sec. 4.

CONSUMER CREDIT COMMISSIONER

(a) The expenditure limitation established by section 14(a) of chapter 269 of the 1993 Session Laws of Kansas on the consumer credit fee fund is hereby increased from \$342,290 to \$347,132.

Sec. 5.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Agency operations .....	\$1,225,703
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Sec. 6.

DEPARTMENT OF REVENUE

(a) The expenditure limitation established by the state finance council on the setoff services revenue fund is hereby increased from \$96,505 to \$103,505.

(b) The expenditure limitation established by the state finance council on the salaries and wages account of the division of vehicles operating fund is hereby increased from \$15,710,390 to \$15,904,402.

Sec. 7.

KANSAS LOTTERY

(a) The expenditure limitation established by section 5(f) of chapter 292 of the 1993 Session Laws of Kansas on the other operating expenditures account of the lottery operating fund is hereby increased from \$5,011,128 to \$5,151,128.

(b) The expenditure limitation established by the state finance council on the lottery operating fund is hereby increased from \$8,351,621 to \$8,373,059.

Sec. 8.

KANSAS RACING COMMISSION

(a) The expenditure limitation established by section 5 of chapter 229 of the 1993 Session Laws of Kansas on expenditures for official hospitality from the other operating expenditures account of the state racing fund is hereby increased from \$1,000 to \$2,500.

Sec. 9.

DEPARTMENT OF COMMERCE AND HOUSING

(a) The expenditure limitation established by section 6(b) of chapter 229 of the 1993 Session Laws of Kansas on the HOME—federal fund is hereby increased from \$5,132,649 to No limit.

(b) The expenditure limitation established by section 6(b) of chapter 229 of the 1993 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 \$2,527,500.

Sec. 10.

KANSAS, INC.

(a) On the effective date of this act, the director of accounts and reports shall transfer \$15,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF fund of Kansas, Inc.

Sec. 11.

DEPARTMENT OF EDUCATION

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

Operating expenditures (including official hospitality) .....	\$122,407
Community college credit hour state aid .....	109,630
Community college out-district state aid entitlement .....	211,462
Total .....	\$443,499

(b) On June 30, 1994, of the amount appropriated for the above agency for the fiscal year ending June 30, 1994, by section 2(a) of

chapter 161 of the 1993 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$5,351,000 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, 1994, by section 2(a) of chapter 161 of the 1993 Session Laws of Kansas from the state general fund in the supplemental general state aid account, the sum of \$3,899,000 is hereby lapsed.

(d) The expenditure limitation established by the state finance council on the state operations account of the adult basic education—federal fund is hereby increased from \$179,626 to \$250,422.

(e) The expenditure limitation established by the state finance council on the state operations account of the state safety fund is hereby increased from \$87,022 to \$87,417.

(f) The expenditure limitation established by the state finance council on the state operations account of the food assistance—federal fund is hereby increased from \$1,151,611 to \$1,225,997.

(g) The expenditure limitation established by the state finance council on the state operations account of the job training partnership act fund—federal is hereby increased from \$71,239 to \$71,710.

(h) The expenditure limitation established by the state finance council on the state operations account of the education for economic security act—federal fund is hereby increased from \$186,573 to \$186,755.

(i) The expenditure limitation established by the state finance council on the state operations account of the drug abuse fund—department of education—federal is hereby increased from \$470,199 to \$471,025.

(j) The expenditure limitation established by the state finance council on the state operations account of the vocational education amendments of 1968—federal fund is hereby increased from \$666,738 to \$668,530.

(k) The expenditure limitation established by the state finance council on the state operations account of the education of handicapped children fund—federal is hereby increased from \$1,129,436 to \$1,234,519.

(l) The expenditure limitation established by the state finance council on the state operations fund—federal is hereby decreased from \$1,216,154 to \$1,289,886.

(m) The expenditure limitation established by the state finance council on the GED credentials processing fees fund is hereby increased from \$34,653 to \$34,894.

(n) The expenditure limitation established by the state finance council on the certificate fee fund is hereby decreased from \$506,338 to \$408,062.

(q) The expenditure limitation established by the state finance council on the proprietary school fee fund is hereby increased from \$34,740 to \$34,772.

Sec. 12.

STATE HISTORICAL SOCIETY

(a) The expenditure limitation established by section 6(b) of chapter 187 of the 1993 Session Laws of Kansas on the general fees fund is hereby increased from \$58,750 to \$72,254.

(b) The expenditure limitation established by section 6(b) of chapter 187 of the 1993 Session Laws of Kansas on the microfilm fees fund is hereby increased from \$28,902 to \$40,902.

Sec. 13.

STATE BOARD OF AGRICULTURE

(a) The expenditure limitation established by section 2(b) of chapter 230 of the 1993 Session Laws of Kansas on the official dam safety cooperative agreement—federal fund is hereby increased from \$3,000 to No limit.

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

Operating expenditures (including official hospitality) .....	\$24,100
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Sec. 14.

KANSAS ANIMAL HEALTH DEPARTMENT

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

Animal disease control program .....	\$16,395
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(b) The expenditure limitation established by the state finance council on the livestock brand fee fund is hereby increased from \$204,350 to \$221,915.



Sec. 15.

DEPARTMENT OF WILDLIFE AND PARKS

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

Operating expenditures ..... \$7,022

(b) On the effective date of this act, the director of accounts and reports shall transfer \$210,000 from the state general fund to the parks fee fund of the department of wildlife and parks.

(c) 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 shall not exceed the following:

Bureau of reclamation federal flood aid fund ..... No limit

Sec. 16.

EL DORADO CORRECTIONAL FACILITY

(a) The expenditure limitation established by the state finance council on the general fees fund is hereby increased from \$80,394 to \$157,470.

Sec. 17.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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

State operations ..... \$332,839  
 Medical assistance for long-term care ..... 7,127,889  
 Cash assistance ..... 6,321,837  
 Total ..... \$13,782,565

(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:

Information systems plan project fund ..... \$285,000

*Provided*, That no expenditures shall be made from this fund unless such project is approved by the appropriate federal governmental entities and is eligible for federal cost sharing.

(c) On the effective date of this act, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 1994, by section 30(a) of chapter 292 of the 1993 Session Laws of Kansas from the state general fund in the community mental retardation training grants account, is hereby lapsed.

(d) The expenditure limitation established by the state finance council on the state operations account of the social welfare fund is hereby increased from \$9,136,422 to \$10,651,026.

(e) The expenditure limitation established by the state finance council on the alcoholism treatment fund is hereby increased from \$816,394 to \$817,288.

(f) The expenditure limitation established by the state finance council on the developmental disabilities program—federal fund is hereby increased from \$786,424 to \$828,016.

(g) The expenditure limitation established by section 2(b) of chapter 270 of the 1993 Session Laws of Kansas on the drug abuse fund—department of social and rehabilitation services—federal fund is hereby increased from \$744,505 to \$746,754.

(h) The expenditure limitation established by section 30(p) of chapter 292 of the 1993 Session Laws of Kansas on the substance abuse treatment capacity expansion—federal fund is hereby increased from \$910,284 to \$1,513,826.

(i) The expenditure limitation established by section 2(b) of chapter 270 of the 1993 Session Laws of Kansas on the social services block grant—federal fund is hereby increased from \$27,639,636 to \$29,022,691.

(j) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$285,000 from the state budget stabilization fund of the department of administration to the information systems plan project fund of the department of social and rehabilitation services.

Sec. 18.

KANSAS NEUROLOGICAL INSTITUTE

(a) The expenditure limitation established by the state finance council on the title XIX fund is hereby increased from \$13,585,479 to \$13,877,506.

(b) The expenditure limitation established by the state finance council on the Kansas neurological institute fee fund is hereby decreased from \$929,688 to \$853,757.

(c) On the effective date of this act, the amount of \$13,461,794, authorized by section 3(c) of chapter 270 of the 1993 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Kansas neurological institute is hereby increased to \$13,877,506.

Sec. 19.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) 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 \$10,944,785 to \$11,174,006.

(b) The expenditure limitation established by section 6(b) of chapter 270 of the 1993 Session Laws of Kansas for the Parsons state hospital and training center fee fund is hereby decreased from \$963,265 to \$802,116.

(c) On the effective date of this act, the amount of \$10,850,580, authorized by section 6(c) of chapter 270 of the 1993 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Parsons state hospital and training center is hereby increased to \$11,174,006.

Sec. 20.

LARNED STATE HOSPITAL

(a) The expenditure limitation established by the state finance council on the Larned state hospital fee fund is hereby increased from \$1,517,857 to \$1,531,327.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Larned state hospital is hereby decreased from \$13,798,694 to \$13,734,007.

Sec. 21.

OSAWATOMIE STATE HOSPITAL

(a) The expenditure limitation established by the state finance council on the Osawatomie state hospital fee fund is hereby increased from \$1,776,971 to \$2,002,462.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Osawatomie state hospital is hereby decreased from \$10,156,750 to \$9,875,039.

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

Operating expenditures ..... \$38,692

Sec. 22.

RAINBOW MENTAL HEALTH FACILITY

(a) The expenditure limitation established by the state finance council on the Rainbow mental health facility fee fund is hereby increased from \$220,663 to \$228,508.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Rainbow mental health facility is hereby decreased from \$3,432,840 to \$3,411,518.

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 \$3,763,337 to \$3,377,713.

(b) The expenditure limitation established by the state finance council on the title XIX fund of Topeka State Hospital is hereby increased from \$11,101,104 to \$11,345,804.

Sec. 24.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) The expenditure limitation established by the state finance council on the title XIX fund of Winfield state hospital and training center is hereby decreased from \$15,069,895 to \$14,977,423.

(b) The expenditure limitation established by the state finance council on the Winfield state hospital and training center fee fund is hereby increased from \$1,206,228 to \$1,298,700.

(c) On the effective date of this act, the amount of \$15,021,807, authorized by section 36(d) of chapter 292 of the 1993 Session Laws of Kansas to be transferred by the director of accounts and reports from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Winfield state hospital and training center is hereby decreased to \$14,977,423.

(continued)

Sec. 25.

STATE FAIR BOARD

(a) On the effective date of this act, the director of accounts and reports shall transfer \$35,000 from the state fair capital improvements fund to the state fair fee fund.

Sec. 26.

STATE BOARD OF VETERINARY EXAMINERS

(a) The expenditure limitation established by the state finance council on the veterinary examiners fee fund is hereby increased from \$115,893 to \$130,987.

Sec. 27.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) The expenditure limitation established by the state finance council on the hearing aid board fee fund is hereby increased from \$14,513 to \$15,313.

Sec. 28.

DEPARTMENT OF CORRECTIONS

(a) In addition to other expenditures authorized by law, the department of corrections is hereby authorized to make expenditures for the fiscal year ending June 30, 1994, for the sale of the real property described in subsection (a) of K.S.A. 75-52,119 and the secretary of corrections is hereby authorized to lease, lease with option to sell, or sell such property, including the improvements thereon: Provided, That such lease, lease with option to sell, or sale shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: Provided further, That the secretary of corrections shall present a report on the proposed terms of sale of such real property to the joint committee on state building construction prior to selling such real property.

(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:

Department of corrections—general fees fund ..... No limit

Provided, That expenditures may be made from this fund for operating expenditures for training programs for correctional personnel, including official hospitality: Provided further, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such programs shall be credited to this fund: And provided further, That no expenditures shall be made from this fund for the repair of flood damage except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

Sec. 29. Section 4 of chapter 270 of the 1993 Session Laws of Kansas is hereby amended to read as follows: Sec. 4.

LARNED STATE HOSPITAL

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

Operating expenditures ..... \$16,770,949

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1993, is hereby reappropriated for fiscal year 1994: Provided, however, That expenditures from such reappropriated balance shall not exceed \$650,286 except upon approval of the state finance council: Provided further, That expenditures from this account for official hospitality by the superintendent of Larned state hospital shall not exceed \$150: And provided further, That of the total amount of expenditures from this fund, \$155,925 may be expended only for the purchase of the pharmaceutical drug drugs, including, but not limited to, clozapine (clozaril): And provided further, That this amount of money shall not be expended for any other purpose.

(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:

Title XIX fund ..... \$13,798,694
Elementary and secondary education fund—federal ..... No limit
Vocational education fund—federal ..... No limit
ECIA fund—federal ..... No limit
Canteen fund ..... No limit
Patient benefit fund ..... No limit
Work therapy patient benefit fund ..... No limit

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports may trans-

fer, in one or more amounts, from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Larned state hospital the amount specified by the secretary of social and rehabilitation services.

(d) The director of accounts and reports may transfer, in one or more amounts, from the title XIX fund of Larned state hospital to the social welfare fund of the department of social and rehabilitation services the amount specified by the superintendent and any such transfer shall be in addition to any expenditure limitation imposed on the title XIX fund of Larned state hospital.

(e) On July 1, 1993, the superintendent, upon the approval of the director of accounts and reports, shall transfer \$15,000 from the canteen fund to the patient benefit fund.

Sec. 30. Section 5 of chapter 270 of the 1993 Session Laws of Kansas is hereby amended to read as follows: Sec. 5.

OSAWATOMIE STATE HOSPITAL

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

Operating expenditures ..... \$9,137,553

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1993, is hereby reappropriated for fiscal year 1994: Provided, however, That expenditures from such reappropriated balance shall not exceed \$535,160 except upon approval of the state finance council: Provided further, That expenditures from this account for official hospitality by the superintendent of Osawatomi state hospital shall not exceed \$150: And provided further, That of the total amount of expenditures from this fund, \$135,000 may be expended only for the purchase of the pharmaceutical drug drugs, including, but not limited to, clozapine (clozaril): And provided further, That this amount shall not be expended for any other purpose.

(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:

Osawatomi state hospital fee fund ..... \$1,776,971
Title XIX fund ..... 10,119,579
Elementary and secondary education fund—federal ..... No limit
Vocational education fund—federal ..... No limit
ECIA fund—federal ..... No limit
Adult education fund—federal ..... No limit
Canteen fund ..... No limit
Patient benefit fund ..... No limit
Work therapy patient benefit fund ..... No limit

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Osawatomi state hospital the amount specified by the secretary of social and rehabilitation services.

(d) The director of accounts and reports may transfer, in one or more amounts, from the title XIX fund of Osawatomi state hospital to the social welfare fund of the department of social and rehabilitation services the amount specified by the superintendent and any such transfer shall be in addition to any expenditure limitation imposed on the title XIX fund of Osawatomi state hospital.

(e) On July 1, 1993, the superintendent, upon the approval of the director of accounts and reports, shall transfer \$15,000 from the canteen fund to the patient benefit fund.

Sec. 31. Section 8 of chapter 270 of the 1993 Session Laws of Kansas is hereby amended to read as follows: Sec. 8.

TOPEKA STATE HOSPITAL

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

Operating expenditures ..... \$7,026,243

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1993, is hereby reappropriated for fiscal year 1994: Provided, however, That expenditures from such reappropriated balance shall not exceed \$380,522 except upon approval of the state finance council: Provided further, That expenditures from this account for official hospitality by the superintendent of Topeka state hospital shall not exceed \$150: And provided further, That of the total amount of expenditures from this fund, \$230,462 may be expended only for the purchase of the pharmaceutical drug drugs, including, but not limited to, clozapine (clozaril): And provided further, That this amount of money shall not be expended for any other purpose.

(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:

Title XIX fund.....	\$11,101,104
Elementary and secondary education fund—federal .....	No limit
Canteen fund.....	No limit
Patient benefit fund.....	No limit
Work therapy patient benefit fund .....	No limit

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the institutional reimbursement fund of the department of social and rehabilitation services to the title XIX fund of Topeka state hospital the amount specified by the secretary of social and rehabilitation services.

(d) The director of accounts and reports may transfer, in one or more amounts, from the title XIX fund of Topeka state hospital to the social welfare fund of the department of social and rehabilitation services the amount specified by the superintendent and any such transfer shall be in addition to any expenditure limitation imposed on the title XIX fund of Topeka state hospital.

(e) On July 1, 1993, the superintendent, upon the approval of the director of accounts and reports, shall transfer \$6,000 from the canteen fund to the patient benefit fund.

Sec. 32. Section 70 of chapter 292 of the 1993 Session Laws of Kansas is hereby amended to read as follows: Sec. 70.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated from the above agency from the state general fund for the fiscal year ending June 30, 1994, the following:

Operating grant for KTWU television station at Topeka .....	\$122,474
Operating grant for KPTS television station at Wichita .....	122,474
Operating grant for KCPT television station at Kansas City .....	104,886
Operating grant for KOOD television station at Bunker Hill .....	245,520
Operating grant for KANZ radio station at Garden City .....	34,944
Total.....	\$630,298

(b) There is appropriated from 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:

EDIF grant—KANZ/KZNA-FM (Garden City/Hill City)—capital equipment expenditures fund..... \$2,500

*Provided*, That all expenditures from this fund shall be used to provide matching funds for federal capital equipment grants awarded to KANZ/KZNA-FM (Garden City/Hill City).

EDIF grant—KOOD/KSWK-TV (Bunker Hill/Lakin)—capital equipment expenditures fund..... 100,000

*Provided*, That all expenditures from this fund shall be used to provide matching funds for federal capital equipment grants awarded to KOOD/KSWK-TV (Bunker Hill/Lakin): *Provided further*, That expenditures from this fund may be made to provide matching funds for capital equipment projects funded from any non-state source in the event federal capital equipment grants are not awarded.

EDIF grant—KPTS-TV (Wichita)—capital equipment expenditures fund..... 41,790

*Provided*, That no expenditures may be made from this fund unless a federal capital equipment grant is awarded to KPTS-TV (Wichita): *Provided further*, That all expenditures from this fund shall be made to match such federal capital equipment grant: *And provided further*, That expenditures from this fund may be made to provide matching funds for capital equipment projects funded from any non-state source in the event federal capital equipment grants are not awarded.

EDIF grant—KCPT-TV (Kansas City)—capital equipment expenditures fund..... 67,500

*Provided*, That no expenditures may be made from this fund unless a federal capital equipment grant is awarded to KCPT-TV (Kansas City): *Provided further*, That all expenditures from this fund shall be made to match such federal capital equipment grant.

EDIF grant—KTWU-TV (Topeka)—capital equipment expenditures fund..... 152,783

*Provided*, That no expenditures may be made from this fund unless a federal capital equipment grant is awarded to KTWU-TV (Topeka): *Provided further*, That all expenditures from this fund shall be made to match such federal capital equipment grant.

EDIF grant—KOOD/KSWK-TV (Bunker Hill/Lakin)—capital equipment expenditures fund..... 58,400

*Provided*, That no expenditures may be made from this fund unless a federal capital equipment grant is awarded to KOOD/KSWK-TV (Bunker Hill/Lakin): *Provided further*, That all expenditures from this fund shall be made to match such federal capital equipment grant: *And provided further*, That expenditures from this fund may be made to provide matching funds for capital equipment projects funded from any non-state source in the event federal capital equipment grants are not awarded.

(b) On July 1, 1993, or as soon thereafter as moneys are available, upon request of the chairperson of the Kansas public broadcasting council, the director of accounts and reports shall transfer \$2,500 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KANZ/KZNA-FM (Garden City/Hill City)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(c) On July 1, 1993, or as soon thereafter as moneys are available, upon request of the chairperson of the Kansas public broadcasting council, the director of accounts and reports shall transfer \$100,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KOOD/KSWK-TV (Bunker Hill/Lakin)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(d) On July 1, 1993, upon notification by the chairperson of the Kansas public broadcasting council that KPTS-TV (Wichita) has received federal grant funds for capital equipment expenditures, the director of accounts and reports shall transfer \$41,790 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KPTS-TV (Wichita)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(c) On the effective date of this act, or as soon thereafter as moneys are available, upon notification by the chairperson of the Kansas public broadcasting council that KOOD/KSWK-TV (Bunker Hill/Lakin) has received federal grant funds or has obtained matching funds from a non-state source for capital equipment expenditures, the director of accounts and reports shall transfer \$158,400 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KOOD/KSWK-TV (Bunker Hill/Lakin)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(d) On the effective date of this act, or as soon thereafter as moneys are available, upon notification by the chairperson of the Kansas public broadcasting council that KPTS-TV (Wichita) has received federal grant funds or has obtained matching funds from a non-state source for capital equipment expenditures, the director of accounts and reports shall transfer \$41,372 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KPTS-TV (Wichita)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(e) On July 1, 1993, upon notification by the chairperson of the Kansas public broadcasting council that KCPT-TV (Kansas City) has received federal grant funds for capital equipment expenditures, the director of accounts and reports shall transfer \$67,500 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KCPT-TV (Kansas City)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(f) On July 1, 1993, upon notification by the chairperson of the Kansas public broadcasting council that KTWU-TV (Topeka) has received federal grant funds for capital equipment expenditures, the director of accounts and reports shall transfer \$152,783 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant—KTWU-TV (Topeka)—capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

(g) On July 1, 1993, upon notification by the chairperson of the Kansas public broadcasting council that KOOD/KSWK-TV (Bunker Hill/Lakin) has received federal grant funds for capital equipment expenditures, the director of accounts and reports

(continued)

(Published in the Kansas Register, April 28, 1994.)

HOUSE BILL No. 2576

AN ACT creating the Kansas economic opportunity initiatives fund, prescribing guidelines for allocation and expenditure of moneys credited thereto; disposition of interest earned or moneys credited thereto; powers, duties and functions for the state finance council.

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

Section 1. (a) There is hereby created in the state treasury the Kansas economic opportunity initiatives fund. Subject to acts of the legislature applicable thereto, the moneys in the Kansas economic opportunity initiatives fund shall be used only for the purposes prescribed by this section.

(b) All expenditures made pursuant to this act shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the governor or the governor's designee. The governor may approve a warrant only upon certification, by the majority vote of a five member panel, that an economic emergency or unique opportunity exists which warrant funding for a strategic economic intervention by such state agency or agencies to address expenses involved in securing economic benefits or avoiding or remedying economic losses related to:

- (1) A major expansion of an existing Kansas commercial enterprise;
- (2) the potential location in Kansas of the operations of a major employer;
- (3) the award of a significant federal or private sector grant which has a financial matching requirement;
- (4) the departure from Kansas or the substantial reduction of the operations of a major employer; and
- (5) the closure of a major federal or state institution or facility.

(c) No intervention strategy approved pursuant to this act shall include loans for which state funds are used unless the five-member panel finds that private financing cannot adequately fund the intervention strategy. The department of commerce and housing shall adopt written guidelines concerning the terms and conditions of such loans. However, all repaid funds shall be credited to the Kansas economic opportunities initiatives fund. No intervention strategy approved pursuant to this act shall facilitate the moving of an existing Kansas firm to another location within the state unless such restriction is waived by a unanimous vote of the five member panel identified in subsection (b). Every intervention strategy approved pursuant to this act shall identify the intended outcomes to be realized by the strategy for which funding is sought.

(d) The department of commerce and housing and Kansas, Inc. shall make joint findings concerning the costs and benefits, on both a local and statewide basis, of projects proposed pursuant to this act. Prior to allocation of any funds pursuant to this act, the governor shall review the cost-benefit findings performed on each project.

(e) The director of the budget and the director of the legislative research department shall consult periodically and review the balance credited to the estimated receipts to be credited to the state economic development initiatives fund during the fiscal year. During any period when the legislature is not in session, upon a finding by the director of the budget in consultation with the director of the legislative research department that the total of the unencumbered balance and estimated receipts to be credited to the state economic development initiatives fund during a fiscal year are insufficient to fund the budgeted expenditures and transfers from the state economic development initiatives fund for the fiscal year in accordance with the provisions of appropriation acts, the director of the budget shall make a certification of such finding to the governor. Upon approval by the governor, the director of accounts and reports shall transfer the amount of moneys from the Kansas economic opportunity initiatives fund to the state economic development initiatives fund that is required, in accordance with a certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the state economic development initiatives fund for the fiscal year in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to

shall transfer \$60,000 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce and housing to the EDIF grant KOD/KSWK-TV (Bunker Hill/Lakin) capital equipment expenditures fund of the department of administration for the Kansas public broadcasting council.

Sec. 33. Section 3 of chapter 218 of the 1993 Session Laws of Kansas is hereby amended to read as follows: Sec. 3.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Agency operations ..... \$7,482,443

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1993, in the operating expenditures account is hereby reappropriated to the agency operations account for fiscal year 1994. Provided, however, That expenditures from such reappropriated balance shall not exceed \$4,777 except upon approval of the state finance council: Provided further, That any expenditures for indigents' defense services are authorized to be made from this account regardless of when services were rendered: And provided further, That expenditures shall be made from this account in an amount not to exceed \$30,000 for a contract with a state educational institution or a private consultant for a management study of the state board of indigents' defense services: And provided further, That expenditures may be made from this account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: And provided further, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111 and amendments thereto and shall not be subject to the provisions of K.S.A. 75-3739 and amendments thereto: And provided further, That no expenditures shall be made from this account for the acquisition of computer equipment except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting after receiving the advice and recommendations of the joint committee on computers and telecommunications: Provided, however, That prior to approval by the state finance council of expenditures made from this account for the acquisition of computer equipment the joint committee on computers and telecommunications shall review a request for the acquisition of computer equipment to be submitted by the state board of indigents' defense services and, after the conclusion of its review, the joint committee shall make recommendations to the state finance council about the proposed equipment and the amount of expenditures appropriate for the proposed equipment.

Legal services for prisoners ..... 408,157

Total ..... \$7,890,600

(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:

Indigents' defense services fund ..... No limit

Provided, That expenditures may be made from this fund for the purpose of assigned counsel and other professional services related to contract cases.

Sec. 34. Section 3 of chapter 218 of the 1993 Session Laws of Kansas, section 70 of chapter 292 of the 1993 Session Laws of Kansas, and sections 4, 5 and 8 of chapter 270 of the 1993 Session Laws of Kansas are hereby repealed.

Sec. 35. 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 1994 made in this act or in any appropriation act of the 1993 regular session of the legislature or in any other appropriation act of the 1994 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 36. 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. 37. Effective date. This act shall take effect and be in force from and after its publication in the Kansas register.

the state economic development initiatives fund the amount of money certified by the pooled money investment board in accordance with this section. 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 Kansas economic opportunity initiatives fund. Such amount of money shall be determined by the pooled money investment board based on: (1) The average daily balance of moneys in the Kansas economic opportunity initiatives fund during the preceding month as certified to the board by the director of accounts and reports; and (2) 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 Kansas economic opportunity initiatives fund during the preceding month.

(g) The five member panel provided for in subsection (b) shall consist of the secretary of commerce and housing, the president of Kansas, Inc., the president of the Kansas technology enterprise corporation, the private sector chairperson of the board of Kansas, Inc. and the private sector chairperson of the Kansas technology enterprise corporation.

Sec. 2. On or before September 1 of each year, the secretary of commerce shall issue a report concerning the use of the fund to the joint committee on economic development. The secretary's report shall include a detailed description of how funds were spent, what, if any, economic benefits were realized from the expenditures and whether the intended outcomes identified pursuant to subsection (c) of section 1 have been realized.

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

(Published in the Kansas Register, April 28, 1994.)

#### SENATE BILL No. 731

AN ACT relating to real estate appraisers; licenses; amending K.S.A. 1993 Supp. 19-430 and 58-4109 and repealing the existing sections.

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

Section 1. K.S.A. 1993 Supp. 58-4109 is hereby amended to read as follows: 58-4109. (a) There is hereby established the following classes of real property appraisers:

- (1) State licensed real property appraiser classification;
- (2) certified general real property appraiser classification; and
- (3) certified residential real property appraiser classification; and
- (4) state provisional licensed real property appraiser classification.

(b) The board may establish, by rules and regulations, such other classifications as permitted by federal law.

(c) The board shall adopt rules and regulations, consistent with requirements and criteria adopted pursuant to federal law, to:

- (1) Define each classification;
- (2) establish education and experience requirements for each classification;
- (3) establish examination specifications for each classification; and
- (4) establish continuing education requirements for renewal of each classification.

(d) In adopting rules and regulations pursuant to subsection (c), the board shall determine the education, experience and examination requirements necessary to provide appropriate assurance that an applicant for certification or licensure is competent to perform appraisals within the scope of practice of the appraisal work authorized for the classification applied for and that persons renewing their certificates or licenses have current knowledge of real property appraisal theory, practices and techniques which will provide a high degree of service and protection to those members of the public with whom they deal. In making such determination, the board shall take into consideration the following:

- (1) Appropriate knowledge of technical terms commonly used in or related to real estate appraising, appraisal report writing and economic concepts applicable to real estate;

- (2) understanding of the principles of land economics, real estate appraisal processes and problems likely to be encountered in gathering, interpreting and processing data in carrying out appraisal disciplines;

- (3) understanding of the standards for the development and communication of real estate appraisals, as provided in this act;

- (4) knowledge of theories of depreciation, cost estimating, methods of capitalization and mathematics of real estate appraisal that are appropriate for the classification applied for;

- (5) knowledge of such other principles and procedures as may be appropriate for the respective classifications;

- (6) basic understanding of real estate law;

- (7) understanding of the types of misconduct for which disciplinary proceedings may be initiated against a state certified or licensed appraiser, as set forth in this act;

- (8) the requirements of federal law; and

- (9) such other matters as the board determines appropriate and relevant.

(e) The application for original certification or licensure and examination shall specify the classification being applied for.

(f) In no event shall a certificate or license be issued to an individual unless the examination required for the classification applied for was passed by the applicant within the two-year five-year period immediately preceding the date of application.

(g) The board may approve applications for transitional licenses received prior to December 31, 1991, if the board determines the applicant has met the education and examination requirements established for state licensed appraisers.

A transitional license shall expire on the next June 30 after issuance and shall not be renewed more than two times. The license shall include a statement that it is a transitional license. If the transitional license is renewed a second time, the renewed license shall include a statement that it may not be renewed and extended beyond the expiration date appearing on the license.

The holder of a transitional license may obtain forms from the board to submit evidence of having completed the experience requirements established for state licensed appraisers. If the board approves issuance of a license prior to the expiration date of the transitional license, the applicant shall return the transitional license to the board.

Except as provided in this subsection, applicants for transitional licenses and holders of transitional licenses are subject to all provisions of this act and any rules and regulations adopted hereunder.

Sec. 2. K.S.A. 1993 Supp. 19-430 is hereby amended to read as follows: 19-430. On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years and until a successor is appointed. County appraisers appointed in counties having a population of more than 20,000 shall devote full time to the duties of such office but county appraisers appointed in counties having a population of 20,000 or less may be appointed either as a full-time or a part-time county appraiser as prescribed in the resolution providing for such appointment. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least one year of appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act. Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term and until a successor is appointed. The person holding the office of county assessor or performing the duties thereof on the effective date of this act shall continue to hold such office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently certified or licensed a state licensed real property appraiser, a certified general real property appraiser or certified residential real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto, except that from and after July 1, 1997, no person shall be appointed to the office of county or district appraiser or to fill a vacancy therein, in any county under the provisions of this act unless

(continued)



such person is currently a certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated and amendments thereto. Notwithstanding the foregoing provision, any person who holds the office of county appraiser upon the expiration of the term of such office shall be eligible for reappointment to such office regardless of whether such person is so certified or licensed.

Sec. 3. K.S.A. 1993 Supp. 19-430 and 58-4109 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 28, 1994.)

#### HOUSE BILL No. 2584

AN ACT concerning agricultural corporations; relating to dairy production facilities; amending K.S.A. 1993 Supp. 17-5903 and 17-5904 and repealing the existing sections.

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

New Section 1. (a) (1) The board of county commissioners, by resolution, may permit a dairy production facility, as defined in K.S.A. 17-5903, and amendments thereto, to be established within the county. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. The resolution shall take effect 60 days after final publication unless a valid petition in opposition to the same is filed.

(2) If within 60 days of the final publication of the resolution, a valid protest petition to submit the resolution to the qualified voters of the county is signed by qualified electors of the county equal in number to not less than 5% of the electors of the county who voted for the office of secretary of state at the last preceding general election at which such office was elected and is filed with the county election officer, the county election officer shall submit the question, as established in subsection (c), of whether a dairy production facility shall be allowed to be established in such county at the next countywide election.

(b) (1) The board of county commissioners, upon a petition filed in accordance with paragraph (b)(2), shall submit to the qualified electors of the county a proposition to permit a dairy production facility, as defined in K.S.A. 17-5903, and amendments thereto, to be established within the county.

(2) A petition to submit a proposition to the qualified voters of a county pursuant to this section shall be filed with the county election officer. The petition shall be signed by qualified electors of the county equal in number to not less than 5% of the electors of the county who voted for the office of secretary of state at the last preceding general election at which such office was elected. The following shall appear on the petition:

"We request an election to determine whether a corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust shall be allowed to, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in \_\_\_\_\_ county for the purpose of establishing a dairy production facility."

(3) Upon the submission of a valid petition calling for an election pursuant to this subsection, the county election officer shall submit the question, as established in subsection (c), of whether a dairy production facility shall be allowed to be established in such county at the next countywide election which occurs more than 60 days after the petition is filed with the county election officer.

(c) In any election established pursuant to this section, the following shall appear on the ballot:

"Shall a corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust be allowed to, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in \_\_\_\_\_ county for the purpose of establishing a dairy production facility?"

(d) If a majority of the votes cast and counted are in opposition to allowing dairy production facilities to be established in such county, the county election officer shall transmit a copy of the result to the secretary of state who shall publish in the Kansas register the result of such election and that dairy production facilities are not allowed to be established in such county.

(e) If a majority of the votes cast and counted is in favor of the

proposition, the county election officer shall transmit a copy of the result to the secretary of state who shall publish in the Kansas register the result of such election and that dairy production facilities are allowed to be established in such county.

(f) The election provided for by this section shall be conducted, and the votes counted and canvassed, in the manner provided by law for question submitted elections of the county.

Sec. 2. K.S.A. 1993 Supp. 17-5903 is hereby amended to read as follows: 17-5903. As used in this act:

(a) "Corporation" means a domestic or foreign corporation organized for profit or nonprofit purposes.

(b) "Nonprofit corporation" means a corporation organized not for profit and which qualifies under section 501(c)(3) of the federal internal revenue code of 1954 as amended.

(c) "Limited partnership" has the meaning provided by K.S.A. 56-1a01, and amendments thereto.

(d) "Limited agricultural partnership" means a limited partnership founded for the purpose of farming and ownership of agricultural land in which:

(1) The partners do not exceed 10 in number;

(2) the partners are all natural persons, persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) at least one of the general partners is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one partner is meeting the requirement of this provision and such partner dies, the requirement of this provision does not apply for the period of time that the partner's estate is being administered in any district court in Kansas.

(e) "Corporate partnership" means a partnership, as defined in K.S.A. 56-306, and amendments thereto, which has within the association one or more corporations or one or more limited liability companies.

(f) "Feedlot" means a lot, yard, corral, or other area in which livestock fed for slaughter are confined. The term includes within its meaning agricultural land in such acreage as is necessary for the operation of the feedlot.

(g) "Agricultural land" means land suitable for use in farming.

(h) "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock. Farming does not include the production of timber, forest products, nursery products or sod, and farming does not include a contract to provide spraying, harvesting or other farm services.

(i) "Fiduciary capacity" means an undertaking to act as executor, administrator, guardian, conservator, trustee for a family trust, authorized trust or testamentary trust or receiver or trustee in bankruptcy.

(j) "Family farm corporation" means a corporation:

(1) Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) all of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the stockholders is a person residing on the farm or actively engaged in the labor or management of the farming operation. A stockholder who is an officer of any corporation referred to in this subsection and who is one of the related stockholders holding a majority of the voting stock shall be deemed to be actively engaged in the management of the farming corporation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(k) "Authorized farm corporation" means a Kansas corporation, other than a family farm corporation, all of the incorporators of which are Kansas residents and which is founded for the purpose of farming and the ownership of agricultural land in which:

- (1) The stockholders do not exceed 15 in number;
- (2) the stockholders are all natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations; and
- (3) at least 30% of the stockholders are persons residing on the farm or actively engaged in the day-to-day labor or management of the farming operation. If only one of the stockholders is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

For the purposes of this definition, if more than one person receives stock by bequest from a deceased stockholder, all of such persons, collectively, shall be deemed to be one stockholder, and a husband and wife, and their estates, collectively, shall be deemed to be one stockholder.

(l) "Trust" means a fiduciary relationship with respect to property, subjecting the person by whom the property is held to equitable duties to deal with the property for the benefit of another person, which arises as a result of a manifestation of an intention to create it. A trust includes a legal entity holding property as trustee, agent, escrow agent, attorney-in-fact and in any similar capacity.

(m) "Family trust" means a trust in which:

(1) A majority of the equitable interest in the trust is held by and the majority of the beneficiaries are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related; and

(2) all the beneficiaries are natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations.

(n) "Authorized trust" means a trust other than a family trust in which:

(1) The beneficiaries do not exceed 15 in number;

(2) the beneficiaries are all natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations; and

(3) the gross income thereof is not exempt from taxation under the laws of either the United States or the state of Kansas.

For the purposes of this definition, if one of the beneficiaries dies, and more than one person succeeds, by bequest, to the deceased beneficiary's interest in the trust, all of such persons, collectively, shall be deemed to be one beneficiary, and a husband and wife, and their estates, collectively, shall be deemed to be one beneficiary.

(o) "Testamentary trust" means a trust created by devising or bequeathing property in trust in a will as such terms are used in the Kansas probate code.

(p) "Poultry confinement facility" means the structures and related equipment used for housing, breeding, laying of eggs or feeding of poultry in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined poultry from exposure to disease. As used in this subsection, "poultry" means chickens, turkeys, ducks, geese or other fowl.

(q) "Rabbit confinement facility" means the structures and related equipment used for housing, breeding, raising, feeding or processing of rabbits in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined rabbits from exposure to disease.

(r) "Processor" means a person, firm, corporation, limited liability company or limited partnership, which alone or in conjunction with others, directly or indirectly, controls the manufacturing, processing or preparation for sale of pork products having a total annual wholesale value of \$10,000,000 or more. Any person, firm, corporation, member or limited partner with a 10% or greater interest in another person, firm, corporation, limited liability company or limited partnership involved in the manufacturing, processing or preparation for sale of pork products having a total annual wholesale value of \$10,000,000 or more shall also be considered a processor. The term "processor" shall not include collective bargaining units or farmer-owned cooperatives.

(s) "Swine confinement facility" means the land, structures and related equipment owned or leased by a corporation and used for housing, breeding, farrowing or feeding of swine in an enclosed environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes in environmentally sound amounts for crop production and to avoid nitrate buildup and for isolation of the facility to reasonably protect the confined animals from exposure to disease.

(t) "Limited liability company" has the meaning provided by K.S.A. 1993 Supp. 17-7602, and amendments thereto.

(u) "Limited liability agricultural company" means a limited liability company founded for the purpose of farming and ownership of agricultural land in which:

(1) The members do not exceed 10 in number;

(2) the members are all natural persons, persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) at least one of the members is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one member is meeting the requirement of this provision and such member dies, the requirement of this provision does not apply for the period of time that the member's estate is being administered in any district court in Kansas.

(v) "Dairy production facility" means the land, structures and related equipment used for housing, breeding, raising, feeding or milking dairy cows. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined cows from exposure to disease.

Sec. 3. K.S.A. 1993 Supp. 17-5904 is hereby amended to read as follows: 17-5904. (a) No corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust shall, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in this state. The restrictions provided in this section do not apply to the following:

(1) A bona fide encumbrance taken for purposes of security.

(2) Agricultural land when acquired as a gift, either by grant or devise, by a bona fide educational, religious or charitable nonprofit corporation.

(3) Agricultural land acquired by a corporation or a limited liability company in such acreage as is necessary for the operation of a nonfarming business. Such land may not be used for farming except under lease to one or more natural persons, a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust. The corporation shall not engage, either directly or indirectly, in the farming operation and shall not receive any financial benefit, other than rent, from the farming operation.

(4) Agricultural land acquired by a corporation or a limited liability company by process of law in the collection of debts, or pursuant to a contract for deed executed prior to the effective date of this act, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise, if such corporation divests itself of any such agricultural land within 10 years after such process of law, contract or procedure, except that provisions of K.S.A. 9-1102, and amendments thereto, shall apply to any bank which acquires agricultural land.

(5) A municipal corporation.

(6) Agricultural land which is acquired by a trust company or bank in a fiduciary capacity or as a trustee for a nonprofit corporation.

(7) Agricultural land owned or leased or held under a lease purchase agreement as described in K.S.A. 12-1741, and amendments thereto, by a corporation, corporate partnership, limited corporate partnership or trust on the effective date of this act if: (A) Any such entity owned or leased such agricultural land prior to July 1, 1965, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act; (B) any such entity was in compliance with the provisions of K.S.A. 17-5901 prior to its repeal by this act, provided such entity shall

(continued)

(Published in the Kansas Register, April 28, 1994.)

## HOUSE BILL No. 2948

AN ACT creating the neighborhood improvement and youth employment act.

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

Section 1. Sections 1 through 8 shall be known and may be cited as the neighborhood improvement and youth employment act.

Sec. 2. In accordance with appropriation acts, the secretary of human resources shall provide grants to eligible administrative entities, as described in section 3 for the purpose of establishing and carrying out programs that provide employment opportunities during the summer months and after school to individuals through payments for labor and related costs associated with the repair, maintenance and renovation of essential community facilities.

Sec. 3. For purposes of this act, "eligible entity" means:

(a) A unit of local government, a nonprofit private organization, a native American Indian tribe, or private business which agrees to perform the following:

(1) Submit a plan to provide summer and after school employment opportunities for qualified youth;

(2) assign an officer or employee of the entity or a tribal or organization member to serve as a mentor or advisor to each youth employed by the entity pursuant to this act; and

(3) abide by such guidelines as may be required by the secretary.

(b) A private business must further agree to pay at least 50% of the wages and related fringe benefits of the youths it employs pursuant to this act.

Sec. 4. (a) Except as provided in subsection (b), the secretary may not make a grant under section 2 to an eligible entity, other than a private business, unless the entity agrees that such entity will use all amounts received from such grant to establish and carry out a program to provide wages and related employment benefits to eligible individuals described in subsections (a) and (b) of section 6 for the purpose of employing such individuals to repair, maintain or renovate essential community facilities that are located within the eligible jurisdiction that the entity serves.

(b) Not more than 15% of amounts received from a grant under section 2 for any fiscal year may be used for the cost of administration and the acquisition of supplies, tools and other equipment.

Sec. 5. An individual shall be eligible to participate in a program described in subsection (a) of section 4 only if the individual is attending a secondary school and meets the income eligibility guidelines established by the secretary of human resources.

Sec. 6. No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any program described in subsection (a) of section 5 because of race, color, religion, sex, national origin, age, disability or political affiliation or belief.

Sec. 7. The secretary may not make a grant under section 2 to an eligible entity, except a private business, unless the entity agrees that it will maintain its aggregate expenditures from all other sources for employing individuals to repair, maintain or renovate essential community facilities at or above the average level of such expenditures in the two fiscal years preceding the date on which the entity submits an application under section 4 to the secretary.

Sec. 8. (a) The provisions of this act shall expire December 31, 1995.

(b) The secretary shall submit a report to the 1996 session of the house economic development committee and the senate commerce committee detailing the manner in which funds were spent pursuant to this act. Such report shall include the nature of the work performed by participating youths, the percentage of funds expended for administrative expenses, findings on the educational, criminal and occupational disposition of participating youths and an evaluation of the program as a whole including a recommendation concerning continuation of the program.

Sec. 9. The secretary of human resources may adopt guidelines to effectuate the purpose of this act, however, such guidelines shall not be considered rules and regulations as defined in K.S.A. 77-415 and amendments thereto.

not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act, and absence of evidence in the records of the county where such land is located of a judicial determination that such entity violated the provisions of K.S.A. 17-5901 shall constitute proof that the provisions of this act do not apply to such agricultural land, and that such entity was in compliance with the provisions of K.S.A. 17-5901 prior to its repeal; or (C) any such entity was not in compliance with the provisions of K.S.A. 17-5901 prior to its repeal by this act, but is in compliance with the provisions of this act by July 1, 1991.

(8) Agricultural land held or leased by a corporation or a limited liability company for use as a feedlot, a poultry confinement facility or rabbit confinement facility.

(9) Agricultural land held or leased by a corporation for the purpose of the production of timber, forest products, nursery products or sod.

(10) Agricultural land used for bona fide educational research or scientific or experimental farming.

(11) Agricultural land used for the commercial production and conditioning of seed for sale or resale as seed or for the growing of alfalfa by an alfalfa processing entity if such land is located within 30 miles of such entity's plant site.

(12) Agricultural land owned or leased by a corporate partnership or limited corporate partnership in which the partners associated therein are either natural persons, family farm corporations, authorized farm corporations, limited liability agricultural companies, family trusts, authorized trusts or testamentary trusts.

(13) Any corporation, either domestic or foreign, or any limited liability company, organized for coal mining purposes which engages in farming on any tract of land owned by it which has been strip mined for coal.

(14) Agricultural land owned or leased by a limited partnership prior to the effective date of this act.

(15) *Agricultural land held or leased by a corporation or a limited liability company for use as a dairy production facility in any county which has voted favorably pursuant to section 1, either by county resolution or by the electorate.*

(b) Except as provided for in K.S.A. 17-5905, and amendments thereto, production contracts entered into by a corporation, trust, limited liability company, limited partnership or corporate partnership and a person engaged in farming for the production of agricultural products shall not be construed to mean the ownership, acquisition, obtainment or lease, either directly or indirectly, of any agricultural land in this state.

(c) Any corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust, violating the provisions of this section shall be subject to a civil penalty of not more than \$50,000 and shall divest itself of any land acquired in violation of this section within one year after judgment is entered in the action. The district courts of this state may prevent and restrain violations of this section through the issuance of an injunction. The attorney general or district or county attorney shall institute suits on behalf of the state to enforce the provisions of this section.

(d) Civil penalties sued for and recovered by the attorney general shall be paid into the state general fund. Civil penalties sued for and recovered by the county attorney or district attorney shall be paid into the general fund of the county where the proceedings were instigated.

Sec. 4. K.S.A. 1993 Supp. 17-5903 and 17-5904 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.



Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 28, 1994.)

HOUSE BILL No. 2601

AN ACT relating to pharmacists and pharmacies; prescription requirements; amending K.S.A. 65-1637, 65-1656 and 65-1657 and repealing the existing sections.

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

Section 1. K.S.A. 65-1656 is hereby amended to read as follows: 65-1656. (a) Nothing contained in the pharmacy act of the state of Kansas shall prohibit a pharmacist licensed in this state from filling or refilling a valid prescription for prescription drugs not listed in schedule II of the uniform controlled substances act, which is on file in a pharmacy licensed in any state and has been transferred from one pharmacy to another by any means, including by way of electronic data processing equipment, upon the following conditions and exceptions:

(1) Prior to dispensing pursuant to any such prescription, the dispensing pharmacist shall:

(A) Advise the patient that the prescription file at such other pharmacy must be canceled before the dispensing pharmacist will be able to fill the prescription;

(B) determine that the prescription is valid and on file at such other pharmacy and that such prescription may be filled or refilled, as requested, in accordance with the prescriber's intent expressed on such prescription;

(C) notify the pharmacy where the prescription is on file that the prescription must be canceled;

(D) record in writing the prescription order, the name of the pharmacy at which the prescription was on file, the prescription number, the name of the drug and the original amount dispensed, the date of original dispensing and the number of remaining authorized refills; and

(E) obtain the consent of the prescriber to the refilling of the prescription when the prescription, in the professional judgment of the dispensing pharmacist, so requires. Any interference with the professional judgment of the dispensing pharmacist by any other licensed pharmacist, agents of the licensed pharmacist or employees shall be grounds for revocation or suspension of the registration issued to the pharmacy.

(2) Upon receipt of a request for prescription information set forth in subsection (a)(1)(D), if the requested pharmacist is satisfied in the professional judgment of the pharmacist that such request is valid and legal, the requested pharmacist shall:

(A) Provide such information accurately and completely;

(B) record on the face of the prescription the name of the requesting pharmacy and pharmacist and the date of request; and

(C) cancel the prescription on file by writing the word "void" on its face. No further prescription information shall be given or medication dispensed pursuant to such original prescription.

(3) In the event that, after the information set forth in subsection (a)(1)(D) has been provided, a prescription is not dispensed by the requesting pharmacist, then such pharmacist shall provide notice of this fact to the pharmacy from which such information was obtained, such notice shall then cancel the prescription in the same manner as set forth in subsection (a)(2)(C).

(4) When filling or refilling a valid prescription on file in another state, the dispensing pharmacist shall be required to follow all the requirements of Kansas law which apply to the dispensing of prescription drugs. If anything in Kansas law prevents the filling or refilling of the original prescription it shall be unlawful to dispense pursuant to this section.

(b) Two or more pharmacies may establish and use a common electronic file to maintain required dispensing information. Pharmacies using such a common electronic file are not required to physically transfer prescriptions or information for dispensing purposes between or among pharmacies participating in the same common prescription file, except that any such common file must contain complete and adequate records of such prescription and refill dispensed as required by the pharmacy act of the state of Kansas.

(c) The board may formulate such rules and regulations, not inconsistent with law, as may be necessary to carry out the purposes

of and to enforce the provisions of this section except that the board shall not impose greater requirements on either common electronic files or a hard copy record system.

(d) Drugs shall in no event be dispensed more frequently or in larger amounts than the prescriber ordered without direct prescriber authorization by way of a new prescription order.

(e) This section shall be part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 2. K.S.A. 65-1657 is hereby amended to read as follows: 65-1657. (a) No nonresident pharmacy shall ship, mail or deliver, in any manner, prescription drugs to a patient in this state unless registered under this section as a nonresident pharmacy. Applications for a nonresident pharmacy registration under this section shall be made on a form furnished by the board. A nonresident pharmacy registration shall be granted for a period of one year upon compliance by the nonresident pharmacy with the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the registration fee established under K.S.A. 65-1645 and amendments thereto for a pharmacy registration. A nonresident pharmacy registration shall be renewed annually on forms provided by the board, upon compliance by the nonresident pharmacy with the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the renewal fee established under K.S.A. 65-1645 and amendments thereto for the renewal of a pharmacy registration.

(b) As conditions for the granting of a registration and for the renewal of a registration for a nonresident pharmacy, the nonresident pharmacy shall comply with the following:

(1) Provide information to the board to indicate the person or persons applying for the registration, the location of the pharmacy from which the prescription drugs will be dispensed, the names and titles of all principal owners and corporate officers, if any, and the names of all pharmacists dispensing prescription drugs to residents of Kansas;

(2) be registered and in good standing in the state in which such pharmacy is located;

(3) maintain, in readily retrievable form, records of prescription drugs dispensed to Kansas patients;

(4) supply upon request, all information needed by the board to carry out the board's responsibilities under this section and rules and regulations adopted pursuant to this section;

(5) maintain pharmacy hours that permit the timely dispensing of drugs to Kansas patients and provide reasonable access for the patients to consult with a licensed pharmacist about such patients' medications;

(6) provide toll-free telephone communication consultation between a Kansas patient and a pharmacist at the pharmacy who has access to the patient's records, and ensure that the telephone number(s) will be placed upon the label affixed to each prescription drug container dispensed in Kansas; and

(7) provide to the board such other information as the board may reasonably request to administer the provisions of this section.

(c) Each nonresident pharmacy shall comply with the following unless compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located:

(1) All statutory and regulatory requirements of Kansas for controlled substances, including those that are different from federal law;

(2) labeling of all prescriptions dispensed, to include but not be limited to identification of the product and quantity dispensed;

(3) all the statutory and regulatory requirements of Kansas for dispensing prescriptions in accordance with the quantities indicated by the prescriber; and

(4) the Kansas law regarding the maintenance and use of the patient medication profile record system.

(d) In addition to subsection (c) requirements, each nonresident pharmacy shall comply with all the statutory and regulatory requirements of Kansas regarding drug product selection laws whether or not such compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located, except that compliance which constitutes only a minor conflict with specific

(continued)

laws or rules and regulations of the state in which the pharmacy is located would not be required under this subsection.

(e) Each nonresident pharmacy shall develop and provide the board with a policy and procedure manual that sets forth:

- (1) Normal delivery protocols and times;
- (2) the procedure to be followed if the patient's medication is not available at the nonresident pharmacy, or if delivery will be delayed beyond the normal delivery time;
- (3) the procedure to be followed upon receipt of a prescription for an acute illness, which policy shall include a procedure for delivery of the medication to the patient from the nonresident pharmacy at the earliest possible time, or an alternative that assures the patient the opportunity to obtain the medication at the earliest possible time; and
- (4) the procedure to be followed when the nonresident pharmacy is advised that the patient's medication has not been received within the normal delivery time and that the patient is out of medication and requires interim dosage until mailed prescription drugs become available.

(f) Except in emergencies that constitute an immediate threat to the public health and require prompt action by the board, the board may file a complaint against any nonresident pharmacy that violates any provision of this section. This complaint shall be filed with the regulatory or licensing agency of the state in which the nonresident pharmacy is located. If the regulatory or licensing agency of the state in which the nonresident pharmacy is located fails to resolve the violation complained of within a reasonable time, not less than 180 days from the date that the complaint is filed, disciplinary proceedings may be initiated by the board. The board also may initiate disciplinary actions against a nonresident pharmacy if the regulatory or licensing agency of the state in which the nonresident pharmacy is located lacks or fails to exercise jurisdiction.

(g) *The board shall adopt rules and regulations that make exceptions to the requirement of registration by a nonresident pharmacy when the out-of-state pharmacy supplies lawful refills to a patient from a prescription that was originally filled and delivered to a patient within the state in which the nonresident pharmacy is located, or when the prescriptions being mailed into the state of Kansas by a nonresident pharmacy occurs only in isolated transactions. In determining whether the prescriptions being mailed into the state of Kansas by a nonresident pharmacy are isolated transactions, the board shall consider whether the pharmacy has promoted its services in this state and whether the pharmacy has a contract with any employer or organization to provide pharmacy services to employees or other beneficiaries in this state.*

(g) (h) It is unlawful for any nonresident pharmacy which is not registered under this act to advertise its services in this state, or for any person who is a resident of this state to advertise the pharmacy services of a nonresident pharmacy which has not registered with the board, with the knowledge that the advertisement will or is likely to induce members of the public in this state to use the pharmacy to fill prescriptions. A violation of this section is a class C misdemeanor.

(h) (i) Upon request of the board, the attorney general may bring an action in a court of competent jurisdiction for injunctive relief to restrain a violation of the provisions of this section or any rules and regulations adopted by the board under authority of this section. The remedy provided under this subsection shall be in addition to any other remedy provided under this section or under the pharmacy act of the state of Kansas.

(i) (j) The board may adopt rules and regulations as necessary and as are consistent with this section to carry out the provisions of this section.

(j) (k) The executive secretary of the board shall remit all moneys received from fees under this section to the state treasurer at least monthly. Upon receipt of each such remittance, the state treasurer shall deposit such moneys in the manner specified under K.S.A. 74-1609 and amendments thereto.

(k) (l) This section shall be part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 3. K.S.A. 65-1637 is hereby amended to read as follows: 65-1637. In every store, shop or other place defined in this act as

a "pharmacy" there shall be a pharmacist in charge and the compounding and putting up of prescriptions shall be limited to pharmacists only. Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured. Prescription orders may be written, oral or telephonic. Blank forms for written prescription orders may have two signature lines. The first signature line shall state: "Dispense as written \_\_\_\_\_." The second signature line shall state: "Brand exchange permissible \_\_\_\_\_." Prescriptions shall only be filled or refilled in accordance with the following requirements:

(a) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(1) The prescriber, in the case of a prescription signed by the prescriber and written on a blank form containing two signature lines, signs the first signature line following the statement "dispense as written \_\_\_\_\_" or

(2) the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription, or

(3) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated, or

(4) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(b) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the physician shall bear the name of the person so telephoning. Nothing in this paragraph shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(c) No prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(d) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(e) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first, *except that a prescription may be refilled after such a one-year period if in the opinion of the prescriber continued renewal of the prescription does not present a medical risk to the patient.*

(f) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled.

Sec. 4. K.S.A. 65-1637, 65-1656 and 65-1657 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 28, 1994.)

## HOUSE BILL No. 3079

AN ACT relating to veterans memorials; authorizing a memorial to veterans of the 9th and 10th cavalry units which are known as the Buffalo Soldiers; amending sections 2 and 3 of 1994 Senate Bill No. 529 and repealing the existing sections.

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

New Section 1. (a) A memorial to veterans of the 9th and 10th cavalry units, which are known as the Buffalo Soldiers, may be placed on the grounds of the statehouse. If constructed, the memorial authorized by this section shall be located south of the statehouse at a site to be selected by the capitol area plaza authority. The memorial authorized by this section shall be constructed in accordance with design and architectural drawings reviewed by the division of facilities management of the department of administration and approved by the capitol area plaza authority. Additions and modifications to the memorial authorized by this section shall be constructed in accordance with design and architectural drawings reviewed by the division of facilities management of the department of administration and approved by the capitol area plaza authority. The state preservation officer shall serve in an advisory capacity to the capitol area plaza authority regarding the memorial authorized by this section.

(b) The selection of an architect for the memorial authorized by this section shall be made by the veterans memorial advisory committee and shall not be subject to the advertising and architectural selection provisions of K.S.A. 75-430a and 75-1250 *et seq.*, and amendments thereto. The construction of the project for the memorial authorized by this section shall be competitively bid pursuant to applicable statutes or regulations in effect at that time.

Sec. 2. Section 2 of 1994 Senate Bill No. 529 is hereby amended to read as follows: Sec. 2. (a) There is hereby established the veterans memorial advisory committee which shall be composed of nine members as follows:

(1) Eight representatives of veterans organizations each appointed by the governor, with no more than two representatives selected from a single veterans organization; and

(2) the secretary of administration, or the secretary's designee.

(b) Each veterans organization may submit a list of at least three names for consideration by the governor in making an appointment. The governor shall consider each such list if timely submitted and may appoint from among those listed.

(c) The veterans memorial advisory committee shall serve in an advisory role to the secretary of administration and the capitol area plaza authority with regard to matters concerning the memorial memorials to veterans on the statehouse grounds. The veterans memorial advisory committee may also make recommendations to the governor and legislature regarding appropriate activities memorializing or commemorating veterans. The advisory committee may solicit grants, gifts, contributions and bequests for the memorial and shall remit all moneys so received for deposit in the state treasury to the credit of the veterans memorial fund in accordance with section 3 of 1994 Senate Bill No. 529, and amendments thereto.

(d) The members of the advisory committee shall organize annually by electing a chairperson and vice-chairperson. The advisory committee shall meet at least once each year upon call of the chairperson. The secretary of administration, or the secretary's designee, shall serve as secretary for the advisory committee. Members of the advisory committee appointed by the governor under this section shall serve at the pleasure of the governor.

Sec. 3. Section 3 of 1994 Senate Bill No. 529 is hereby amended to read as follows: Sec. 3. (a) The secretary of administration is hereby authorized to receive grants, gifts, contributions or bequests made for the purpose of financing the construction of the veterans memorial and its upkeep and maintenance of memorials to veterans which are located on the grounds of the statehouse.

(b) There is hereby established in the state treasury the veterans memorial fund. Expenditures from the fund may be made for the purposes of constructing, updating and repairing the memorial memorials to veterans which are located on the grounds of the statehouse, for other purposes related to memorializing and honoring veterans and for such other purposes as may be specified with regard to any grant, gift, contribution or bequest. All such expenditures shall be authorized by the veterans memorial advisory committee and made upon warrants of the director of accounts and reports

issued pursuant to vouchers approved by the secretary of administration or the secretary's designee. No public funds shall be used to construct or maintain the veterans memorial authorized by section 1 of 1994 Senate Bill No. 529, and amendments thereto, or the veterans memorial authorized by section 1 of this act, and amendments thereto. Construction of the veterans memorial authorized by section 1 of 1994 Senate Bill No. 529, and amendments thereto, shall not commence until the veterans memorial fund contains sufficient funds to complete the construction and to repair reasonably foreseeable damage to the such memorial. Construction of the veterans memorial authorized by section 1 of this act, and amendments thereto, shall not commence until the veterans memorial fund contains sufficient funds to complete the construction and to repair reasonably foreseeable damage to such memorial.

(c) Interest attributable to investment of moneys in the fund shall be credited to the veterans memorial fund. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the veterans memorial fund the amount of money certified by the pooled money investment board. 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 veterans memorial fund. Such amount of money shall be determined by the pooled money investment board based on: (1) The average daily balance of moneys in the veterans memorial fund during the preceding month as certified to the board by the director of accounts and reports; and (2) the average interest rate on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board for that period. 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 veterans memorial fund during the preceding month.

Sec. 4. Sections 2 and 3 of 1994 Senate Bill No. 529 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, April 28, 1994.)

## HOUSE BILL No. 2653

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1994, June 30, 1995, June 30, 1996, and June 30, 1997, for the state fair board, department of social and rehabilitation services, Kansas state school for the blind, Kansas state school for the deaf, department of corrections, department of wildlife and parks, department of commerce and housing, Hutchinson correctional facility, state historical society, Lansing correctional facility, department of transportation and Kansas water office; 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, 1994, June 30, 1995, June 30, 1996, and June 30, 1997, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 1993 Supp. 75-6702 and amendments thereto.

Sec. 2.

## STATE FAIR BOARD

(a) 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:

(continued)

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
SBSF—encampment building renovation fund .....	No limit

(b) On or after July 1, 1994, or as soon thereafter as moneys are available, and upon certification by the secretary of the state fair board (1) that an amount equal to \$250,000 or more has been raised and is available for the capital improvement project for the encampment building renovation and (2) that none of the \$250,000 certified as available for the capital improvement project for the encampment building renovation is from the state fair capital improvements fund, the director of accounts and reports shall transfer \$1,000,000 from the state budget stabilization fund of the department of administration to the SBSF—encampment building renovation fund.

Sec. 3.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 1995, for the capital improvement projects specified as follows:

Rehabilitation and repair projects .....	\$4,750,000
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*Provided*, That the secretary of social and rehabilitation services is hereby authorized to transfer moneys during fiscal year 1995 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 1995 for the purposes of rehabilitation and repair 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.

(b) 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 shall not exceed the following:

Chanute area office rehabilitation and repair fund .....	\$123,431
Rehabilitation and repair—state complex west fund .....	259,295

Sec. 4.

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, 1995, for the capital improvements projects specified as follows:

Rehabilitation and repair projects .....	\$106,414
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal years and for the capital improvement project specified as follows:

Construct and equip kitchen and dining facility, student dormitories and apartments and administration building demolition	
For the fiscal year ending June 30, 1995 .....	\$750,000
For the fiscal year ending June 30, 1996 .....	2,100,000
For the fiscal year ending June 30, 1997 .....	1,700,000

(c) On July 1, 1994, any unencumbered balance as of June 30, 1994, in the following accounts of the state institutions building fund is hereby lapsed: Student group home prototype planning; Irwin building renovation and administration building demolition.

(d) On July 1, 1994, the appropriation of \$522,600 made by section 4(b) of chapter 326 of the 1992 Session Laws of Kansas in the Irwin building renovation and administration building demolition account of the state institutions building fund is hereby lapsed.

(e) On July 1, 1995, the appropriation of \$200,000 made by section 4(b) of chapter 326 of the 1992 Session Laws of Kansas in the Irwin building renovation and administration building demolition account of the state institutions building fund is hereby lapsed.

Sec. 5.

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, 1995, for the capital improvement projects specified as follows:

Rehabilitation and repair projects .....	\$100,000
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(b) On July 1, 1994, any unencumbered balance as of June 30, 1994, in the following accounts of the state institutions building fund is hereby lapsed: Remove architectural barriers; fire alarm system.

Sec. 6.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1995, for the capital improvement projects specified as follows:

Debt service payment for the revenue refunding bond issue .....	\$7,381,000
Debt service payment for the Wichita work release facility bond issue .....	170,000
Debt service payment for the Ellsworth correctional facility at Ellsworth, Kansas .....	1,794,000
Total .....	\$9,345,000

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 1995, for the capital improvement projects specified as follows:

Capital improvements—rehabilitation, remodeling, renovation and repair of correctional institutions .....	\$4,000,000
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*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 1995 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 1995 by the institution or facility for capital improvement projects, including security improvement projects, approved by the secretary of corrections.

(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:

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. 7.

DEPARTMENT OF WILDLIFE AND PARKS

(a) Any unencumbered balance in excess of \$100 as of June 30, 1994, in each of the following capital improvement accounts of the state general fund is hereby reappropriated for fiscal year 1995: Campground development; handicapped accessibility renovation; rehabilitation and repair projects; Hillsdale state park development.

(b) 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 shall not exceed the following:

Department access road fund .....	No limit
SBSF—flood damage repair fund .....	\$1,000,600

(c) On July 1, 1994, 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.

(d) On July 1, 1994, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state budget stabilization fund of the department of administration to the SBSF—flood damage repair fund of the department of wildlife and parks.

Sec. 8.

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, 1995, 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 1995 for the following, subject to the expenditure limitations prescribed therefor:

Construct Olathe travel information center .....	\$750,000
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*Provided*, That expenditures may be made by the above agency from the unencumbered balance as of June 30, 1994, in the Olathe travel information center subaccount of the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1995; *Provided further*, That expenditures from such subaccount shall not exceed the amount of the unencumbered balance in such subaccount on June 30, 1994; *And provided further*,

That all expenditures from the unencumbered balance of such subaccount shall be in addition to any expenditure limitation imposed on the total expenditures from the Kansas economic development endowment account of the state economic development initiatives fund for fiscal year 1995.

Rehabilitation and repair—travel information centers ..... 24,000  
 Sec. 9.

**HUTCHINSON CORRECTIONAL FACILITY**

(a) During the fiscal year ending June 30, 1995, the Hutchinson correctional facility is hereby authorized to make expenditures to raze building 515 which is located at the Hutchinson correctional facility and which is commonly known as the blockhouse.

Sec. 10.

**STATE HISTORICAL SOCIETY**

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

	Fiscal Year 1994	Fiscal Year 1995
SBSF—construct and equip center for historical research fund.....	\$1,811,238	
SBSF—historical society—capital improvements fund....		\$500,000

*Provided*, That expenditures of not to exceed \$100,000 may be made from this fund during fiscal year 1995 for the purpose of moving the state historical society and its collection to the new center for historical research.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,811,238 from the state budget stabilization fund of the department of administration to the SBSF—construct and equip center for historical research fund of the state historical society.

(c) On July 1, 1994, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the state budget stabilization fund of the department of administration to the SBSF—historical society—capital improvements fund of the state historical society.

Sec. 11.

**LANSING CORRECTIONAL FACILITY**

(a) During the fiscal year ending June 30, 1994, the Lansing correctional facility is hereby authorized to make expenditures to

raze the old steam plant which is located at the facility.  
 Sec. 12.

**DEPARTMENT OF TRANSPORTATION**

(a) In addition to the purposes for which expenditures may be made from the state highway fund for the fiscal year ending June 30, 1995, expenditures may be made by the above agency from the state highway fund for fiscal year 1995 for the following, subject to the expenditure limitation prescribed therefor:

Remodel Marian hall—Salina .....	\$1,425,000
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Sec. 13.

**KANSAS WATER OFFICE**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 1995, the following:  
 Water supply acquisition ..... \$13,621,120

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 1994 regular session of the legislature, is hereby reappropriated for the fiscal year ending June 30, 1995, 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 1994 regular session of the legislature, and having an unencumbered balance as of June 30, 1994, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1995, 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 1994 regular session of the legislature, and having an unencumbered balance as of June 30, 1994, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 1995, 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.

**INDEX TO ADMINISTRATIVE REGULATIONS**

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1-5-15	Amended	V. 12, p. 1705
1-5-28	Amended	V. 12, p. 902
1-6-22a	New	V. 12, p. 1706
1-6-23	Amended	V. 12, p. 1706
1-7-4	Amended	V. 12, p. 1707
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1-9-13	Amended	V. 12, p. 1709
1-9-21	Amended	V. 12, p. 903
1-9-23	Amended	V. 12, p. 903
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1-10-6	Amended	V. 12, p. 1709

1-13-1a	Amended	V. 12, p. 1709
1-14-6	Amended	V. 12, p. 1817
1-14-7	Amended	V. 12, p. 1817
1-14-8	Amended	V. 12, p. 1710
1-14-10	Amended	V. 12, p. 1818
1-14-12	New	V. 12, p. 1711
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1-16-2b	Amended	V. 12, p. 721, 864
1-16-2d	Amended	V. 12, p. 721, 864
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28-19-7 Amended V. 12, p. 1530
28-19-14 Amended V. 12, p. 1852
28-19-14b Revoked V. 12, p. 1853
28-19-17b Amended V. 13, p. 151
28-19-17c Amended V. 13, p. 151
28-19-17f Amended V. 13, p. 151
28-19-17m Amended V. 13, p. 151
28-19-31 Amended V. 12, p. 1458
28-19-32 Amended V. 12, p. 1458
28-19-63 Amended V. 12, p. 1458
28-19-78 Revoked V. 13, p. 151
28-19-202 New V. 12, p. 1534
28-19-210 New V. 12, p. 1535
28-23-82 Amended V. 12, p. 1058
28-25-1 through 28-25-15 New V. 12, p. 1058, 1059
28-29-6a New V. 13, p. 151
28-29-84 New V. 12, p. 435, 487
28-29-85 New V. 12, p. 436, 488
28-29-88 Amended V. 13, p. 398
28-29-99 Revoked V. 13, p. 399
28-30-2 Amended V. 12, p. 1539
28-30-3 Amended V. 12, p. 1540
28-30-6 Amended V. 12, p. 730
28-31-1 through 28-31-6 Amended V. 13, p. 312-318
28-31-8 Amended V. 13, p. 318
28-31-8b Amended V. 13, p. 319
28-31-9 Amended V. 13, p. 319
28-31-10 Amended V. 13, p. 320
28-31-11 Amended V. 13, p. 320
28-31-14 Amended V. 13, p. 320
28-34-1 Revoked V. 12, p. 780
28-34-1a New V. 12, p. 780
28-34-2 Amended V. 12, p. 781
28-34-3b New V. 12, p. 781
28-34-5 Revoked V. 12, p. 782
28-34-5a New V. 12, p. 782
28-34-6 Revoked V. 12, p. 782
28-34-6a New V. 12, p. 782
28-34-8 Revoked V. 12, p. 783
28-34-8a New V. 12, p. 783
28-34-9a Amended V. 12, p. 784
28-34-10 Revoked V. 12, p. 784
28-34-10a New V. 12, p. 784
28-34-11a Revoked V. 12, p. 785
28-34-16a New V. 12, p. 785

28-34-17 Revoked V. 12, p. 785
28-34-17a New V. 12, p. 785
28-34-17b New V. 12, p. 786
28-34-20 Revoked V. 12, p. 787
28-34-20a New V. 12, p. 787
28-34-32a Revoked V. 12, p. 787
28-34-32b New V. 12, p. 787
28-34-125 Revoked V. 12, p. 787
28-35-135 Amended V. 12, p. 1176
28-35-143 Revoked V. 12, p. 1176
28-35-180a Amended V. 12, p. 1176
28-35-211b Revoked V. 12, p. 1176
28-35-212a Amended V. 12, p. 1176
28-35-212b New V. 12, p. 1176
28-35-213a Amended V. 12, p. 1176
28-35-214a Amended V. 12, p. 1176
28-35-215a Amended V. 12, p. 1176
28-35-217a Amended V. 12, p. 1176
28-35-218a Amended V. 12, p. 1176
28-35-219a Amended V. 12, p. 1176
28-35-220a Amended V. 12, p. 1176
28-35-221a Amended V. 12, p. 1176
28-35-221b New V. 12, p. 1176
28-35-222a Amended V. 12, p. 1176
28-35-223a Amended V. 12, p. 1176
28-35-224a Amended V. 12, p. 1176
28-35-225a Amended V. 12, p. 1176
28-35-226a Amended V. 12, p. 1177
28-35-228a Amended V. 12, p. 1177
28-35-229a Amended V. 12, p. 1177
28-35-230a Amended V. 12, p. 1177
28-35-230b New V. 12, p. 1177
28-35-231b Amended V. 12, p. 1177
28-35-233a Amended V. 12, p. 1177
28-35-234a Amended V. 12, p. 1177
28-35-242 Amended V. 12, p. 1177
28-35-245 Revoked V. 12, p. 1177
28-35-246 Revoked V. 12, p. 1177
28-35-247 Amended V. 12, p. 1177
28-35-248 Revoked V. 12, p. 1177
28-35-249 Amended V. 12, p. 1177
28-35-250 Revoked V. 12, p. 1177
28-35-250a New V. 12, p. 1177
28-35-251 Amended V. 12, p. 1177
28-35-253 New V. 12, p. 1177
28-35-254 New V. 12, p. 1177
28-35-255 New V. 12, p. 1177
28-35-276 Amended V. 12, p. 1177
28-35-282 Amended V. 12, p. 1177
28-35-284 Amended V. 12, p. 1177
28-35-285 Amended V. 12, p. 1177
28-35-287 Amended V. 12, p. 1177
28-35-288 Amended V. 12, p. 1177
28-35-341 through 28-35-363 New V. 12, p. 1177, 1178
28-36-21 Amended V. 12, p. 1059
28-36-30 Amended V. 12, p. 1211
28-38-18 through 28-38-23 Amended V. 12, p. 437, 438
28-38-29 New V. 12, p. 439
28-39-76 Revoked V. 12, p. 1399
28-39-77 Revoked V. 12, p. 1399
28-39-77a Revoked V. 12, p. 1400
28-39-78 Revoked V. 12, p. 1400
28-39-79 Revoked V. 13, p. 37
28-39-80 Revoked V. 13, p. 37
28-39-81 Revoked V. 13, p. 37
28-39-81a Revoked V. 13, p. 37
28-39-81b Revoked V. 13, p. 37
28-39-82 through 28-39-103 Revoked V. 12, p. 1400
28-39-103a Revoked V. 12, p. 1400
28-39-104 through 28-39-113 Revoked V. 12, p. 1400
28-39-144 through 28-39-162 New V. 12, p. 1400-1416
28-39-162a New V. 12, p. 1417
28-39-162b New V. 12, p. 1422
28-39-162c New V. 12, p. 1424
28-39-163 New V. 12, p. 1428
28-39-164 through 28-39-174 New V. 13, p. 37-42
28-39-227 through 28-39-239 New V. 13, p. 399-403
28-44-28 New V. 12, p. 1541

28-44-29	New	V. 12, p. 1541
28-46-1	Amended	V. 13, p. 152
28-46-2	Amended	V. 13, p. 152
28-46-3	Amended	V. 13, p. 152
28-46-5 through 28-46-22		
28-46-24	Amended	V. 13, p. 152, 153
28-46-26	Amended	V. 13, p. 154
28-46-34	Amended	V. 13, p. 154, 155
28-46-36	Amended	V. 13, p. 155
28-46-37	Revoked	V. 13, p. 354
28-46-38	Amended	V. 13, p. 354
28-46-39	Revoked	V. 13, p. 156
28-46-41	Amended	V. 13, p. 156
28-46-42	Amended	V. 13, p. 156
28-46-43	New	V. 13, p. 156
28-46-44	New	V. 13, p. 156
28-51-100 through 28-51-104		
28-51-108	Amended	V. 13, p. 43-45
28-51-110	Amended	V. 13, p. 45
28-51-111	Amended	V. 13, p. 46
28-51-112	Amended	V. 13, p. 46
28-65-1	Amended	V. 12, p. 1541
28-65-2	Amended	V. 12, p. 1542
28-65-3	Amended	V. 12, p. 1542
28-65-4	New	V. 12, p. 1542
28-66-1 through 28-66-4		
	New	V. 13, p. 46-48

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-2-16	Amended	V. 12, p. 1213
30-4-52	Amended	V. 12, p. 1213
30-4-63	Amended	V. 12, p. 1213
30-4-64	Amended	V. 12, p. 1215
30-4-73	Amended	V. 12, p. 386
30-4-85a	Amended	V. 12, p. 1461, 1486
30-4-90	Amended	V. 12, p. 264, 576
30-4-111	Amended	V. 12, p. 1737, 1781
30-4-112	Amended	V. 12, p. 1216
30-4-122a	Amended	V. 12, p. 1461, 1486
30-4-130	Amended	V. 12, p. 1217
30-5-58	Amended	V. 12, p. 1218
30-5-59	Amended	V. 12, p. 392
30-5-60	Amended	V. 12, p. 393
30-5-70	Amended	V. 12, p. 394
30-5-71	Amended	V. 12, p. 1224
30-5-73	Amended	V. 12, p. 1224
30-5-81b	Amended	V. 12, p. 1225
30-5-100	Amended	V. 12, p. 1225
30-5-105	Amended	V. 12, p. 1226
30-5-109a	Amended	V. 12, p. 1226
30-5-116a	Amended	V. 12, p. 1226
30-5-151	Amended	V. 12, p. 266, 579
30-6-56	Amended	V. 12, p. 1738, 1783
30-6-103	Amended	V. 12, p. 1739
30-6-106	Amended	V. 12, p. 1740, 1784
30-6-109	Amended	V. 12, p. 1742, 1786
30-6-112	Amended	V. 12, p. 1230
30-6-113	Amended	V. 12, p. 1744, 1788
30-6-150	Amended	V. 12, p. 1745, 1789
30-7-100	Amended	V. 12, p. 398
30-10-1a	Amended	V. 12, p. 1745
30-10-1b	Amended	V. 12, p. 1748
30-10-1c	Amended	V. 12, p. 1748
30-10-1d	Amended	V. 12, p. 1748
30-10-2	Amended	V. 12, p. 1749
30-10-11	Amended	V. 12, p. 1749
30-10-15a	Amended	V. 12, p. 1751
30-10-17	Amended	V. 12, p. 1753
30-10-18	Amended	V. 12, p. 1754
30-10-19	Amended	V. 12, p. 1756
30-10-23a	Amended	V. 12, p. 1756
30-10-25	Amended	V. 12, p. 1757
30-10-28	Amended	V. 12, p. 1758
30-31-7	Amended	V. 12, p. 901, 975
30-46-10	Amended	V. 12, p. 1231
30-65-1	New	V. 12, p. 1592, 1632
30-65-2	New	V. 12, p. 1593, 1633
30-65-3	New	V. 12, p. 1593, 1633

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-27-11	Revoked	V. 13, p. 91
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
36-39-1 through 36-39-5	New	V. 12, p. 1088-1090

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-22	Amended	V. 13, p. 185
40-1-39	New	V. 12, p. 1563
40-1-41	New	V. 12, p. 1563
40-2-23	New	V. 12, p. 1564
40-3-10	Revoked	V. 12, p. 1564
40-3-32	Amended	V. 12, p. 1564
40-3-33	Amended	V. 12, p. 1565
40-3-47	Amended	V. 13, p. 185
40-3-50	New	V. 12, p. 1568
40-4-2	Amended	V. 12, p. 1568
40-5-12	New	V. 12, p. 1568

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-2-103	New	V. 12, p. 822
44-6-124	Amended	V. 12, p. 1154
44-6-146	New	V. 12, p. 1154
44-7-116	New	V. 12, p. 1155
44-14-101	Amended	V. 12, p. 1593
44-14-102	Amended	V. 12, p. 1594
44-14-201	Amended	V. 12, p. 1594
44-14-301	Amended	V. 12, p. 1594
44-14-302	Amended	V. 12, p. 1594
44-14-303	Amended	V. 12, p. 1596
44-14-305	Amended	V. 12, p. 1596
44-14-305a	Revoked	V. 12, p. 1596
44-14-306	Amended	V. 12, p. 1596
44-14-307	Amended	V. 12, p. 1597
44-14-309	Amended	V. 12, p. 1597
44-14-310	Amended	V. 12, p. 1597
44-14-311	Amended	V. 12, p. 1597
44-14-314	Amended	V. 12, p. 1597
44-14-316	Amended	V. 12, p. 1597
44-14-318	New	V. 12, p. 1597

**AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—**

**DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-9-7	Amended	V. 12, p. 1399

**AGENCY 56: OFFICE OF THE ADJUTANT GENERAL**

Reg. No.	Action	Register
56-2-1	New	V. 12, p. 1736
56-2-2	New	V. 12, p. 1736
56-3-1 through 56-3-6	New	V. 13, p. 89-91, 111-112

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-101	Revoked	V. 12, p. 1205
60-1-102	Amended	V. 12, p. 348
60-1-103	Amended	V. 12, p. 348
60-3-101	Amended	V. 12, p. 348
60-3-104	Revoked	V. 13, p. 365
60-3-105	Amended	V. 13, p. 365
60-3-106	Amended	V. 13, p. 365
60-3-106a	New	V. 13, p. 365
60-3-110	Amended	V. 12, p. 1205
60-3-111	New	V. 12, p. 349
60-4-101	Amended	V. 13, p. 365
60-4-103	Amended	V. 13, p. 365
60-7-104	Amended	V. 13, p. 366
60-7-106	New	V. 12, p. 1206
60-7-108	New	V. 12, p. 349
60-8-101	Amended	V. 13, p. 366
60-9-105	Amended	V. 12, p. 349
60-9-107	Amended	V. 12, p. 1206
60-11-103	Amended	V. 12, p. 350
60-11-108	Amended	V. 12, p. 1208
60-11-113	Amended	V. 13, p. 366
60-11-118	Amended	V. 12, p. 350
60-11-119	Amended	V. 12, p. 489
60-12-104	Amended	V. 12, p. 1208
60-12-105	Amended	V. 12, p. 1208
60-13-101	Amended	V. 12, p. 489
60-13-110	Amended	V. 13, p. 366

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 12, p. 1598
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
63-4-1	Amended	V. 12, p. 1598

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

Reg. No.	Action	Register
65-4-3	Amended	V. 12, p. 630
65-4-4	Amended	V. 12, p. 630

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-6	Amended	V. 12, p. 1926
66-6-8	Amended	V. 12, p. 1926
66-6-9	Amended	V. 12, p. 1926
66-8-2 through 66-8-5		
	Amended	V. 12, p. 1926, 1927
66-9-1	Amended	V. 12, p. 1927
66-9-2	Amended	V. 12, p. 1927
66-9-4	Amended	V. 12, p. 1927
66-9-5	Amended	V. 12, p. 1928
66-10-1	Amended	V. 12, p. 1928
66-10-3	Amended	V. 12, p. 1928
66-10-4	Amended	V. 12, p. 1928
66-10-9	Amended	V. 12, p. 1928
66-11-1	Amended	V. 12, p. 1929
66-11-2	Amended	V. 12, p. 1929
66-12-1	Amended	V. 12, p. 1929

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1a	Amended	V. 13, p. 533
68-1-1f	Amended	V. 13, p. 534
68-7-12a	New	V. 12, p. 186
68-7-14	Amended	V. 13, p. 534
68-7-19	New	V. 12, p. 187
68-11-1	Amended	V. 13, p. 534
68-11-2	Amended	V. 13, p. 535
68-12-2	Amended	V. 12, p. 187
68-20-9	Amended	V. 13, p. 535
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
69-1-4	Amended	V. 13, p. 4
69-11-1	Amended	V. 12, p. 1633
69-12-1 through 69-12-17	New	V. 12, p. 1633-1635

**AGENCY 70: BOARD OF VETERINARY EXAMINERS**

Reg. No.	Action	Register
70-5-1	Amended	V. 13, p. 445

**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
71-1-18	New	V. 12, p. 1700
71-3-3	Amended	V. 12, p. 532

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-8	Amended	V. 12, p. 1922
74-5-2	Amended	V. 12, p. 1039
74-5-202	Amended	V. 12, p. 1039
74-5-203	Amended	V. 12, p. 1040
74-5-405	Amended	V. 12, p. 1040
74-5-406	Amended	V. 12, p. 1040
74-6-1	Amended	V. 12, p. 1040
74-6-2	Amended	V. 12, p. 1041
74-8-2	Amended	V. 12, p. 1041
74-8-5	Amended	V. 12, p. 1041
74-11-1 through 74-11-5		
	Revoked	V. 12, p. 1922
74-11-6 through 74-11-14		
	New	V. 12, p. 1922-1926
74-14-1	New	V. 12, p. 1041

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74-14-2 New V. 12, p. 1041  
**AGENCY 75: CONSUMER CREDIT COMMISSIONER**  
 Reg. No. Action Register  
 75-6-6 Amended V. 13, p. 276

**AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM**  
 Reg. No. Action Register  
 80-8-1 through 80-8-7 New V. 12, p. 980, 981

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**  
 Reg. No. Action Register  
 81-3-1 Amended V. 12, p. 788  
 81-3-3 Amended V. 12, p. 790  
 81-3-4 New V. 12, p. 790  
 81-5-3 Amended V. 12, p. 790  
 81-5-8 Amended V. 12, p. 791  
 81-5-9 Amended V. 12, p. 791  
 81-5-10 New V. 12, p. 791  
 81-5-11 New V. 12, p. 1878  
 81-7-1 Amended V. 12, p. 791  
 81-7-2 New V. 12, p. 794  
 81-11-11 Amended V. 12, p. 794

**AGENCY 82: STATE CORPORATION COMMISSION**  
 Reg. No. Action Register  
 82-1-228 Amended V. 12, p. 147  
 82-1-232 Amended V. 12, p. 148  
 82-3-107 Amended V. 13, p. 531  
 82-3-138 Amended V. 13, p. 532  
 82-3-200 Amended V. 13, p. 532  
 82-3-203 Amended V. 12, p. 1592  
 82-3-206 Amended V. 12, p. 1592  
 82-3-307 Amended V. 12, p. 376  
 82-3-401 Amended V. 12, p. 377  
 82-3-401a New V. 13, p. 532  
 82-3-604 Amended V. 13, p. 533  
 82-3-605 Amended V. 12, p. 439  
 82-4-1 Amended V. 12, p. 440  
 82-4-3 Amended V. 12, p. 441  
 82-4-6d Amended V. 12, p. 441  
 82-4-8a Amended V. 12, p. 442  
 82-4-20 Amended V. 12, p. 442  
 82-4-27a Amended V. 12, p. 443  
 82-4-29 Amended V. 12, p. 443  
 82-4-34 Revoked V. 12, p. 443  
 82-4-35a Amended V. 12, p. 443  
 82-4-37 Amended V. 12, p. 443  
 82-4-38 Revoked V. 12, p. 443  
 82-4-39 Amended V. 12, p. 443

**AGENCY 86: REAL ESTATE COMMISSION**  
 Reg. No. Action Register  
 86-1-5 Amended V. 12, p. 1662  
 86-1-11 Amended V. 12, p. 1662  
 86-3-7 Amended V. 12, p. 1663  
 86-3-22 Amended V. 12, p. 1663  
 86-3-24 Revoked V. 12, p. 980

**AGENCY 88: BOARD OF REGENTS**  
 Reg. No. Action Register  
 88-10-4 Amended V. 12, p. 631  
 88-11-5 Amended V. 12, p. 631  
 88-22-1 through 88-22-10 New V. 12, p. 93, 94

**AGENCY 91: DEPARTMENT OF EDUCATION**  
 Reg. No. Action Register  
 91-1-30 Amended V. 12, p. 579  
 91-1-56 Amended V. 13, p. 308  
 91-1-80 Amended V. 12, p. 580  
 91-1-102 Revoked V. 13, p. 367  
 91-1-102a Amended V. 13, p. 308  
 91-1-104 Revoked V. 13, p. 367  
 91-1-104a Revoked V. 13, p. 367  
 91-1-104b Amended V. 13, p. 309  
 91-1-104c Amended V. 13, p. 309  
 91-1-110a Amended V. 12, p. 582  
 91-1-110b Revoked V. 13, p. 367  
 91-1-110c Amended V. 13, p. 310  
 91-1-112a Revoked V. 13, p. 367  
 91-1-112b Revoked V. 13, p. 367  
 91-1-112c Amended V. 13, p. 310  
 91-1-112d Amended V. 13, p. 311

91-1-113a Revoked V. 13, p. 367  
 91-1-113b Amended V. 13, p. 311  
 91-12-22 Amended V. 12, p. 1929  
 91-12-23 Amended V. 12, p. 1933  
 91-12-24a Amended V. 12, p. 590  
 91-12-27 Amended V. 12, p. 590  
 91-12-28 Amended V. 12, p. 590  
 91-12-30 Amended V. 12, p. 591  
 91-12-33 Amended V. 12, p. 591  
 91-12-37 Amended V. 12, p. 591  
 91-12-40 Amended V. 12, p. 592  
 91-12-41 Amended V. 12, p. 593  
 91-12-44 Amended V. 12, p. 594  
 91-12-45 Amended V. 12, p. 1934  
 91-12-46 Amended V. 12, p. 1935  
 91-12-47 Amended V. 12, p. 595  
 91-12-51 Amended V. 12, p. 596  
 91-12-53 Amended V. 12, p. 596  
 91-12-54 Amended V. 12, p. 597  
 91-12-55 Amended V. 12, p. 598  
 91-12-59 Amended V. 12, p. 598  
 91-12-61 Amended V. 12, p. 598  
 91-12-64 Amended V. 12, p. 599  
 91-12-65 Amended V. 12, p. 600  
 91-12-71 Amended V. 12, p. 1935

**AGENCY 98: KANSAS WATER OFFICE**  
 Reg. No. Action Register  
 98-5-2 Amended V. 12, p. 351  
 98-5-3 Amended V. 12, p. 352  
 98-5-5 Amended V. 12, p. 353

**AGENCY 100: BOARD OF MEALING ARTS**  
 Reg. No. Action Register  
 100-11-1 Amended V. 12, p. 1704  
 100-38-1 Amended V. 12, p. 1704  
 100-46-6 New V. 12, p. 679  
 100-47-1 Amended V. 12, p. 679  
 100-49-4 Amended V. 12, p. 1704  
 100-54-6 Amended V. 12, p. 1704  
 100-55-6 Amended V. 12, p. 1704

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**  
 Reg. No. Action Register  
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**AGENCY 116: STATE FAIR BOARD**

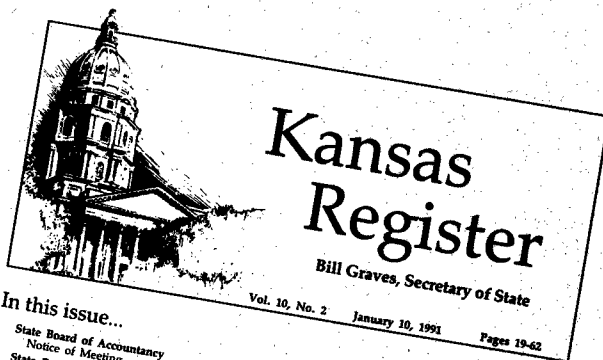
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