

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 14, No. 43

October 26, 1995

Pages 1421-1478

In this issue . . .

Page

Legislative interim committee schedule	1422
Employee Award Board	
Notice of meeting	1423
Department of Commerce and Housing	
Notice of meetings	1423
Executive appointments	1423
University of Kansas	
Notice to bidders	1424
Wichita State University	
Notice to bidders	1424
Notice to bidders for state purchases	1424
State Employees Health Care Commission	
Notice of meeting	1425
City of Wichita—Human Services Department	
Notice of job training plan modification	1425
Department of Transportation	
Public notice	1426
Notice to contractors	1426
Department of Health and Environment	
Requests for comments	1428, 1429
Notice concerning Kansas water pollution control permits	1429
Kansas Council on Developmental Disabilities	
Notice of meeting	1429
State Fair Board	
Notice of meeting	1429
University of Kansas Medical Center	
Notice to bidders	1429
Kansas State University	
Notice to bidders	1432
Kansas State Treasurer	
Notice of investment rates	1432
Notice of Bond Redemption	
Crawford County	1432
Notice of Note Sale	
City of Olathe	1433
Notice of Bond Sale	
City of Overland Park	1433
City of Manhattan	1434
City of Hutchinson	1435
City of WaKeeney	1436
Permanent Administrative Regulations	
State Board of Mortuary Arts	1439
Department of Administration	1441
Index to administrative regulations	1473

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 30 through November 12:

Date	Room	Time	Committee	Agenda
November 1	526-S	10:00 a.m.	Kansas Youth Authority	Agenda not available.
November 1	519-S	10:00 a.m.	Special Committee on	Agenda not available.
November 2	519-S	9:00 a.m.	Agriculture	
November 6	519-S	9:00 a.m.	Special Committee on	6th: Final action on Proposals
November 7	519-S	9:00 a.m.	Assessment and Taxation	No. 5-7, 9-12 and 14.
				7th: Final action on Proposals
				No. 8 and 13.
November 6	123-S	10:00 a.m.	Special Committee on Ways	Agenda not available.
November 7	123-S	9:00 a.m.	and Means/Appropriations	
November 7	531-N	10:00 a.m.	Confirmations Committee	Agenda not available.
November 8	521-S	8:00 a.m.	Special Committee on	Agenda not available.
November 9	521-S	8:00 a.m.	Elections	
November 8	701 N. 7th, Kansas City, KS		Special Committee on	Agenda not available.
			Transportation	
November 9	Prk. Comm. Bldg., Iola			
November 9	519-S	10:00 a.m.	Legislative Post Audit	Legislative matters.
November 9	514-S	10:00 a.m.	Special Committee on Public	Agenda not available.
November 10	514-S	9:00 a.m.	Health and Welfare	

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 016926

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.69 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

© Kansas Secretary of State 1995. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Ron Thornburgh
Secretary of State
2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

Employee Award Board

Notice of Meeting

The Employee Award Board will meet at 1:30 p.m. Tuesday, October 31, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett
Chairperson

Doc. No. 016915

State of Kansas

Department of Commerce and Housing

Notice of Meetings

The Department of Commerce and Housing, Division of Community Development, will conduct area meetings on the programs and services of the division for 1996. The meetings will serve as public hearings for input on community development issues in the Kansas Consolidated Plan for federal fiscal year 1996. The meetings will include discussion of the relationship between economic and community development, affordable housing, and social services.

Community residents are invited to attend the meetings with division staff, the Community Development Advisory Committee, the Main Street Advisory Board, the PRIDE Board of Directors, and area legislators. Results of the meetings will be incorporated into the implementation of programs in the Community Development Division.

All meetings will be from 8 a.m. to noon, and meeting places are accessible to persons with disabilities. The schedule of meetings is as follows:

Date	Place
November 7	Seward Community College Student Union Conference Room 1801 N. Kansas, Liberal
November 8	Northwest Kansas Area Vocational Technical School, Student Union 1209 Harrison, Goodland
November 9	Municipal Building 1st and Hersey, Beloit
November 15	Best Western Sun Dome 11 Des Moines (U.S. 50 and K-96) South Hutchinson
November 16	Riverside Park Building Highway 169 South, Iola
November 17	Mount Conference Center 801 S. 8th, Atchison

Gary Sherrer
Secretary of Commerce
and Housing

Doc. No. 016922

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, which are effective immediately unless otherwise specified, were filed October 9-20:

Allen County Commissioner

Jean M. Barber, 407 S. Cottonwood, Iola, 66749. Term expires when a successor is elected and qualifies according to law.

Hamilton County Commissioner

Dave Schwieterman, Box Z, Syracuse, 67878. Term expires when a successor is elected and qualifies according to law.

State Bank Commissioner

W. Newton Male, P.O. Box 13, Augusta, 67010. Subject to Senate confirmation. Effective November 6, 1995. Succeeds Frank Dunnick.

Kansas Development Finance Authority

David Aull, 5942 Overhill Circle, Shawnee Mission, 66208. Subject to Senate confirmation. Term expires January 15, 1999. Succeeds Curtis Krizek.

Doug Debelak, 1348 Country Walk Circle, Wichita, 67206. Subject to Senate confirmation. Term expires January 15, 1999. Succeeds Lowell Miller.

Coordinating Council on Early Childhood Developmental Services

Laura Clark, Chair, 5013 Lakewood, Manhattan, 66502. Term expires July 31, 1999.

Mimi Nagle, 9726 Outlook, Shawnee Mission, 66207. Term expires July 31, 1999.

Deborah Voth, Rainbows United, Inc., 2615 Wellesley, Wichita, 67220. Term expires July 31, 1999.

Historical Records Advisory Board

Carol Green, Kansas Judicial Center, 300 S.W. 10th, Topeka, 66612. Term expires June 30, 1998. Succeeds Eugene Decker.

Gerald Motsinger, 6824 Delmar, Prairie Village, 66208. Term expires June 30, 1996. Succeeds Thomas Walther, resigned.

Linda Schreppel, 517 Merchant, Box 387, Oswego, 67356. Term expires June 30, 1997. Succeeds Wilda Smith, resigned.

Roger Werner, 9516 Hocker Drive, Merriam, 66205. Term expires June 30, 1998. Succeeds Linda Fincham.

Sheryl Williams, 1101 W. 27th, Lawrence, 66046. Term expires June 30, 1998. Reappointment.

Ron Thornburgh
Secretary of State

State of Kansas

University of Kansas

Notice to Bidders

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

Monday, November 6, 1995

RFQ 96-6259

3-D graphics workstation

RFQ 96-6270

Protein chromatography and preparative electrophoresis system

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

Doc. No. 016935

State of Kansas

Wichita State University

Notice to Bidders

Wichita State University is accepting bids on the following items:

Closing November 13, 1995

Quotation 960139-4

Indy workstation and components (Unix)

Bids must be submitted to Wichita State University, Office of Purchasing, Morrison Hall, Room 021, 1845 N. Fairmount, Wichita, 67260-0012, by 2 p.m. on the above specified closing date. Please refer to the above quotation number on all correspondence. For additional information contact the Office of Purchasing, (316) 689-3080.

Gary D. Link Director of Purchasing

Doc. No. 016919

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, 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, November 6, 1995

31421

Department of Human Resources—Snow removal services

02549 Rebid

Department of Transportation—Luminaires and shear bases, Wichita

02812

Kansas Highway Patrol—Notebook computer

02832

Department of Administration, Division of Information Systems and Communications—Telecommunications cable

Tuesday, November 7, 1995

31425

Statewide—Seasonal clothing

31426

Department of Corrections—Frozen entrees, various locations

02809

Department of Revenue—LP forklift

02810

Kansas State University—Hi-Pro soybean meal

02817

Emporia State University—RISC based Unix processor system

Wednesday, November 8, 1995

01082 Rebid

University of Kansas Medical Center—Furnish and install dishwasher

02827

University of Kansas—Unix based multiprocessor computer system

Thursday, November 9, 1995

31424

Statewide—Facsimile supplies

31427

Statewide—China

02831

Wichita State University—Pickup truck

02835

Kansas State University—Condensing unit and coil

02841

Kansas State University—Corn

Wednesday, November 15, 1995

A-7557

University of Kansas—Fire alarm system, Phase III, Dyche Hall

Thursday, November 16, 1995

A-7801

Fort Hays State University—Sealant and tuckpointing repairs, Stroup Hall

A-7803

Fort Hays State University—Lightning protection modification, Cunningham Hall/Gross Coliseum

Thursday, December 14, 1995

A-7391

University of Kansas—Addition to Kansas Law Enforcement Training Center, Phase 3, 4 and 5, Hutchinson

Request for Proposals Friday, December 1, 1995

31438

Department of Administration, Division of Accounts and Reports—Procurement card services

John T. Houlihan Director of Purchases

Doc. No. 016928

State of Kansas

State Employees Health Care Commission**Notice of Meeting**

The Kansas State Employees Health Care Commission will meet from 1:30 to 3:30 p.m. Tuesday, November 14, in the Old Supreme Court Room, third floor, State Capitol, 300 S.W. 10th Ave., Topeka.

Sheila Frahm
Chairperson

Doc. No. 016938

State of Kansas

**City of Wichita
Human Services Department****Notice of SDA IV Job Training
Plan Modification**

The Job Training Partnership Act (JTPA) provides funds to states to establish programs that prepare youth and adults for entry into the labor force. Under JTPA, each state is divided into service delivery areas (SDAs). Within each SDA, a governing structure is established between local elected officials and private and public sector representatives who are appointed to a Private Industry Council (PIC). This governing structure is responsible for policy, program development, and oversight of programs generated within the SDA. The PIC of SDA IV, which comprises Butler, Cowley, Harper, Kingman, Sedgwick and Sumner counties in South Central Kansas, has selected the City of Wichita, Kansas, to be the grant recipient and program administrator for Title II-A, II-B and II-C programs in SDA IV. The PIC of SDA IV has also selected the Kansas Department of Human Resources (KDHR) to be the grant recipient and program administrator for Title III programs in SDA IV.

Section 104(a) of the Job Training Partnership Act specifies that no funds appropriated under Title II for any fiscal year may be provided to any SDA under this act, except pursuant to a job training plan for two program years. Section 105(a) of the act mandates publishing the proposed job training plan or summary thereof and mandates the plan shall be made reasonably available to the general public for review and comment. Section 161(b) of the act allows funds obligated for any program year to be spent during that program year and the two succeeding program years.

In accordance with Sections 104 and 105 of the Job Training Partnership Act, the Private Industry Council of Service Delivery Area IV, Inc. hereby gives public notice of its intention to modify the following subparts of its 1994-96 Job Training Plan. The proposed plan modification will transfer 20 percent of the Title II-B allocations for SDA IV's program year (PY) 1994 and PY 1995 into its PY 1994 and PY 1995 Title II-C Programs. The proposed plan modification will also reduce Title II and Title III PY 1995 budgets as mandated by passage of federal rescission legislation. Summaries of these plan subparts are as follows:

Title II-A Plan Subpart Summary

The purpose of the Title II-A Job Training Program is

to prepare adults (age 22 or older), who are economically disadvantaged or face serious barriers to employment, for participation in the labor force by increasing their occupational and educational skills, resulting in improved long-term employability, increased employment and earnings, and reduced welfare dependency.

The PY 1995 Title II-A Program began July 1, 1995. The proposed budget level of \$1,180,711 will decrease the PY 1995 budget by \$68,701 as mandated by federal rescission legislation. The revised budget will serve an estimated 450 adults in SDA IV.

**Title II-B Summer Youth Employment and
Training Program (SYETP) Plan Subpart Summary**

The purpose of the Title II-B SYETP is to enhance the basic educational skills of youth, encourage school completion or enrollment in supplementary or alternative school programs, and provide eligible youth with exposure to the world of work.

PY 1994 SYETP began October 1, 1994. The proposed budget level of \$785,272 will decrease the PY 1994 budget by 20 percent, which will be transferred to the PY 1994 Title II-C Program.

PY 1995 SYETP began July 1, 1995, as a supplemental allocation for the 1995 summer. The proposed budget level of \$218,186 will decrease this budget by 20 percent, which will be transferred to the PY 1995 Title II-C Program.

Title II-C Plan Subpart Summary

The purpose of the Title II-C Job Training Program is to improve the long-term employability of youth (age 14 through 21) who are economically disadvantaged or face serious barriers to employment, enhance the educational, occupational, and citizenship skills of youth, encourage school completion or enrollment in alternative school programs, increase the employment and earnings of youth, reduce welfare dependency, and assist youth in addressing problems that impair their ability to make successful transitions from school to work, apprenticeship, the military, or postsecondary education and training.

The PY 1994 Title II-C Program began July 1, 1994. The proposed budget level of \$556,523 will increase the PY 1994 budget by \$196,316 as a result of the Title II-B transfer of funds.

The PY 1995 Title II-C Program began July 1, 1995. The proposed budget level of \$216,083 will decrease the PY 1995 budget by \$547,609 as mandated by federal rescission legislation and as mitigated by the PY 1995 Title II-B transfer of funds. The revised budget will serve an estimated 223 youth in SDA IV.

Copies of the modified Title II-A, II-B and II-C plan subparts are available for review from 8 a.m. to 5 p.m. Monday through Friday at the Human Services Department, 2nd Floor, City Hall, 455 N. Main, Wichita, 67202. Written comments and/or questions regarding the Title II-A, II-B, and II-C plan subpart revisions should be directed to Mike Reichenberger, Planning and Administration Director, at the above location.

**Title III Economic Dislocation and Worker Adjustment
Assistance Act (EDWAA) Plan Subpart Summary**

The purpose of SDA IV's Title III EDWAA Plan Subpart

(continued)

is to provide service to those individuals affected, through no fault of their own, by economic conditions such as reductions in the work force. The EDWAA Plan Subpart also allows for services to be provided to dislocated area farmers and ranchers. The EDWAA Plan Subpart states the service emphasis will be on retraining.

The PY 1995 Title III EDWAA Program began July 1, 1995. The proposed budget level of \$1,250,585 will decrease the PY 1995 budget by \$345,503 as mandated by federal rescission legislation. The revised budget will serve an estimated 585 program participants in SDA IV.

Copies of the modified Title III Plan Subpart are available for review from 8 a.m. to 5 p.m. Monday through Friday at the KDHR Wichita Office, 402 E. 2nd, P.O. Box 877, Wichita, 67201-0877.

Written comments and/or questions regarding the Title III Plan Subpart should be directed to Fred Johnson, SDA IV Area Supervisor, at the above location.

John T. Collins
Human Resource Professional

Doc. No. 016916

State of Kansas

Department of Transportation

Public Notice

The Kansas Department of Transportation has completed both the Kansas Long-Range Transportation Plan and the Kansas Bicycle and Pedestrian Transportation Plan.

The Kansas Long-Range Transportation Plan has been developed to guide future transportation program development in Kansas and to meet the requirements of the Intermodal Surface Transportation Efficiency Act (ISTEA). The plan is a broad-based policy document that identifies important transportation-related trends and issues and provides direction for future programs and actions.

The document points to some broad conclusions, which are reflected in the last chapter of the plan in the form of recommendations. During public involvement outreach efforts over the last two years, many individuals expressed the view that the current transportation network is sound and is serving the needs of the state well. The principal concern is with maintaining the existing infrastructure as the number one priority balanced against the need to always modernize and react to emerging needs for enhancements.

The Kansas Bicycle and Pedestrian Transportation Plan is considered to be an element of the long-range plan and will serve as a broad-based policy document for KDOT's bicycle and pedestrian transportation planning process.

These plans represent a significant effort to shape the future of transportation in Kansas. A copy of either plan can be obtained by contacting the KDOT Division of Planning and Development, 8th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (913) 296-2252. For hearing assistance, call (913) 296-3585 (Voice/TTY).

E. Dean Carlson
Secretary of Transportation

Doc. No. 016929

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, or at the Ramada Inn Airport in Wichita, until 2 p.m. November 15, and then publicly opened:

District One—Northeast

Atchison—59-3 K-5840-01—Bridge 6 (White Clay Creek), bridge repair. (State Funds)

Brown-Doniphan—106 K-5975-01—K-20, from the east junction of U.S. 73 north and east to the Brown-Doniphan county line; K-20, from the U.S. 75 junction east to the west city limits of Horton; K-7, from the K-20 junction north to the east junction of U.S. 36; K-20, from the Brown-Doniphan county line east to the K-7 junction; 37 miles (59.4 kilometers), overlay. (State Funds)

Jackson-Nemaha—62-106 K-5945-01—K-62, from the junction of K-16 north to the Jackson-Nemaha county line; K-62, from the Jackson-Nemaha county line north to the junction of K-9, 13.3 miles (21.4 kilometers), overlay. (State Funds)

Johnson—46-N-0073-01—Olathe: intersection of Hazel and Northgate, traffic signals. (Federal Funds)

Johnson—46 N-0074-01—Olathe: intersection of K-7 and Loula Street, traffic signals. (Federal Funds)

Johnson—46 N-0076-01—Olathe: intersection of Kansas Avenue and Loula Street, traffic signals. (Federal Funds)

Johnson—46 N-0077-01—Olathe: intersection of Kansas Avenue and Santa Fe—K-150, traffic signals. (Federal Funds)

Lyon—56 C-2764-02—Various locations through the county, signing. (Federal Funds)

Osage—70 U-1551-01—City of Scranton, signing. (State Funds)

Pottawatomie—24-75 K-3325-03—U.S. 24, from 1.3 miles (2 kilometers) west of K-99, east to 1 mile (1.6 kilometers) east of K-99 at Wamego, 2.3 miles (3.7 kilometers), grading, bridge and surfacing. (State Funds)

Pottawatomie-Riley—24-106 K-5990-01—U.S. 24, from the Pottawatomie-Riley county line east to Excel Road; U.S. 24, from the K-13 junction southeast and east to the Riley-Pottawatomie county line, 8.8 miles (14.1 kilometers), recycle and overlay. (State Funds)

Pottawatomie-Riley-Wabaunsee—106 K-5967-01—K-13, from the Riley-Pottawatomie county line to the junction of K-16; K-99, from Main Street in Westmoreland to the south junction of K-16; K-16, from the K-13 junction to the north junction of K-99; K-13, from the U.S. 24 junction to the Riley-Pottawatomie county line; K-99, from the I-70 junction north to the Wabaunsee-Pottawatomie county line, 38.1 miles (61.4 kilometers), overlay. (State Funds)

Riley—77-81 K-5694-01—U.S. 77, from the Geary-Riley county line, north and east to the west junction of U.S. 24, 11.4 miles (18.3 kilometers), overlay. (State Funds)

Shawnee—75-89 K-3371-03—U.S. 75, from the end of the existing four lanes, west and north to 49th Street on new alignment, 5.5 miles (8.8 kilometers), surfacing. (State Funds)

Wabaunsee—99 U-1552-01—City of Paxico, signing. (State Funds)

District Two—Northcentral

McPherson—56-59 K-4059-01—U.S. 56, from the Rice-McPherson county line east to K-153 (west city limits of McPherson), 13.2 miles (21.2 kilometers), grading, bridge and surfacing. (State Funds)

Saline—85 U-1469-01—Centennial Road in Salina between General Jim Road and Derussy Road, grading and surfacing. (Federal Funds)

District Three—Northwest

Graham—24-33 K-5719-01—U.S. 24, from the Sheridan-Graham county line, east to west city limits of Hill City, 16.8 miles (26.9 kilometers), sealing. (State Funds)

Graham—283-33 K-5728-01—U.S. 283, from 2.6 miles (4.3 kilometers) north of the Trego-Graham county line north to Hill City, 14.2 miles (22.9 kilometers), recycle and overlay. (State Funds)

Graham-Logan-Thomas—106 K-5993-01—RAP (reclaimed asphalt pavement) sampling in three-county area. (State Funds)

Norton—69 K-2833-02—Prairie Dog State Park roads and parking, 5.8 miles (9.3 kilometers), surfacing. (State Funds)

Rooks—82 K-1659-03—Webster State Park north and south shore areas, 6 miles (9.6 kilometers), surfacing. (State Funds)

Russell—232-84 K-5707-01—K-232, from the K-181 junction, west and north to the K-18 junction 7.3 miles (11.8 kilometers), sealing. (State Funds)

Russell—84 K-2834-02—Wilson State Park—Hell Creek and Otoe areas, surfacing. (State Funds)

Sheridan-Gove—106 K-5976-01—K-23A, from the end of curb and gutter in Grainfield, north and east to the K-23 junction; K-23, from the Gove-Sheridan county line, north to U.S. 24, 16.4 miles (26.5 kilometers), recycle and overlay. (State Funds)

Trego—98 K-2830-02—Cedar Bluff Park, north and south shore areas of state park road, surfacing. (State Funds)

District Four—Southeast

Chautauqua—166-10 K-4728-01—U.S. 166, 4.1 miles (6.6 kilometers) east of the Cowley-Chautauqua county line, east to 4 miles (6.4 kilometers) east of county route 1566, 9.9 miles (16.1 kilometers), grading, bridge and surfacing. (State Funds)

Chautauqua—166-10 K-4728-02—U.S. 166, bridges 006 (Shanghia Creek) and 007 (Sycamore Creek), bridge replacements. (Federal Funds)

Greenwood—96-37 K-3293-02—K-96, 5 miles (8 kilometers) east of the east junction of K-99, east to Greenwood-Wilson county line, 10.1 miles (16.2 kilometers), grading and bridge. (State Funds)

Greenwood—96-37 K-3293-05—K-96, bridges 025, 026 and 027 in Greenwood County, bridge replacements. (Federal Funds)

Greenwood—99-37 K-5790-01—K-99, from the east junction of K-96, north to U.S. 54, 13 miles (20.1 kilometers), sealing. (State Funds)

Greenwood-Coffey—106 K-5962-01—K-57, from the Greenwood-Coffey county line, east to U.S. 75; K-57, from K-99, east to the Greenwood-Coffey county line; K-249, from K-99, north to K-57 (entire route) 26.3 miles (42.4 kilometers), overlay. (State Funds)

Montgomery—166-63 K-5791-01—U.S. 166, from the south junction of U.S. 75, east 13.3 miles (21.5 kilometers), overlay. (State Funds)

Wilson—96-103 K-3294-03—K-96, South Kansas and Oklahoma Railroad, 0.5 mile (0.8 kilometer) east of K-39, railroad improvement. (State Funds)

Wilson—96-103 K-5817-01—K-96, from the south junction of K-39, east to U.S. 75, 7 miles (11.2 kilometers), sealing. (State Funds)

Wilson-Montgomery-Neosho—106 K-5957-01—K-37, from the Wilson-Montgomery county line east, south and east to U.S. 169; K-47, from the Wilson-Neosho county line, east to U.S. 169; K-47, from U.S. 75, east to the Wilson-Neosho county line; K-39, north of Fredonia, northeast to the west junction of U.S. 75; K-37, from U.S. 75, east to the Wilson-Montgomery county line; 38.7 miles (62.4 kilometers), overlay. (State Funds)

Woodson—105-104 K-5789-01—K-105, from county route 1800, to U.S. 54 (entire route) 10.2 miles (16.5 kilometers), overlay. (State Funds)

District Five—Southcentral

Barton—5 C-3303-01—County road 6 miles (9.6 kilometers) west and 1.8 miles (2.9 kilometers) north of Great Bend, 0.10 miles (0.16 kilometers), grading and bridge (Federal Funds)

Cowley—18 C-3311-01—County road, 5.5 miles (8.8 kilometers) west of Winfield, 0.10 mile (0.16 kilometer), grading and surfacing. (Federal Funds)

Kingman—48 C-3111-01—County road, 3.9 miles (6.2 kilometers) south of Cunningham 0.14 mile (0.24 kilometer), grading and bridge. (Federal Funds)

Reno—96-078 K-4458-01—K-96, from county route 556 at Haven southeast to the Reno-Sedgwick county line, 4.8 miles (7.7 kilometers), grading, bridge and surfacing. (State Funds)

Rice—80 C-3024-01—County road, 0.3 mile (0.5 kilometer) north of Little River, north 0.10 mile (0.16 kilometer), grading and bridge. (Federal Funds)

Rush—183-83 K-4356-01—U.S. 183, from the two-lane/four-lane in Rush Center north to K-4 at LaCrosse, 5 miles (8 kilometers), grading, bridge and surfacing. (State Funds)

Sedgwick—96-87 K-4459-01, K-96, from the Reno-Sedgwick county line southeast to the west junction of K-296, 3.9 miles (6.3 kilometers), grading, bridge and surfacing. (State Funds)

(continued)

Sedgwick—87 N-0054-01—Wichita central business area, traffic signals. (Federal Funds)

Sumner—160-96 K-4071-01—U.S. 160 bridge (065) over U.S. 81 and Union Pacific Railroad, bridge replacement. (Federal Funds)

Sumner—160-96 K-4071-02—Interchange at U.S. 81 and Union Pacific Railroad, grade and surfacing. (State Funds)

District Six—Southwest

Finney—156-28 K-4914-01—K-156, Kansas Avenue intersection at 3rd and 4th Streets in Garden City, 0.10 miles (0.16 kilometers), intersection improvement. (State Funds)

Finney—156-28 M-1812-01—KDOT mixing strip, located east of the junction of K-23, stockpile bituminous materials. (State Funds)

Gray—23-35 M-1815-01—K-23, KDOT mixing strip, located north of Cimarron, stockpile bituminous materials. (State Funds)

Grant-Stevens—25-106 K-5941-01—K-25, from the Stevens-Grant county line to the south city limits of Ulysses; K-25, from the east junction of U.S. 56 north to the Stevens-Grant county line, 26.4 miles (42.5 kilometers), overlay. (State Funds)

Gray-Meade—23-106 K-5940-1—K-23, from the Meade-Gray county line north to the junction of U.S. 56; K-23, from the junction of U.S. 54 north to the Gray-Meade county line, 23.6 miles (38 kilometers), recycling and overlay. (State Funds)

Lane—23-51 K-5712-01—K-23, from the Finney-Lane county line, north to K-96 in Dighton, 15 miles (24.2 kilometers), overlay. (State Funds)

Lane—23-51 M-1817-01—KDOT, mixing strip located west of the junction of K-4, stockpile bituminous materials. (State Funds)

Meade—23-60 M-1818-01—KDOT mixing strip along U.S. 54 west of Meade, stockpile bituminous materials. (State Funds)

Morton—27-65 K-5718-01—K-27, from north of Elkhart north 5.9 miles (9.6 kilometers), overlay. (State 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 admin-

ister 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.

E. Dean Carlson
Secretary of Transportation

Doc. No. 016930

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Williams Pipe Line Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants, hexane, toluene, benzene, and 2,2,4 trimethylpentane were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Williams Pipe Line Company, Tulsa, Oklahoma, owns and operates a bulk gas unloading terminal located at Sec. 24, T3S, R22E in Doniphan County.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northeast district office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Brad Kruse, (913) 291-3278, at the KDHE central office, or Pat Simpson, (913) 842-4600, at the KDHE northeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Brad Kruse, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 27 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 27 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 016923

State of Kansas

**Kansas Council on
Developmental Disabilities**

Notice of Meeting

The Kansas Council on Developmental Disabilities will conduct its quarterly meeting at 8:30 a.m. Tuesday, October 31, in Room 481, Docking State Office Building, 915 S.W. Harrison, Topeka.

Jane Rhys
Executive Director

Doc. No. 016917

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Columbus Animal Control has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install an animal cremator. Emissions of particulate matter were evaluated during the permit review process.

Columbus Animal Control, 300 E. Maple, Columbus, owns and operates the stationary source located at 315 W. Cedar, Columbus, at which the cremator is to be installed.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southeast district office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Eugene Sallee, (913) 296-1575, at the KDHE central office, or Lynn Ranabargar, (316) 431-2390, at the KDHE southeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Eugene Sallee, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 27 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 27 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 016937

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet at 10 a.m. Thursday, November 2, in the board room of the administration office on the fairgrounds in Hutchinson. The meeting will continue November 3. For further information, contact Deana Novak at (316) 669-3612.

Deana Novak
Administrative Officer

Doc. No. 016914

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Thursday, November 9, 1995

726139
Photo ID badging system

726140
Custom computer program

Barbara Lockhart
Purchasing Director

Doc. No. 016932

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas
Water Pollution Control Permits**

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-95-171/179

Name and Address of Applicant	Legal Description	Receiving Water
Virginia Sharp Family Trust Route 2, Box 56 Great Bend, KS 67530	SW/4, Sec. 35, T20S, R13W, Barton County	Arkansas River Basin
Kansas Permit No. A-UABT-H001		Federal Permit No. KS-0092096

(continued)

This is an expansion facility for 4,000 head (1,600 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 256,300 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than .8 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Name and Address of Applicant	Legal Description	Receiving Water
Swine Management Services 505 N. Main, Suite 410 Fremont, NE 68025	SW/4, Sec. 13, and NE/4, Sec. 3, T5S, R1E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H003 Federal Permit No. KS-0087173

This is an expansion facility for 5,360 head (1,384 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 223,800 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Maurice and Jim Goeckel 413 E. Kensington Hanover, KS 66945	NE/4, Sec. 26, T2S, R4E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S013

This is an existing facility for 630 head (252 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 72,020 cubic feet, which meets or exceeds KDHE minimum requirements.

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

Name and Address of Applicant	Legal Description	Receiving Water
Jack Sherwin Route 4, Box 252 Independence, KS 67301	NE/4, Sec. 33, T31S, R15E, Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-S036

This is an existing facility for 300 head (120 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 5,920 cubic feet, which meets or exceeds KDHE minimum requirements.

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

Name and Address of Applicant	Legal Description	Receiving Water
John Bukovatz Route 1, Box 217 Osage City, KS 66523	NW/4, Sec. 32, T16S, R14E, Osage County	Marais des Cygnes River Basin

Kansas Permit No. A-MCOS-S001

This is an existing facility for 1,140 head (456 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 27,961 cubic feet, which meets or exceeds KDHE minimum requirements.

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

Name and Address of Applicant	Legal Description	Receiving Water
4-R Farms, Inc. c/o Roger Becker Route 1, Box 57 Corning, KS 66417	SE/4, Sec. 22, T4S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S026

This is an existing facility for 360 head (144 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 6,912 cubic feet, which meets or exceeds KDHE minimum requirements.

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

Name and Address of Applicant	Legal Description	Receiving Water
Roger E. Roe Route 2, Box 178 Superior, NE 68978-9615	SE/4, Sec. 18, T1S, R7W, Jewell County	Lower Republican River Basin

Kansas Permit No. A-LRJV-S006

This is an existing facility for 580 head (232 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 3.2 acre feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule:

1. Wastewater distribution equipment shall be obtained within 45 days after issuance of this permit through purchase, rental or custom agreement. Written verification of the acquisition of the equipment shall be submitted to the department.
2. The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Royal Farms, Inc. c/o Richard Featherstone Route 1, Box 47 Whiting, KS 66552	SE/4, Sec. 21, T5S, R16E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-S020

This is an existing facility for 2,000 head (800 animal units) of swine and 600 dogs (0 animal units).

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 74,538 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Larry Goodman Box 109A Barnes, KS 66933	SW/4, Sec. 13, T3S, R4E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S037

This is a new facility for 2,000 head (800 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 95,665 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-95-92

Name and Address of Applicant	Waterway	Type of Discharge
City of Independence 120 N. 6th Independence, KS 67301	Verdigris River	Treated domestic wastewater

Kansas Permit No. M-VE23-IO01 Fed. Permit No. KS-0042625

Facility Description: This is a reissued permit for an existing mechanical/three-cell aerated wastewater treatment lagoon system treating primarily domestic wastewater with an industrial component. The city has a pretreatment program in place to deal with the industrial component of the wastewater. The proposed permit contains interim limitations, a schedule of compliance for a facility upgrade, if necessary, and final limitations for the standard secondary treatment parameters and ammonia, fecal coliform, total residual chlorine, whole effluent toxicity and dissolved oxygen. Heavy metals monitoring and an annual priority pollutant scan are also required. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Public Notice No. KS-ND-95-65/69

Name and Address of Applicant	Location	Type of Discharge
Circle B MHP—Wichita Ron and Connie Blake 13601 E. 31st South Wichita, KS 67232	NW/4, S11, T28S, R2E, Sedgwick County	Nonoverflowing

Kansas Permit No. C-WA20-NT01

Facility Description: This is a reissued permit for an existing two-cell nonoverflowing wastewater treatment lagoon treating domestic wastes. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit contains a schedule of compliance requiring the facility to obtain the services of a KDHE-certified operator by December 31, 1996.

Name and Address of Applicant	Location	Type of Discharge
Lakins Development Marvin McKinney Route 3 Parsons, KS 67357	NW/4, S22, T31S, R19W, Labette County	Nonoverflowing

Kansas Permit No. C-NE55-NO01

Facility Description: This is a reissued permit for an existing two-cell nonoverflowing wastewater treatment lagoon treating domestic wastes. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit contains a schedule of compliance requiring the facility to obtain the services of a KDHE-certified operator by December 31, 1996.

Name and Address of Applicant	Location	Type of Discharge
Countryside Business Owners c/o Scott Becker P.O. Box 288 Meriden, KS 66512	SW/4, S18, T10S, R17E, Jefferson County	Nonoverflowing

Kansas Permit No. C-KS43-NO03

Facility Description: This is a new permit for a new one-cell nonoverflowing wastewater treatment lagoon treating domestic wastes. Dis-

posal of the lagoon wastewater is by percolation and evaporation. The proposed permit contains a special condition stating the facility is considered a temporary treatment system and connection to a permanent facility is required when available.

Name and Address of Applicant	Location	Type of Discharge
Slate Valley Rural S.D. c/o Sumner County Commission P.O. Box 326 Wellington, KS 67152	NW/4, S26, T32S, R1W, Sumner County	Nonoverflowing

Kansas Permit No. M-AR92-NO07

Facility Description: This is a new permit for a two-cell nonoverflowing wastewater treatment lagoon treating domestic wastes. Disposal of the lagoon wastewater is by percolation and evaporation.

Name and Address of Applicant	Location	Type of Discharge
Jezebels—The Black Tie c/o James Trotter 4520 E. 47th South Wichita, KS 67207	4520 E. 47th South, Wichita	Nonoverflowing

Kansas Permit No. C-AR94-NO21

Facility Description: This is a new permit for a new one-cell nonoverflowing wastewater treatment lagoon treating domestic wastes. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit contains a special condition stating the facility is considered a temporary treatment system and connection to a permanent facility is required when available.

Written comments on the proposed determinations may be submitted to the permit clerk, or Dorothy Geisler for agricultural permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before November 27 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-95-171/179, KS-95-92, KS-ND-95-65/69) and the name of applicant as listed when preparing comments.

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

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 016924

State of Kansas

Kansas State University

Notice to Bidders

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

Tuesday, November 7, 1995

#60047

Video conferencing system

William H. Sesler
Director of Purchasing

Doc. No. 016934

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1994 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 10-30-95 through 11-5-95

Term	Rate
0-90 days	5.69%
3 months	5.60%
6 months	5.56%
9 months	5.65%
12 months	5.63%
18 months	5.66%
24 months	5.68%
36 months	5.79%
48 months	5.86%

Sally Thompson
State Treasurer

Doc. No. 016921

(Published in the Kansas Register October 26, 1995.)

**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, \$345,000 principal amount of bonds has been drawn pro-rata among maturities and by lot for redemption at par on December 1, 1995.

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

AR6	AS4	AT2	AU9	AX3				
777	830	934	1034	1692	1976	2225	2867	
813	836	1004	1042	1730	1978	2240	2923	

822	872	1009	1074	1763	1985	2262	2942
		1018	1088	1773	2007	2285	3000
				1793	2008	2301	3012
				1802	2014	2302	3056
				1830	2057	2535	3081
				1834	2067	2603	3082
				1852	2073	2627	3099
				1856	2074	2636	3168
				1920	2121	2642	
				1922	2134	2685	
				1962	2164	2803	
				1963	2194	2808	
				1973	2200	2826	

Bonds with the December 1, 1995, coupons and all subsequent coupons attached should be presented to one of the offices of the paying agents:

By Mail:

Bank of America Illinois
(formerly Continental Bank)
Corporate Trust Operations
231 S. LaSalle St., 19th Floor
Chicago, IL 60697

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

By Hand Delivery:

Bank of America Illinois
(formerly Continental Bank)
Corporate Trust Operations
231 S. LaSalle St., 19th Floor
Chicago, IL 60697

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before December 1, 1995, to the above Bank of America Illinois 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 presentation 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 December 1, 1995.

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 October 26, 1995.

By: Bank of America Illinois
as Trustee for
Crawford County, Kansas

Doc. No. 016918

(Published in the Kansas Register October 26, 1995.)

**Summary Notice of Sale
City of Olathe, Kansas
\$675,000 Temporary Notes
Series 1995-B**

**(General obligations payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of sale and preliminary official statement, sealed bids will be received by the city clerk of the City of Olathe, Kansas, on behalf of the governing body at City Hall, 100 W. Santa Fe, Olathe, KS 66061, on Tuesday, November 7, 1995, for the purchase of \$675,000 Temporary Notes, Series 1995-B. Bids for the notes will be opened at 11:30 a.m. local time on that day. No bid will be considered of less than 99.50 percent of the entire par value of the notes and accrued interest to the date of delivery.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated December 1, 1995, will become due on May 1, 1996. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable at maturity on May 1, 1996. The City Treasurer will be the paying agent and note registrar for the notes.

Good Faith Deposit

A good faith deposit will not be required.

Delivery

The city will pay for preparing the notes and will, before December 12, 1995, deliver the notes in book-entry form only to Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1995 is \$420,749,345. The total general obligation indebtedness of the city as of the date of the notes, including the notes being sold, is \$64,995,000, and the total general obligation indebtedness of the city for debt limitation purposes is \$35,909,632.

Approval of Notes

The notes 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 notes will be furnished and paid for by the city, and will accompany the notes and be delivered to the successful bidder as and when the notes are delivered.

Additional Information

Additional information regarding the notes may be obtained from Kevin Hammeke, the city's director of finan-

cial services, (913) 782-2600; or the city's financial advisor, Piper Jaffray Inc., Kansas City, Missouri, Attention: Dennis Mitchell, (816) 360-3072.

Dated October 17, 1995.

City of Olathe, Kansas
Howard W. Pevehouse
Olathe City Clerk
Olathe City Hall
100 W. Santa Fe
Olathe, KS 66061
(913) 782-2600

Doc. No. 016933

(Published in the Kansas Register October 26, 1995.)

**Statutory Notice of Bond Sale
City of Overland Park, Kansas
\$3,930,000
Internal Improvement Bonds
Series 1995**

**(General obligations payable from
unlimited ad valorem taxes)**

Sealed Bids

Bids, submitted in a sealed envelope, marked "Bid for Series 1995 Bonds," will be received by the undersigned, Director of Finance, Budget and Administration of the City of Overland Park, Kansas, at City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until 1 p.m. Central Time on Monday, November 6, 1995, for the purchase of the city's \$3,930,000 principal amount of Internal Improvement Bonds, Series 1995. All bids will be publicly opened at that time and will be considered and acted upon by the city council of the city at a regular meeting of the city council scheduled for 7:30 p.m. Monday, November 6, 1995. No oral, telephone, telefax or auction bids will be considered. No bid of less than the par value of the Series 1995 Bonds and accrued interest thereon to the date of delivery of the Series 1995 Bonds will be considered.

Bond Details

The Series 1995 Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, will be dated December 1, 1995, will be issued in the principal amount of \$3,930,000 and will become due serially on September 1 in each of the years as follows:

Maturity Schedule

Maturity	Principal Amount
September 1	
1996	\$435,000
1997	430,000
1998	430,000
1999	430,000
2000	430,000
2001	355,000
2002	355,000
2003	355,000
2004	355,000
2005	355,000

(continued)

The Series 1995 Bonds will bear interest from their date at rates to be determined when the Series 1995 Bonds are sold as herein provided, which interest will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 1996.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check in the amount of \$78,600 must accompany each bid for the Series 1995 Bonds.

Costs

The city will pay the cost of printing the Series 1995 Bonds and the expense of all legal services, including the opinion of Burke, Williams, Sorensen & Gaar, bond counsel, approving the legality of the Series 1995 Bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Delivery and Payment

The Series 1995 Bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 30 days after the date of their award at such bank or trust company in the continental United States as may be specified by the successful bidder and is acceptable to the city.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the Series 1995 Bonds, the assessed valuation of the taxable tangible property within the city as of December 31, 1994, is \$1,275,396,324. The total general obligation bonded indebtedness, including temporary notes of the city and the Series 1995 Bonds as of the date of the Series 1995 Bonds is \$45,060,000. Temporary notes in the principal amount of \$1,200,000 will be retired out of the proceeds of the Series 1995 Bonds and other available funds of the city.

Additional Information

A complete notice of bond sale, preliminary official statement and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the Series 1995 Bonds may be obtained from the financial advisor, Evensen Dodge Inc., 601 2nd Ave. South, Suite 5100, Minneapolis, MN 55402, (612) 338-3535, Attention: Pamela S. Beasley; and the City of Overland Park, Kansas, 8500 Santa Fe Drive, Overland Park, KS 66212, (913) 381-5252, Attention: David Scott. Arrangements may be made with the financial advisor, Evensen Dodge Inc., to deliver a sealed bid for the Series 1995 Bonds to the city.

City of Overland Park, Kansas
By Kristy Cannon
Director of Finance, Budget
and Administration
City Hall
Overland Park, KS 66212
(913) 381-5252

Doc. No. 016931

(Published in the Kansas Register October 26, 1995.)

Summary Notice of Bond Sale

\$404,200

City of Manhattan, Kansas

General Obligation Bonds, Series 198

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated October 17, 1995, sealed bids will be received by the clerk of the City of Manhattan, Kansas (the issuer), on behalf of the governing body at City Hall, 1101 Poyntz, Manhattan, KS 66502, until 4 p.m. C.S.T. on November 7, 1995, for the purchase of \$404,200 principal amount of General Obligation Bonds, Series 198. No bid of less than 99 percent of the principal amount 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 \$4,200. The bonds will be dated November 1, 1995, and will become due November 1 in the years as follows:

Year	Principal Amount
1996	\$ 9,200
1997	10,000
1998	15,000
1999	15,000
2000	15,000
2001	15,000
2002	15,000
2003	15,000
2004	20,000
2005	20,000
2006	20,000
2007	20,000
2008	20,000
2009	25,000
2010	25,000
2011	25,000
2012	25,000
2013	30,000
2014	30,000
2015	35,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning May 1, 1996.

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 \$8,084 (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 regis-

tered without cost to the successful bidder on or before December 13, 1995, 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 1995 is \$185,381,395. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$31,551,200.

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, (913) 587-2489; or from the financial advisor, George K. Baum & Company, Wichita, Kansas, Attention: Charles M. Bouilly, (316) 264-9351.

Dated October 17, 1995.

City of Manhattan, Kansas

Doc. No. 016927

(Published in the Kansas Register October 26, 1995.)

**Summary Notice of Bond Sale
City of Hutchinson, Kansas
\$1,630,000
General Obligation Bonds
Series 1995-A**

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated October 24, 1995, sealed bids will be received by the city clerk of the City of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, until 10 a.m. Central Time on November 7, 1995, for the purchase of \$1,630,000 principal amount of General Obligation Bonds, Series 1995-A. No bid of less than the entire par value of the bonds and accrued interest 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 November 1, 1995, and will become due on October 1 in the years as follows:

Maturity October 1	Principal Amount
1996	\$ 10,000
1997	50,000
1998	55,000
1999	55,000
2000	60,000
2001	65,000

2002	65,000
2003	65,000
2004	75,000
2005	80,000
2006	80,000
2007	85,000
2008	90,000
2009	95,000
2010	100,000
2011	105,000
2012	115,000
2013	120,000
2014	125,000
2015	135,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1996.

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 \$32,600 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before November 30, 1995, 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 1994 is \$167,420,979. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$17,445,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 694-2614; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated October 19, 1995.

City of Hutchinson, Kansas
By Vernon Stallman
City Hall
125 E. Ave. B
Hutchinson, KS 67501
(316) 694-2614

Doc. No. 016936

(Published in the Kansas Register October 26, 1995.)

Notice of Bond Sale
\$150,000
City of WaKeeney, Kansas
General Obligation Bonds
Series 1995 (Library)

Sealed Bids

Sealed bids for the purchase of \$150,000 principal amount of General Obligation Bonds, Series 1995 (Library) of the city hereinafter described, will be received by the undersigned, city clerk of the City of WaKeeney, Kansas, on behalf of the governing body of the city at City Hall, 408 Russell Ave., WaKeeney, KS 67672, until 4 p.m. C.S.T. on Tuesday, November 7, 1995. All bids will be publicly opened and read at said time and place and will be acted upon by the city at 7:30 p.m. on said day at City Hall. No oral or auction bids will be considered.

Bidders may deliver a bid to the city clerk, or they may telefax it to the city clerk prior to the said time and date. Bidders who transmit their bid by telefax must undertake the following: (a) send the "good faith" check and a blank copy of the official proposal form for the bonds in time to be received by the city not less than one business day prior to the date of sale; (b) the blank proposal must provide the name and telephone number of the authorized representative of the lead manager of each account signed by such representative and must list the members of the account on the back thereof. On the date of the sale, the authorized representative of the account may transmit to the city, by telefax, the bid for the bonds. The signed proposal will be completed by the city with such information. Telefax transmissions must be directed to (913) 743-5471. The city will not accept responsibility for inaccurate bids submitted by telefax, including garbled transmissions, or the inability of a bidder to telefax number prior to the indicated sale time.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 1, 1995, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1996	\$ 5,000
1997	5,000
1998	5,000
1999	5,000
2000	5,000
2001	10,000
2002	10,000
2003	10,000
2004	10,000
2005	10,000
2006	15,000
2007	15,000
2008	15,000
2009	15,000
2010	15,000

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 April 1 and October 1 in each year, beginning on April 1, 1996.

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 city 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 city, bonds maturing on October 1, 2006, and thereafter will be subject to redemption and payment prior to maturity on October 1, 2005, 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 city 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 of 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 city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city 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 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 45 days prior to the redemption date. Thereafter, the paying agent and bond registrar will notify the owners of the bonds of the city'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* in New York, New York, on the Monday next preceding the day on which 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 city 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 city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city 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 city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. 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 city 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 city payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city'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 city'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 min-

imum 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 an 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 city 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 city, 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 city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is excludable from gross income for federal income tax purposes. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, prepared, executed and registered, on or about November 29, 1995, at such bank or trust company in the state of Kansas or greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense. 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 city. 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 city and bond registrar not later than 3 p.m. C.S.T. on November 20, 1995. In the absence of such information, the city will

(continued)

deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 3 p.m. C.S.T. on November 20, 1995, a certificate acceptable to the city'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 \$3,000, payable to the order of the city to secure the city 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 city 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 city, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the city 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 city, and the city 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 city.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city 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 city clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail, delivered in person or telefaxed as hereinbefore provided to the undersigned at City Hall and must be received by the undersigned prior to 4 p.m. C.S.T. on Tuesday, November 7, 1995.

Date and Delivery of Preliminary and Final Official Statement

The city 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 city will provide without cost to the purchaser a reasonable number of printed copies of the final official statement; 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 city 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 city will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the mayor and the city 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 city's preliminary official statement relating to the bonds may be obtained from the city clerk.

Continuing Disclosure

In order to assist bidders in complying with S.E.C. Rule 15c2-12(b)(5), the city will undertake, pursuant to its bond ordinance and a continuing disclosure certificate, to provide certain requested information and notices of certain events. A description of this undertaking is set forth in the preliminary official statement and will also be set forth in the final official statement.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1995 is \$6,233,788. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$260,000.

Dated October 17, 1995.

City of WaKeeney, Kansas
Merl B. Page, City Clerk
City Hall
408 Russell Ave.
WaKeeney, KS 67672
(913) 743-5791

Doc. No. 016920

State of Kansas

Board of Mortuary Arts

Permanent Administrative
RegulationsArticle 1.—EMBALMING; CONTINUING
EDUCATION OF EMBALMERS AND
FUNERAL DIRECTORS

63-1-2. (Authorized by K.S.A. 74-7104; implementing K.S.A. 65-1701a, 74-1704; effective Jan. 1, 1966; amended May 1, 1976; amended May 1, 1982; revoked Nov. 13, 1995.)

Article 2.—FUNERAL DIRECTING

63-2-2. (Authorized by K.S.A. 74-1704; effective Jan. 1, 1966; amended May 1, 1976; revoked Nov. 13, 1995.)

63-2-10. Requirements for funeral director's license. Each applicant for a funeral director's license shall submit a transcript showing that the applicant has earned prior credit of not less than 60 semester hours in a community college, college or university which is accredited by an accrediting agency recognized by the United States commissioner of education as the proper agency for accrediting such a school.

(b) The 60 semester hours earned shall include a minimum of:

- (1) six semester hours of humanities;
- (2) six semester hours of social science;
- (3) four semester hours of natural science;
- (4) two semester hours of business; and
- (5) two semester hours of fine arts.

(c) The applicant may select the remaining 40 semester hours. (Authorized by K.S.A. 65-1730; implementing K.S.A. 65-1714; effective May 1, 1976; amended Nov. 13, 1995.)

63-2-13. Funeral director's license examination.

(a) The funeral director's license examination shall consist of the following subjects:

- (1) mortuary law and business law;
- (2) sociology of funeral service;
- (3) psychology;
- (4) mortuary administration;
- (5) accounting;
- (6) Kansas and federal laws pertaining to funeral directing and pre-need funeral agreements.

(b) Each applicant shall obtain a minimum score of 75% before the issuance of a funeral director's license.

(c) If the applicant fails the examination, the applicant shall be allowed to take the exam at the next regularly scheduled exam date without submitting a new examination fee. If the applicant fails the second examination or fails to appear for it, then the applicant may make a new application, pay another examination fee, and take the examination. (Authorized by and implementing K.S.A. 65-1714 and 65-1730; effective May 1, 1976; amended May 1, 1978; amended May 1, 1980; amended May 1, 1988; amended Nov. 13, 1995.)

Article 3.—PREPARATION AND
TRANSPORTATION OF BODIES, BURIAL IN
MAUSOLEUMS AND FUNERAL
ESTABLISHMENTS

63-3-9. Embalming fluids and compounds. Fluids or compounds which contain arsenic, lead, mercury, zinc, silver, antimony, chloral, or any poisonous alkaloid shall not be used in the embalming of a dead human body. (Authorized by and implementing K.S.A. 65-1712; effective Jan. 1, 1969; amended May 1, 1978; amended Nov. 13, 1995.)

63-3-12. Mangled, burned, and decomposed bodies. Any body which is so badly mangled, burned, decomposed or partially decomposed that it cannot be prepared pursuant to K.A.R. 63-3-11 shall not be transported from a licensed funeral establishment until it is first thoroughly disinfected by a disinfecting compound or preservative and placed in a non-permeable container. (Authorized by and implementing K.S.A. 65-1712; effective Jan. 1, 1969; modified, L. 1976, Ch. 331, § 1, May 1, 1976; amended May 1, 1978; amended Nov. 13, 1995.)

63-3-13. Disinterment. Disinterred remains transported by common carrier or by private conveyance shall be subject to K.A.R. 63-3-11 and K.A.R. 63-3-15. (Authorized by and implementing K.S.A. 65-1703, as amended by 1995 HB 2163, and 65-1712; effective Jan. 1, 1969; amended May 1, 1978; amended, T-88-43, Oct. 27, 1987; amended May 1, 1988; amended Nov. 13, 1995.)

63-3-14. (Authorized by K.S.A. 74-1704; effective Jan. 1, 1969; revoked Nov. 13, 1995.)

63-3-15. Dead bodies in transit. (a) Each dead human body entering the state of Kansas via any common carrier or private conveyance shall be transported in compliance with the embalming and transportation rules of the state from which the body was shipped including a removal permit if required.

(b) Any person, agent or owner of any common carrier or private conveyance, who is in charge of any dead human body that is in transit, has not been properly prepared or embalmed, and has become offensive or dangerous to public health, shall refuse to continue transportation until the body has been properly prepared, so that public health is not endangered. (Authorized by and implementing K.S.A. 65-1703, as amended by 1995 HB 2163, and 65-1712; effective Jan. 1, 1969; amended Nov. 13, 1995.)

63-3-16. Burial in mausoleum. Each dead human body shall be embalmed in accordance with K.A.R. 63-3-11 before it may be placed in a mausoleum. (Authorized by and implementing K.S.A. 65-1712; effective Jan. 1, 1969; amended May 1, 1978; amended Nov. 13, 1995.)

63-3-19. Establishment and branch establishment licenses; biennial renewals. (a) Each establishment and branch establishment license shall be renewed on a biennial basis.

(b) Each establishment and branch establishment license shall be renewed before its expiration date accord-

(continued)

ing to the first letter of the establishment and branch establishment license surname, as follows:

- (1) H through J and T through Z shall expire on March 31;
- (2) E through G and R through S shall expire on June 30;
- (3) C, D, and N through Q shall expire on September 30; and
- (4) A, B, and K through M shall expire on December 31.

Each license with a surname beginning with letters A through J shall expire in odd-numbered years. Each license with a surname beginning with letters K through Z shall expire in even-numbered years.

(c) At least 30 days before a change of ownership, name, or location of any establishment or branch establishment, the funeral director in charge shall apply for an establishment or branch establishment license. The funeral director in charge shall also submit a report of any prefinanced funeral agreements which were transferred with the establishment. The funeral director in charge shall receive a new license before conducting funeral business under new ownership, under a new name, or in a new location.

(d) When a change of ownership of an establishment or branch establishment occurs, the funeral director in charge shall submit a new license application fee prorated in accordance with subsection (b).

(e) For a name change of an establishment or branch establishment, the funeral director in charge shall submit a license fee for a new license. The license fee shall be prorated in accordance with subsection (b) with a credit given towards the pro-rated fee based on all unused months of the previous license.

(f) For a location change of an establishment or branch establishment, the funeral director in charge shall submit a duplicate license fee for the amount specified in K.A.R. 63-4-1.

(g) Each initial establishment or branch establishment license fee shall be charged on a pro-rated basis to the nearest whole month under subsection (b).

(h) Each establishment or branch establishment renewal shall be judged delinquent on midnight of the expiration date and may only be renewed after that day by payment of the renewal fee and a reinstatement fee in an amount equal to the renewal fee. (Authorized by K.S.A. 65-1730; implementing K.S.A. 65-1729, as amended by 1995 HB 2163, and K.S.A. 65-1730; effective, E-80-17, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1985; amended Jan. 6, 1992; amended June 7, 1993; amended Nov. 13, 1995.)

Article 4.—FEES

63-4-1. Payment of fees. (a) The following fees shall be charged by the Kansas state board of mortuary arts:

Embalmer's examination fee	\$160.00
Embalmer's partial examination fee	\$80.00
Embalmer's reciprocity application fee	\$250.00
Embalmer's biennial license and renewal fee	\$120.00
Apprentice embalmer's registration fee	\$50.00
Funeral director's examination fee	\$150.00
Funeral director's reciprocity application fee	\$250.00
Funeral director's biennial license and renewal fee ...	\$180.00

Assistant funeral director's application fee	\$75.00
Assistant funeral director's biennial license and renewal fee	\$132.00
Funeral establishment and branch establishment biennial license and renewal fee	\$400.00
Duplicate licenses	\$7.00
Rulebooks	\$3.00

(b) This regulation shall take effect on and after January 1, 1996. (Authorized by and implementing K.S.A. 65-1727, as amended by 1995 HB 2163; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended, T-88-43, Jan. 1, 1988; amended May 1, 1988; amended Jan. 6, 1992; amended June 7, 1993; amended Jan. 1, 1994; amended Jan. 1, 1996.)

Article 5.—ADMINISTRATIVE HEARINGS AND DISCIPLINARY ACTIONS

63-5-1. Adverse license action; definitions. "Unprofessional or dishonorable conduct" may include the following:

- (a) misrepresentation or fraud in the conduct of the licensee's business;
- (b) refusal or neglect to promptly obtain, complete, and file death certificates or out-of-state transportation permits;
- (c) refusal or neglect to file monthly reports of bodies prepared for burial;
- (d) abuse or disrespect in the handling of a dead human body;
- (e) interference with or obstruction of the performance of the contractual duties or services between a licensee and the next of kin or a legal representative of any deceased person;
- (f) requiring the purchase of a casket as a condition to providing funeral services when the dead body is cremated, unless otherwise required by law;
- (g) disclosure of the confidences or secrets of any family served; or
- (h) using alcoholic liquor or using illegally a controlled substance while performing the duties or services of a licensee. (Authorized by and implementing K.S.A. 65-1751, as amended by 1995 HB 2163; effective, T-88-43, Oct. 27, 1987; effective May 1, 1988; amended Nov. 13, 1995.)

63-5-2. (Authorized by and implementing K.S.A. 65-1711a, 74-1704; effective May 1, 1988; revoked Nov. 13, 1995.)

Article 6.—CONTINUING EDUCATION

63-6-4. (Authorized by K.S.A. 65-1716; effective May 1, 1988; revoked Nov. 13, 1995.)

63-6-5. Report of licensee. Each licensee shall file with the board a signed report of continuing education credit hours completed and of any time when the licensee was exempted by K.S.A. 65-1702(f) and 65-1716(f) during the continuing education compliance period. The licensee shall file the report with the application for renewal of license. (Authorized by and implementing K.S.A. 65-1702, 65-1716; effective May 1, 1988; amended Nov. 13, 1995.)

Mack Smith
Executive Secretary

Doc. No. 016925

State of Kansas

Department of Administration

Permanent Administrative
Regulations

Article 2.—DEFINITIONS

1-2-1. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1988 Supp. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1981; revoked, T-1-7-27-89, July 27, 1989; amended November 20, 1989; revoked Dec. 17, 1995.)

1-2-4. Agency. "Agency" means a unit of state government assigned a unique department identification number by the division of accounts and reports, except that for the purpose of the civil service act and these regulations, the university of Kansas at Lawrence and the university of Kansas medical center at Kansas City and Wichita, shall be considered as separate agencies. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1981; amended Dec. 17, 1995.)

1-2-5. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-8. Applicant. "Applicant" means a registrant who applies for a specific vacancy. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3706 and K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, and K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-9. Appointing authority. "Appointing authority" means a person or group of persons empowered by the constitution, by statute, or by lawfully delegated authority to make human resource decisions that affect state service. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-11. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-14. Candidate. "Candidate" means an applicant who has been certified to the pool as eligible by the director by virtue of meeting both the required selection criteria for a class of positions and the required selection criteria for a specific position. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3706 and K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, K.S.A. 75-2942, as amended by 1995 SB 175, § 7, and K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective Dec. 17, 1995.)

1-2-17. Class. "Class" means one or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with clarity to designate each position allocated to the class, that the same required selection criteria are needed for

performance of the duties of positions in the class, that the same assessments may be used to select employees for positions in the class, and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-26. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-27. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-29. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-31. Demotion. "Demotion" means a change of an employee from a position in one class to a position in another class having a lower pay grade. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2949, 75-2949d and 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-35. Candidate pool. "Candidate pool" means a pool of candidates certified as eligible for a vacancy by the director, and from which the appointing authority must hire an individual to fill that vacancy. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, K.S.A. 75-2942, as amended by 1995 SB 175, § 7, and K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-37. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-39. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-42. Exempt employee. "Exempt employee" means an employee who is in a position which is determined by the director not to be eligible for overtime pay under 29 U.S.C. § 213, as amended on September 30, 1994. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-42a. Non-exempt employee. "Non-exempt employee" means an employee who is in a position which is determined by the director to be eligible for overtime pay under 29 U.S.C. § 213, as amended on September 30, 1994. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective Dec. 17, 1995.)

(continued)

1-2-43. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-44. In pay status. "In pay status" means time worked, and time off work for which the employee is compensated because of a holiday, use of any kind of leave with pay, or use of compensatory time credits. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-46. Length of service. (a) "Length of service" shall mean total time worked in the classified service or unclassified service. Length of service shall exclude:

- (1) time worked as a temporary employee;
- (2) time worked as a student employed by any board of regents institution;
- (3) time worked as a resident worker in any social and rehabilitation services institution or the Kansas commission on veteran's affairs; or
- (4) time worked as an inmate.

(b) Time spent on military leave, or time off while receiving workers' compensation wage replacement for loss of work time, shall be considered to be time worked in the classified or unclassified service. Time on leave while receiving workers' compensation wage replacement for a disability attributable to state employment prior to May 1, 1983, shall not be credited.

(c) Within educational institutions under the control and supervision of the state board of regents or the state board of education, time spent on leave of absence, imposed by the employer based on employment customs arising from an academic or school calendar requiring less than a full calendar year of service, shall be considered to be time worked in the classified service. However, length of service based on leave of absence shall not be transferable to other state agencies. For the purposes of layoff, employees of such institutions shall be credited only for actual time worked.

(d)(1) Length of service for computing vacation and sick leave accrual rates and for layoff or compensation purposes shall not be recalculated using prior versions of this regulation for employees who have no break in service.

(2) Length of service for determining vacation and sick leave accrual rates and for layoff or compensation purposes for an individual returning to state service shall be the amount of length of service on record as of December 17, 1995, or the date the individual left state service, whichever date is later.

(e) Authorized leave without pay over 30 days shall not count toward length of service. However, authorized leave without pay for 30 days or less shall not be considered a break in service.

(f) Increased rates of vacation leave earnings based on length of service shall not be retroactive. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-87-52, Dec. 19, 1986; amended May 1, 1987; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-2-47. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-48. Limited term position. "Limited term position" means a position in the classified service that is scheduled to terminate within a predetermined period of time, as stipulated in grant specifications or other contractual agreements.

(b) Each individual in a limited term position shall be notified at the time of hiring of the expiration date of the grant or contractual agreement. No employee with permanent status may be transferred to a limited-term position without the written consent of that employee. The end date of the position shall be entered on the employee's personnel record at the time of hiring.

(c) Each individual in a limited-term position shall be terminated as of the end date of that position, subject to any extensions of the limited-term position. The termination of any employee who serves the full length of a limited-term position shall not be considered a layoff of that employee and the provisions of K.S.A. 75-2948, as amended, and any rules and regulations adopted pursuant thereto shall not apply to such an employee. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746 and K.S.A. 75-2948, as amended by 1995 SB 175, § 12; effective May 1, 1984; amended Dec. 17, 1995.)

1-2-49. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-50. New hire. "New hire" means any person hired by a state agency who has not been previously employed by the state. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2942; effective May 1, 1981; amended Dec. 17, 1995.)

1-2-51. Pay increase date. "Pay increase date" means the date on which an employee is eligible for a step increase based on the time-on-step requirements of K.A.R. 1-5-19b. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-2-54. Pay grade. "Pay grade" means a salary and wage range in the pay plan prepared by the director as required by K.S.A. 75-2938. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective Dec. 17, 1995.)

1-2-55. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-67. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class having a higher pay grade, by an employee who meets the required selection criteria for promotion. This regulation shall be effective on and after December

17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2944, as amended by 1995 SB 175, § 9, and K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-68. Registrant. "Registrant" means a person who indicates an interest in state employment by registering personal and skill data with the state on prescribed forms. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, and K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-70. Regular position. "Regular position" means any position other than a temporary position. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-71. Reemployment pool. "Reemployment pool" means a pool of persons who:

- (a) were laid off;
- (b) in lieu of a layoff, accepted a demotion or transfer to a position in another county, agency, program or shift, or to a position with fewer hours; or
- (c) voluntarily requested to be laid off. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12, and K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1984; amended Dec. 17, 1995.)

1-2-72. Rehire. "Rehire" means any person who was previously employed by the state, and is hired by the state on the basis of a reemployment or a reinstatement, or after a break in service. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-73. Reinstatement. "Reinstatement" means rehiring a former permanent state employee within one year of a voluntary termination from the state into a position for which the individual meets the required selection criteria and which is in the same or similar class as the class in which the individual had permanent status prior to the termination. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-2-75. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-79. Roster, official. "Official roster" means the employment history and employment status of all individuals in state service. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995.)

1-2-83. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-2-84. Supervisor. "Supervisor" means an employee who: (a) performs some work which is different from that of the employee's subordinates; and

(b) has the responsibility to authorize or recommend in the interest of the employer a majority of the following actions:

(1) to hire, transfer, suspend, promote, demote, dismiss, discipline other employees, and address employee grievances; and

(2) assign, direct, and conduct performance reviews of the work.

The exercise of this authority and responsibility shall not be of a merely routine or clerical nature but shall require the use of independent judgment. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995.)

1-2-85. Temporary position. "Temporary position" means a classified position which is limited to not more than 999 hours of employment in a 12-month period. A temporary position shall not affect the position limitation of an agency. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2945, as amended by 1995 SB 175, § 10; effective May 1, 1979; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-2-86. Time-on-step. "Time-on-step" means the amount of time an employee must serve on a particular step of the pay grade to be eligible for a step increase. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-3746; effective Dec. 17, 1995.)

1-2-88. Transfer. "Transfer" means a change by an employee from one position to another position in the same class, or a similar class with a close similarity of duties, essentially the same basic qualifications, and the same pay grade. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2944, as amended by 1995 SB 175, § 9, and K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1983; amended Dec. 17, 1995.)

1-2-91. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1982 Supp. 75-3747; implementing K.S.A. 75-2947, K.S.A. 1982 Supp. 75-2944; effective May 1, 1979; amended May 1, 1981; amended May 1, 1983; revoked Dec. 17, 1995.)

1-2-95. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

Article 3.—WORKFORCE PLANNING AND CONTROL

1-3-2. Reciprocal agreements with other public agencies; cooperation with other personnel agencies. Reciprocal agreements may be entered into by the secretary of administration with any public agency or body,

(continued)

upon such terms as may be agreed upon, for the use of equipment, materials, facilities, and services, for purposes deemed of benefit to the state personnel system. Cooperation between the director, on behalf of the secretary of administration, and other governmental agencies charged with public personnel administration may involve areawide pay and salary surveys, recruitment and assessment efforts, use of common eligible pools, cooperative training efforts, and the interchange of personnel. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747, implementing K.S.A. 75-2965a; effective May 1, 1979; amended Dec. 17, 1995.)

Article 4.—CLASSIFICATION

1-4-1. Preparation of classification plan. (a) A classification plan shall be prepared by the director after determining, in cooperation with appointing authorities and principal supervisory officials, the duties and responsibilities of all positions in the classified service.

(1) The classification plan shall establish an appropriate title for each class, describe the typical duties and responsibilities of the positions in the class, and indicate the required selection criteria for performance of the duties of the class.

(2) The classification plan shall be developed and maintained in such a manner that:

(A) all positions substantially similar with respect to the kind, difficulty, and responsibility of work are included in the same class;

(B) there are required selection criteria which are applicable to all positions in a class, in addition to any selection criteria which may be applied to individual positions in a class to fulfill specific job requirements; and

(C) the same pay grade may be applied with equity to all positions in the class.

(b) The classification plan, and any amendments or revisions thereto, shall be in effect after approval by the governor, on an effective date specified by the governor.

(c) The classification plan shall be revised or amended whenever there are significant changes in organization, creation or abolition of one or more classifications, or changes in the duties or responsibilities of a classification that make revision or amendment necessary. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended May 1, 1981; amended Dec. 17, 1995.)

1-4-7. Position reallocation. (a)(1) Upon the initiative of the director or at the request of an employee or appointing authority, a position shall be reviewed whenever:

(A) the organizational structure of an agency or the duties of a position are significantly changed; or

(B) for any other reason, a position appears to be allocated incorrectly.

(2) After conferring with the appointing authority, the position under review may be reallocated by the director to a different class or the existing allocation may be re-

tained. During the review, other positions may be reviewed and reallocated as required.

(b) Reallocation shall not be used to:

(1) avoid the provisions of the regulations pertaining to layoffs, demotions, promotions, and dismissals; or

(2) increase or decrease the pay of an employee in circumvention of the regulations pertaining to pay.

(c) Unless otherwise prescribed by the secretary of administration, an appointing authority who has been granted authority to allocate positions shall have authority to reallocate the same positions. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended May 1, 1981; amended Dec. 17, 1995.)

Article 5.—COMPENSATION

1-5-3. Installation of new or revised pay plan. When a new or revised pay plan is to be installed, instructions for installing the plan, including instructions for handling cases of employees whose pay is not on a step of the pay grade for the class in which they are employed may be prepared by the director if necessary to provide an orderly transition. Such instructions shall not be required if application of appropriate regulations provides adequate instructions. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, K.S.A. 1994 Supp. 75-5501a, as amended by 1995 SB 172, § 4; effective May 1, 1979; amended Dec. 17, 1995.)

1-5-4. Assignment of classes to pay grades. After conferring with appointing authorities, the secretary of administration, and the director of the budget, the assignment of each class of positions to one of the pay grades shall be recommended to the governor by the director, and schedules showing the pay grades approved by the governor for each class of positions shall be prepared by the director. Separate schedules of pay grades and steps showing full time biweekly salaries and hourly rates shall be developed and the appropriate schedule shall be used for each position in the classified service. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended Dec. 17, 1995.)

1-5-5. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1985 Supp. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended, T-86-36, Dec. 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-6. Prohibition of pay changes. No changes in pay shall be made except as prescribed in these regulations. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-5-7. Employees to be paid within the pay grade, recommendation and approval of employee pay changes; effective date; retroactive increases. (a) Except as provided otherwise in these regulations, each employee shall be paid within the pay grade adopted for the class of positions and at the step within the pay grade as prescribed by these regulations.

(b) All employee pay changes shall be recommended by the appointing authority in a manner prescribed by the director of personnel services. Before approving the changes, the changes shall be determined by the director to be in compliance with all applicable personnel regulations and directives approved by the governor.

(c) All employee step increases shall be effective on the date the employee completes the time-on-step requirements as stated in 1-5-19b.

(d) Employee pay changes may be retroactive as provided in paragraphs (1) and (2) of this subsection or as otherwise approved by the governor.

(1) If the appointing authority certifies that a clerical or other error resulted in the employee being paid at a pay rate below that for which the employee was eligible, a retroactive pay increase may be approved by the director. Except as otherwise approved by the director, such a retroactive increase shall be limited to six biweekly payroll periods.

(2) If a moratorium on the granting of pay increases has been imposed by action of the governor or if pay increases have otherwise been postponed by action of the governor, pay increases may be granted retroactively to the extent authorized by the governor. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-5-8. Beginning pay. (a) Each new hire and each rehire not based on a reemployment or reinstatement shall be paid at step 1 of the pay grade for the class.

(b) New hires and rehires not based on a reemployment or a reinstatement may be paid at higher steps in the pay grade only under the following circumstances:

(1) When an agency has an eligible candidate with exceptional qualifications directly related to the vacant position, and the agency cannot employ the person at step 1, the appointing authority may request that the director of personnel services approve beginning pay for the individual at a higher step in the pay grade. Exceptional qualifications shall be based on the candidate's education, training, experience, skills and other qualifications.

(2) When there is a lack of candidates for a class of positions available for employment at step 1, one or more appointing authorities may request that the director establish some higher step in the pay grade as beginning pay for new hires and rehires not based on a reemployment or a reinstatement in the class. Authorization for the higher beginning pay may be given to a designated agency or agencies, to all agencies, or for a particular geographical area. Unless an earlier expiration date is spec-

ified, the authorization shall expire on the last day of the last payroll period chargeable to the fiscal year during which the authorization was granted.

(A) When an agency utilizes authorization granted pursuant to paragraph (2) above, the agency shall, except as provided below, raise the pay of all incumbents in the class who are being paid at a lower step to the higher beginning pay.

(B) If the authorization granted pursuant to paragraph (2) above is only for a particular geographical area, the agency shall not raise the pay of incumbents in other geographical areas.

(C) All increases to incumbents in an agency because of the agency's utilization of a higher beginning pay for new hires and rehires not based on a reemployment or a reinstatement in a class shall be made effective at the beginning of a pay period and no later than one month following the start of the new, higher beginning pay. The length of time the incumbent has spent on the previous step of the pay grade shall count toward the time-on-step requirement for the new step.

(D) Within two weeks of authorizing a higher beginning pay for all positions in a class, all agencies which have positions in the class shall be provided by the director with notice of the authorization. When the director's authorization of a higher beginning pay applies only to positions in a particular geographic area, all agencies which have positions in the class in the particular geographical area shall, within two weeks, be provided with notice of the authorization. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-9. Pay of temporary employee. (a) Except as provided in subsection (b), the pay of each temporary employee shall be step 1 of the pay grade to which the classification is assigned.

(b) If higher beginning pay is authorized for a new hire, pursuant to K.A.R. 1-5-8(b)(2), any temporary employee may be hired at the higher beginning pay, at the option of the appointing authority.

(c) Nothing herein shall prevent the appointing authority from hiring the candidate at a step in the pay grade lower than permitted by subsection (b).

(d) No person hired on a temporary basis shall be eligible for any step increase during the period of temporary employment. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-2945, as amended by 1995 SB 175, § 10; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-5-10. Pay of employee rehired by reinstatement or reemployment. (a) Any person hired by reinstatement

(continued)

may be paid at the same step of the pay grade for the class to which the employee is reinstated as the step on which the employee was previously paid for the class which serves as the basis for the employee's eligibility for reinstatement. When an employee to be reinstated has exceptional qualifications and the agency cannot hire the person at the previous step, the agency's appointing authority may request beginning pay at a higher step in the pay grade. Exceptional qualifications shall be based on the former employee's education, training, experience, skills, and other qualifications directly related to the vacant position.

(1) When a higher step in the pay grade has been established as the beginning pay for new hires to the class pursuant to K.A.R. 1-5-8 due to lack of candidates, the agency shall hire the employee at the higher beginning pay.

(2) Nothing in this subsection shall prevent a person from accepting reinstatement at a step lower than that on which the person was being paid in the class which serves as the basis for the employee's eligibility for reinstatement.

(b) The pay increase date for any person who is reinstated shall be governed by the time-on-step requirement of the step to which reinstated. Time-on-step in a previous position shall not count towards the time-on-step requirement.

(c)(1) Any person who is reemployed to the same class from which the person was laid off, or to a class with the same pay grade as that class shall be paid at the same step of the pay grade as the step on which the person was being paid on the date the person was laid off, or any lower step of the pay grade.

(2) Any person who is reemployed to a class with a pay grade lower than the class from which the person was laid off:

(A) may be paid at the same pay rate (dollar amount) as the rate the person was being paid immediately prior to being laid off, if the rate is on a step in the lower pay grade. If that rate is within the pay grade for the class but not on a step, the person may be paid at the next lower step or the next higher step. However, in no case shall the person be paid above the maximum step of the lower pay grade; or

(B) may be paid at a lower pay rate (dollar amount) than the person was being paid immediately prior to being laid off.

(d) In determining the pay increase date for any person who is reemployed to the class from which the person was laid off, to a class with the same pay grade as that class, or to a class with a pay grade lower than that class, the length of time the employee had spent on the same pay step immediately prior to the date the person was laid off shall count toward the time-on-step requirement. If the pay increase date for such a person is less than six months after the date of reemployment, the agency may use the person's last performance review rating prior to layoff or may give a new performance review rating in determining the person's eligibility for a pay step increase, as provided in K.A.R. 1-5-19b. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing

K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and 75-2948, as amended by 1995 SB 175, § 12, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-5-11. Pay of employee returned from military leave. (a) Except as provided in subsection (b) of this regulation, any employee who returns from military leave to a position in the same class in which the employee was employed when the leave was granted, or to a position in the same pay grade, shall be paid at the same step in the pay grade at which the employee was being paid when the leave began. In determining the employee's new pay increase date, credit shall be given for the time served in the armed forces.

(b) The appointing authority shall grant one or more pay step increases to an eligible employee upon the employee's return from military leave if the authority is reasonably certain the employee would have received the increase had the employee been continuously employed and state service not interrupted by military leave. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2947, as amended by 1995 SB 175, § 11; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended March 20, 1989; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-5-12. Pay of employee hired to classified service from unclassified service. (a) Any unclassified employee who has been continuously employed in the unclassified service for at least six months, and who, within 90 days of separation from the unclassified service, is hired into a position in the classified service, may be paid the same rate (dollar amount) in the classified position as the employee had been receiving in the unclassified position, if the rate is on a step of the pay grade for the class. If the rate is not on a step of the pay grade, it shall be adjusted to the next higher step in the pay grade, if that step is within the pay grade, or to any lower step in the pay grade.

(b) If the unclassified employee is hired on the basis of a promotion, the appointing authority may grant a one-step increase, if the step is within the pay grade. Nothing in this regulation shall prevent hiring the person at a step in the pay grade which is lower than permitted by this regulation. However, the employee shall receive some increase in pay if hired on the basis of a promotion.

(c) If the unclassified employee is hired on the basis of a voluntary demotion, the employee may be paid at any step within the pay grade assigned to the class that is a decrease in rate (dollar amount) from the rate the employee was being paid in the unclassified service for the position from which demoted.

(d) The pay increase date for any person hired to the classified service from the unclassified service shall be governed by the time-on-step requirement of the step to

which the employee was hired. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1984; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-13. Pay of employee promoted to a higher class.

(a) When an employee in the classified service is promoted, or when the employee's position is reallocated to a higher class, the appointing authority:

(1) shall pay the employee at the same step of the pay grade for the new class as the step on which the employee was being paid in the lower class;

(2) shall pay the employee at any lower step of the pay grade for the new class which gives the employee an increase in pay;

(3) shall pay the employee at the step for new hires in the class when a higher step in the pay grade has been established as the starting pay pursuant to K.A.R. 1-5-8; or

(4) may, with the approval of the director, pay the employee at a higher step in the pay grade, if the employee to be promoted has exceptional qualifications. Exceptional qualifications shall be based on the employee's education, training, experience, skills, and other qualifications directly related to the duties of the position to which promoted.

(b) Nothing in this regulation shall authorize pay above the maximum step of the pay grade.

(c) Each employee who is promoted, or whose position is reallocated to a higher class:

(1) shall receive a pay step increase on the same date, if eligible for such an increase; and

(2) shall have the pay increase date governed by the time-on-step requirement of the step to which promoted. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747, implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, K.S.A. 1994 Supp. 75-2938a, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-89-1, May 1, 1988; amended Oct. 1, 1988; amended March 20, 1989; amended Dec. 17, 1995.)

1-5-14. Pay of employee upon transfer. An employee who is transferred may be paid at the same step as the step on which the employee was paid before the transfer. An employee may transfer to a lower step within the pay grade, if this is agreed upon by the employee and the appointing authority. The length of time the incumbent has spent on the previous step shall count toward the time-on-step requirement for computing the pay increase date. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-15. Pay of employee upon demotion. (a) Each employee who is demoted, in accordance with applicable

regulations, whether voluntarily or for disciplinary reasons, shall be paid at the same step of the pay grade for the lower class as the step on which the employee was being paid in the higher class, or at any higher step so long as there is a decrease in rate of compensation.

(b)(1) Any employee accepting a voluntary demotion may be paid at a step of the new pay grade which does not result in decrease in rate if:

(A) the position must be filled expeditiously for effective government;

(B) the employee has exceptional qualifications for the new position;

(C) the action is in the best interest of state service;

(D) the action is in lieu of a layoff;

(E) the employee is returning to work in accordance with the state "return to work" program; or

(F) the employee is accepting an accommodation in accordance with the Americans with disabilities act, 42 U.S.C., § 12101 et seq., and any amendments thereto.

(2) The voluntary demotion shall not be within the same organizational unit as defined in the agency's layoff plan, except in the case of:

(A) a voluntary demotion taken in lieu of a layoff;

(B) return to work in accordance with the state "return to work" program; or

(C) an accommodation in accordance with the Americans with disabilities act, 42 U.S.C., § 1201 et seq., and any amendments thereto.

(c) Nothing in this regulation shall prevent a demotion being made to a step in the pay grade lower than permitted by this regulation, if agreed upon in writing by the employee and appointing authority. However, a promotional employee who is demoted pursuant to K.A.R. 1-10-8(b) shall be paid on a step no lower than the same step of the pay grade for the lower class as the step that the employee was on immediately prior to the promotion.

(d) The pay increase date for any employee demoted for disciplinary reasons shall be governed by the time-on-step requirement of the step to which demoted. The pay increase date for any employee who takes a voluntary demotion shall be unchanged if the employee did not receive a pay step increase on the date of the demotion.

(e) An employee who takes a voluntary demotion may also receive a pay step increase on the same date if eligible for such an increase.

(f) The provisions of K.A.R. 1-5-10, rather than this regulation, shall apply when a former permanent employee who was separated from the service for more than 30 days is reinstated to a class with a lower pay grade. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended March 20, 1989; amended Jan. 6, 1992; amended Dec. 27, 1993; amended Nov. 21, 1994; amended Dec. 17, 1995.)

1-5-16. Pay of employee in position reallocated to a lower class. (a) An employee whose position is reallo-

(continued)

cated to a class with a lower pay grade, and who is placed in the reallocated position as provided in K.A.R. 1-4-8, may continue to be paid by the appointing authority at the current pay rate (dollar amount) if that rate is on a step in the lower pay grade. In no case shall an employee be paid above the maximum step of the lower pay grade.

(b) The appointing authority may set the pay at a lower step than permitted by this regulation, except that the employee shall not be paid at less than the same step of the pay grade for the lower class as the step that the employee was on immediately prior to the reallocation.

(c) The length of time the incumbent has spent on the step of the previous pay grade shall count toward the time-on-step requirement for computing the pay increase date. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, K.S.A. 1994 Supp. 75-2938a, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-18. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-5-19b. Individual pay step increases. (a) Each employee whose latest performance review rating in the preceding 12-month period is at least satisfactory shall receive a pay step increase pursuant to subsections (b) and (c) of this regulation, except as otherwise ordered by the governor.

(b) Each employee who is on step 1 or 2 of a pay grade shall receive a one-step pay increase after six full months on that step of the pay grade.

(c) Each employee who is on step 3 of a pay grade or any higher step, except 15, shall receive a one-step pay increase after 12 full months on that step of the pay grade. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-5-19c. Effect of pay grade changes on pay. (a) When the governor has assigned a class of positions to a higher pay grade, each employee in that class shall be placed on the step of the higher pay grade that is the same rate (dollar amount) as the current rate paid to the employee.

(b) If the employee is being paid a dollar amount below step 1 of the higher pay grade, an increase shall be made to step 1. However, if the employee has been employed continuously in the class for at least six months, the increase may be to step 2.

(c) In all cases, the length of time the incumbent has spent on the step of the previous pay grade shall count toward the time-on-step requirement for computing the next pay increase date. If the number of months accumulated is greater than the number of months required

for a step increase, the employee shall be granted one or more step increases and any unused months shall count toward the next pay increase. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 1994 Supp. 75-2938a; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-5-20. Individual pay decreases. (a) The appointing authority may reduce the pay of any employee one step by reason of a less than satisfactory rating according to a current performance review. Such a decrease shall not result in a pay rate below step 1 of the pay grade. The employee's pay increase date shall be governed by the time-on-step requirement of the new step. Approval of the director shall be required for more than one such reduction in any 12-month period. Following a pay decrease, the pay may be increased to the step from which it was reduced in any later payroll period, if the employee's subsequent rating is satisfactory.

(b) When the governor has assigned a class of positions to a lower pay grade, each employee in the class shall continue to be paid at the employee's current pay rate (dollar amount). The length of time the incumbent has spent on the step of the previous pay grade shall count toward the time-on-step requirement for computing the pay increase date. If the employee's current salary is above the new range, the employee shall not receive a salary increase until the time that an increase may be made within the new range. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, K.S.A. 1994 Supp. 75-2938a, and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1982; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-5-21. Biweekly salary or hourly rates. Each exempt employee shall be paid a biweekly salary. Each non-exempt employee shall be paid an hourly rate as determined under K.S.A. 1994 Supp. 75-5315, and amendments thereto. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747 and K.S.A. 75-5514; implementing K.S.A. 75-5506 and K.S.A. 1994 Supp. 75-5515; effective May 1, 1979; amended Dec. 17, 1995.)

1-5-22. Payment for two or more positions. (a) Any employee who is employed in two or more regular part-time positions shall receive a separate pay for duties performed in each position if the percentage of full time worked on all positions does not exceed 100 percent.

(b) Each employee in multiple part-time positions shall receive benefits commensurate with the total time worked on all part-time positions.

(c) Any classified employee may hold one or more additional unclassified positions teaching in a state educational institution without limit on total pay, if the ap-

pointing authority in the classified service certifies that the position does not detract from the time for which the employee is being paid as a classified employee. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1983; amended Dec. 17, 1995.)

1-5-23. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1982 Supp. 75-3747; implementing K.S.A. 1982 Supp. 75-2938; effective May 1, 1979; amended May 1, 1983; revoked Dec. 17, 1995.)

1-5-24. Overtime. (a) Except as otherwise provided by the statutes or regulations, employees of the state who are eligible to receive overtime compensation under the Fair Labor Standards Act of 1938, as amended, shall be compensated for overtime as provided in that act. State employees in agricultural positions shall also be eligible for overtime compensation. The final determination as to eligibility to receive overtime pursuant to this subsection shall be made by the director for all classified employees and all unclassified employees whose pay is subject to approval by the governor under K.S.A. 75-2935b and amendments thereto.

(b)(1) The rate at which any eligible employee is to be compensated for overtime worked shall be one and a half times the employee's regular rate of pay. This rate shall not include premium pay for holidays worked or any call-in and call-back compensation paid for hours not actually worked.

(2) All employees eligible for overtime compensation, and who were paid for overtime during the 12 months preceding the receipt of longevity bonus payment or a quality award bonus payment, shall receive an additional overtime payment to be calculated as follows:

(A) Divide longevity pay by total hours worked in the preceding 12 months to obtain increase in regular rate; and

(B) Multiply increase in regular rate by the number of overtime hours paid in the preceding 12 months; then, multiply that product by one-half. The result will be the employee's additional overtime pay.

No additional overtime pay shall be due for any overtime hours worked during the preceding 12 months for which compensatory time was given under subsection (e).

(c) Each appointing authority shall be responsible for control of overtime in the agency. Overtime, to the extent possible, shall be authorized in advance by the responsible supervisor.

(d) In determining whether an employee in a position or class determined to be eligible for overtime pay has worked any overtime in a given workweek or work period, only time actually worked shall be considered. The number of hours of paid leave used in an employee's work week or work period which, when added to the number of hours actually worked in that employee's work week or work period, exceeds the applicable overtime standard shall be:

(1) given as equivalent time off pursuant to subsection (f); or

(2) paid at the hourly rate of pay.

(e)(1)(A) In lieu of paying an eligible employee at the time and a half rate for overtime worked, an agency may elect to compensate an employee for overtime worked by granting compensatory time off, at the rate of one and a half hours off for each hour of overtime worked, at some time after the workweek or work period in which the overtime was worked if the conditions of paragraph (e)(1)(B) are met.

(B) A state agency may elect to compensate an employee for overtime worked by granting compensatory time off only if an agreement or understanding has been reached prior to the performance of the work. Except as provided in 29 C.F.R. § 553.23(b), the agreement or understanding concerning compensatory time off shall be between the state agency and the individual employee and a record of its existence shall be maintained for each employee. The agreement or understanding to provide compensatory time off may take the form of an express condition of employment if the employee knowingly and voluntarily agrees to it as a condition of employment and the employee is informed that the compensatory time earned may be preserved, used or cashed out in a manner consistent with the provisions of this regulation. Any state agency that had a regular practice of awarding compensatory time off in lieu of overtime pay prior to April 15, 1986 shall be deemed to have reached an agreement or understanding with any employee who has been continuously employed by that agency in one or more positions which are eligible for overtime from a date prior to April 15, 1986.

(2)(A) An eligible employee shall not accrue more than 120 hours of compensatory time for overtime hours worked, except as provided in paragraph (B). Any eligible employee who has accrued 120 hours of compensatory time off shall, for any additional overtime hours of work, be compensated with overtime pay.

(B) Upon written request by an appointing authority, a higher maximum accumulation of compensatory time may be approved by the secretary of administration for a class or a group of eligible employees within that agency, provided that the maximum accumulation shall not exceed 240 hours.

(3) If an eligible employee is paid for accrued compensatory time off, such compensation shall be paid at the regular rate earned by the employee at the time the employee receives the payment.

(4)(A) Each eligible employee who has accrued compensatory time off authorized under this subsection shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than:

(i) the average regular rate received by such eligible employee during the last three years of the employee's employment; or

(ii) the final regular rate received by such eligible employee, whichever is higher.

(B) Any longevity payments received during the last three years of employment shall be included in determining the average regular rate and the final regular rate in paragraph (4)(A).

(continued)

(5)(A) Each eligible employee who has accrued compensatory time off authorized under this subsection, and who has requested the use of compensatory time, shall be permitted by the appointing authority to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the agency.

(B) Each employee who has accrued compensatory time off under this subsection may be required by the appointing authority to use the compensatory time within a reasonable period after receiving notice of such a requirement. The notice shall state the length of time in which a specified number of hours of compensatory time are to be used.

(f) When an employee who is eligible for overtime works additional time that could result in overtime hours, that employee's agency may give the employee equivalent time off, on an hour for hour basis, in the workweek or work period in which the additional time is worked if:

(1) the agency notifies the employee of the change in the employee's normal work schedule for that workweek or work period at least five calendar days in advance of the day in which the employee's normal work schedule is first changed; or

(2) the agency has established a written policy stating that the employee may be required to take equivalent time off, on an hour for hour basis, in the workweek or work period in which additional time is worked; or

(3) the employee requests or agrees to take equivalent time off during the workweek or work period in which additional time was worked, and the agency determines that this arrangement is not detrimental to the operations of the agency.

In any case, the equivalent time off shall be taken at a time agreeable with the agency during the workweek or work period in which the additional time is worked. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, K.S.A. 1994 Supp. 75-5537, and K.S.A. 75-5541; effective May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended, T-86-36, Dec. 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 27, 1994; amended Dec. 17, 1995.)

1-5-28. Shift differential. (a) Each agency having multi-shift operations shall designate one or more shifts as a normal day shift. Each agency shall specify no more than 12 consecutive hours in the day from which normal day shifts may be designated. Each normal day shift shall fall entirely within those designated hours.

(b) Except as provided in subsection (e), a shift differential shall be paid to classified employees in positions eligible to receive overtime pursuant to K.A.R. 1-5-24 for hours worked on regularly established shifts other than the normal day shift or shifts. The shift differential shall not be paid to an employee for any time the employee is on any type of leave or holiday or when the employee works unscheduled hours before or after a normal day shift.

(c) Upon recommendation of the secretary, the amount of the shift differential shall be that amount set by executive directive of the governor. The amount shall be recommended by the secretary after consideration of salary survey data and other appropriate and relevant factors, which shall be reviewed at least annually.

(d) With regard to particular classes of employees, or particular agencies, or employees located in particular geographic areas of the state, a recommendation to extend or deny the shift differential authorized by this regulation may be submitted by the director of personnel services to the secretary. This extension or denial shall be effective when approved by executive directive of the governor.

(e) The head of each agency with employees engaged in law enforcement and fire fighting activities, as defined in 29 C.F.R. 553, as in effect on July 1, 1994, shall determine whether such employees will be eligible for shift differential as provided in this regulation and shall submit a written statement regarding such determination to the director. The determination as to eligibility for shift differential may be modified by executive directive of the governor. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746, and K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective, E-81-14, June 12, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Jan. 6, 1992; amended July 26, 1993; amended Dec. 17, 1995.)

1-5-29. Longevity bonus pay. (a) Upon completion of 10 years of length of service, each classified employee, excluding any temporary employee, shall be eligible for longevity bonus pay.

(b) Longevity bonus pay shall only be issued when a documented performance review rating of satisfactory or better has occurred in the 12 months immediately preceding the date the employee is eligible for a longevity bonus payment.

(c) The longevity bonus payment for each eligible employee shall be computed by multiplying \$40 by the number of full years of state service, not to exceed 25 years.

(d) Longevity bonus pay shall increase the regular rate applying to overtime pay for hours worked during the 12 months preceding the date the longevity bonus is paid to the employee, and shall be considered in calculating the payment of compensatory time to an employee upon termination as provided in K.A.R. 1-5-24. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-5541, as amended by 1995 SB 172, § 6; implementing K.S.A. 1994 Supp. 75-5541, as amended by 1995 SB 172, § 6, and K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective, T-1-7-27-89, July 27, 1989; effective Nov. 20, 1989; amended, T-1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995.)

1-5-30. Benefits for employees activated to military duty. Each employee who is ordered to report for active military service upon the activation of the National Guard and reserve units by presidential order, or who

volunteers for such active duty, shall be eligible for the benefits defined below.

(a) Such an employee shall continue to accrue length of service, but shall not accrue vacation or sick leave. Upon return to work, the employee's vacation accrual rate shall increase to the appropriate level if the employee's length of service has increased to a higher accrual rate.

(b) A death benefit shall be payable when such an employee dies while on active military duty. The death benefit shall be in an amount equal to the amount provided by the group term life insurance through the Kansas public employees retirement system which the employee would have received at the time of death if the employee had not commenced active duty. The employing state agency at the time the employee entered active duty shall pay the death benefit. The death benefit shall be paid to the employee's beneficiary or beneficiaries, as designated on forms approved by the director of personnel services. If no beneficiary has been designated, it shall be paid to the estate of the employee. The provisions of this subsection shall be applicable to each state employee who:

(1) immediately prior to entering active duty, was eligible for the insured death benefit provided under Article 49 of Chapter 74 of the Kansas Statutes Annotated and funded by the employing agency; and

(2) would not, at the time of death, be eligible for the death benefit described under paragraph (1).

(c) This regulation shall not apply to federal active duty for training as stipulated in K.A.R. 1-9-7b. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747, 75-5514; implementing K.S.A. 75-3746; effective, T-1-9-10-90, Sept. 10, 1990; effective Jan. 7, 1991; amended Jan. 6, 1992; amended Dec. 17, 1995.)

Article 6.—RECRUITING AND STAFFING

1-6-1. Registration for employment. Each person seeking employment with the state shall register on forms prescribed by the director, and these forms may be submitted or updated at any time. Registering with the state shall not constitute applying for a vacancy. This regulation shall be effective on and after December 17, 1995. (Authorized by 1994 Supp. 75-3747; implementing K.S.A. 75-2944, as amended by 1995 SB 175, § 9, K.S.A. 75-2939, as amended by 1995 SB 175, § 5, and K.S.A. 75-2942, as amended by 1995 SB 175, § 7; effective May 1, 1979; amended May 1, 1981; amended Dec. 17, 1995.)

1-6-2. Recruitment. Each agency shall submit to the director a job requisition for each existing or anticipated vacancy to be filled.

(b)(1) Except as provided in subsection (c) below, the appointing authority shall provide notice of each existing or anticipated vacancy to be filled. The appointing authority shall first determine whether recruitment will be conducted among:

(A) only employees within the agency, including persons in the reemployment pool;

(B) all state employees, including persons in the reemployment or reinstatement pools; or

(C) all state employees, persons in reemployment or reinstatement pools, and the general public.

(2) When recruitment for a vacancy is conducted within the agency, the appointing authority shall provide notice of the vacancy to the agency's employees. When recruitment for a vacancy is conducted on a state-wide basis among all state employees, notices of the vacancy shall be distributed by the director to all agency personnel offices. Appropriate and reasonable distribution within each agency shall be the responsibility of the agency.

(3) The appointing authority, within guidelines established by the director, shall establish a period of time in which applications will be accepted for each vacancy. The application deadline shall be stated in all notices of the vacancy.

(c) Notices of a vacancy shall not be required when filling a temporary position, when a position is filled by demotion, direct entry or transfer, when a position is reallocated, when filling a governor's trainee position, or when the director determines that for good cause such notice is not necessary.

(d) All job postings, announcements, and advertisements for vacancies in designated positions as defined in K.A.R. 1-2-30, or commercial driver positions as defined in K.A.R. 1-2-20, shall include a statement regarding the drug testing requirements set forth in K.A.R. 1-6-32, K.A.R. 1-6-33, K.A.R. 1-9-19a and K.A.R. 1-9-25. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747, K.S.A. 1994 Supp. 75-4362 and K.S.A. 75-4363; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8, K.S.A. 75-2944, as amended by 1995 SB 175, § 9, K.S.A. 1994 Supp. 75-4362 and K.S.A. 75-4363; effective May 1, 1979; amended May 1, 1981; amended May 1, 1983; amended, T-1-10-28-88, Oct. 31, 1988; amended Dec. 18, 1988; amended April 13, 1992; amended Dec. 17, 1995.)

1-6-3. Filling vacancies. (a) For each classification, required selection criteria shall be established by the director concerning education, experience, age, physical requirements, character, and other factors that are related to ability to perform satisfactorily the duties of positions in the class. Each required selection criterion shall relate directly to the duties of positions in the class. Optional selection criteria may be established by the director for one or more classes which may be designated by the appointing authority as preferred or required for particular positions in the classes.

(b) Each applicant certified to the pool of eligible candidates shall meet the required selection criteria for that class and position.

(c) Any agency may establish preferred selection criteria, in addition to those provided under subsection (a), in order to determine the capacity and fitness of each eligible candidate in the pool to perform the position's specific duties. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5, K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8, and K.S.A. 75-2944, as amended by 1995 SB 175, § 9; effective May 1, 1979; amended Dec. 17, 1995.)

(continued)

1-6-4 to 1-6-5. These regulations shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-6-6. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1982 Supp. 75-3747; implementing K.S.A. 1982 Supp. 75-2944; effective May 1, 1979; amended May 1, 1983; revoked Dec. 17, 1995.)

1-6-7. Disqualification of applicants and candidates. (a) Any applicant or candidate may be disqualified by the director in the following circumstances. The director may refuse to assess an applicant or a candidate, or may refuse to place a candidate in the eligible pool, or may remove a candidate from the eligible pool when the applicant or candidate has been dismissed from employment with the state for delinquency or misconduct, or fails to furnish a complete application or any information requested by the director, or for any of the reasons stated in K.S.A. 75-2940.

(b) Whenever the director disqualifies an applicant or candidate from any part of the employment process, a statement of the reasons for the disqualification shall be provided by the director. The applicant or candidate shall be provided an opportunity to respond in writing or to appear before the director within 14 calendar days to provide cause why the action should not be taken.

(c) The applicant or candidate may request in writing, within 30 days from the date of the disqualification, a hearing before the civil service board to determine the reasonableness of the action. The board shall, within a reasonable period, grant the applicant or candidate a hearing. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2940, as amended by 1995 SB 175, § 6; effective May 1, 1979; amended May 1, 1981; amended May 1, 1983; amended Dec. 17, 1995.)

1-6-8. Content of assessments. (a) Assessments shall relate to matters that will in a fair manner evaluate the capacity and fitness of applicants or candidates to perform efficiently the duties of positions in the class and the position to be filled. Assessments may consist of ratings of training, experience, and other qualifications, written tests, performance tests, interviews, physical tests, assessment center evaluations, medical examinations or other assessments that the director deems appropriate. All assessments shall be approved by the director.

(b) Promotional assessments shall include, in addition to any or all of the above assessments, consideration of the applicant's or candidates' performance and length of service.

(c) Subject to policies established by the director to protect the confidentiality of assessment material, the assessment papers of an applicant or candidate may be inspected by the applicant or candidate. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2939, as amended by 1995 SB 175, § 5; effective May 1, 1979; amended Dec. 17, 1995.)

1-6-9 to 1-6-15. These regulations shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-6-16. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747 as amended by L. 1985, Ch. 276, Sec. 10; implementing K.S.A. 75-2942, as amended by L. 1985, Ch. 276, Sec. 4; effective May 1, 1979; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1986; revoked Dec. 17, 1995.)

1-6-17. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-6-18. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1983 Supp. 75-3747; implementing K.S.A. 1983 Supp. 75-2942, 75-2943, 75-3746, 75-2948; effective May 1, 1979; amended May 1, 1984; revoked Dec. 17, 1995.)

1-6-19 to 1-6-20. These regulations shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747; effective May 1, 1979; revoked Dec. 17, 1995.)

1-6-21. Candidate pools for regular positions. (a) For each vacancy in a regular position that is to be filled, the appointing authority shall be provided by the director with a pool of candidates certified as eligible to fill that position.

(b) Errors in candidate pools may be corrected by the director.

(c) The appointing authority may hire only from among those persons certified as eligible by the director pursuant to subsection (a) of this regulation.

(d) Each candidate shall be given equal consideration by the agency when applying additional job-related selection criteria.

(e) To be eligible for veterans' preference points, each veteran shall meet the required selection criteria of the vacant position for which the veteran is applying. Each candidate who is verified to be eligible for veterans' preference shall receive points equaling five percent of the total available points of the job skill requirements. Each candidate verified to be eligible for disabled veterans' preference shall receive points equaling ten percent of the total available points of the job skill requirements. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747 and K.S.A. 1994 Supp. 75-2955, as amended by 1995 SB 175, § 13; implementing K.S.A. 75-2943, as amended by 1995 SB 175, § 8, and K.S.A. 1994 Supp. 75-2955, as amended by 1995 SB 175, § 13; effective May 1, 1979; amended May 1, 1983; amended May 1, 1985; amended, T-1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995.)

1-6-22. Direct entry hires of unskilled and semi-skilled labor. Certain classes of positions in the unskilled or semi-skilled group may be designated by the director in which a direct entry new hire may be employed by appointing authorities without use of a certified pool of eligible candidates. Each direct entry new hire shall be subject to a probationary period in accordance with K.A.R. 1-7-4. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 1994 Supp. 75-2935; effective May 1, 1979; amended May 1, 1983; amended Dec. 17, 1995.)

1-6-22a. Training classes. (a) Certain classes of positions may be designated by the director as training classes. Persons employed in training classes shall be in training status and not in probationary or permanent status. The training period served for a training class established pursuant to this regulation shall not be less than six months nor more than 24 months from the date of employment unless there are statutory training requirements which can be met in less than six months.

(b) The appointing authority may dismiss a trainee at any time pursuant to the same provisions afforded probationary employees in K.A.R. 1-10-8(a), except as follows.

(1) If a trainee was promoted from a classified position in which an employee held permanent status, the provisions regarding dismissal or demotion of probationary employees in K.A.R. 1-10-8(b) shall be applied.

(2) If an employee who was demoted or transferred to a trainee position is terminated for reasons other than personal conduct, the employee shall be accorded the right to a position in the class in which the employee held permanent status immediately prior to the trainee position.

(c) The period served by an employee in a training class shall not be counted as part of the probationary period in case of subsequent employment in a regular position.

(d) Upon meeting the minimum qualifications for the applicable class, and satisfactory performance of the job duties, responsibilities and training requirements of the position, each employee in a training class shall be placed in the applicable class as a probationary employee and serve a probationary period as established by K.A.R. 1-7-4. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective Dec. 27, 1993; amended Nov. 21, 1994; amended Dec. 17, 1995.)

1-6-23. Reemployment pool. Each employee who is laid off, or demoted or transferred in lieu of layoff, shall be placed in a reemployment pool by the director and shall be eligible to apply for any vacancy to be filled, including internal vacancies, for up to three years from the date that the layoff action occurred or until the employee is reemployed. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12; effective May 1, 1979; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-6-24. Transfer. (a) Any appointing authority may transfer any employee with permanent status in accordance with the following regulations.

(1) No permanent employee shall be transferred from a duty station in one county to a duty station in another county without the consent of the secretary of administration, unless the person being transferred has consented in writing to the transfer prior to being transferred.

(2) Any appointing authority may accept, by transfer, any permanent employee employed in another agency, if the employee consents to the transfer.

(3) Any permanent employee, or any employee serving a probationary period because of a promotion, may

be transferred from a position in one class to a position in a different class if both positions are allocated to classes which are assigned to the same pay grade, have a close similarity of duties, and have essentially the same qualifications, and if the employee meets the qualifications for the new class.

(4) Each permanent employee who is transferred from one position to another position shall retain permanent status in the new position.

(b) Any appointing authority may transfer a probationary employee from one position in a class to another position in the same class in the agency. An appointing authority may accept, by transfer, a probationary employee employed in another agency, if the transfer is to a position in the same class and if the employee is agreeable. The probationary period of an employee transferred pursuant to this regulation shall be determined in accordance with K.A.R. 1-7-4.

(c) Except as provided in subsection (a)(1) above, approval of the employee shall not be required when a transfer within an agency is made pursuant to this regulation.

(d) Each employee who is transferred from the unclassified service to a position in the classified service pursuant to the provisions of this subsection shall serve a probationary period in accordance with K.A.R. 1-7-4. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2947, as amended by 1995 SB 175, § 11, K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended March 20, 1989; amended Dec. 17, 1995.)

1-6-25. Temporary positions. (a) Except as otherwise provided by law, any appointing authority may fill a temporary position with any person who meets the required selection criteria for the class and the position. Employment of a person in a temporary position shall not exceed 999 hours of employment in a 12-month period. If the duration of a temporary position is to be less than 999 hours, the maximum duration of the temporary position shall be indicated by the appointing authority. All time worked, including overtime, shall count towards the 999 hours. Each temporary appointment shall be ended no later than 12 months after its commencement, even if the appointee works less than 999 hours. Any person may occupy more than one temporary position in an agency in a 12-month period, if the total number of hours worked in such temporary positions does not exceed 999 hours.

(b) Time worked in one or more temporary positions shall not be counted as part of the probationary period if an individual is subsequently hired in a regular position. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2945, as amended by 1995 SB 175, § 10; effective May 1, 1979; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-6-26. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 1983 Supp. 75-3747; implementing K.S.A. 1983 Supp. 75-2945; effective May 1, 1979; amended, E-82-14, July 1, 1981; amended

(continued)

May 1, 1982; amended May 1, 1984; revoked Dec. 17, 1995.)

1-6-27. Demotion. (a) Any permanent employee may be demoted to a position in a lower class if that position is in the same series of classes, or if the appointing authority determines that the employee can reasonably be expected to perform satisfactorily the duties of the position for the lower class. Any permanent employee demoted pursuant to this regulation shall be granted permanent status in the class to which demoted, effective the date of the demotion.

(b) Each request for a voluntary demotion shall be subject to approval of the appointing authority. The employee shall not be entitled to appeal the voluntary demotion to the civil service board.

(c) The demotion of a permanent employee for unsatisfactory performance of duties, for disciplinary reasons, or for other good cause shall be managed in accordance with the procedures specified in Article 10 of these regulations.

(d) An appointing authority may demote any new hire probationary employee or any probationary employee who was rehired on a basis other than reemployment or reinstatement to a class in a lower pay grade within the agency if the employee meets the qualifications for the lower class, if the employee can satisfactorily perform the duties of the lower class, and if the employee has consented. Each probationary employee demoted under this subsection shall start a new probationary period which shall be no less than six months in length. The provisions of this subsection shall not apply to the demotion of a probationary employee in a class designated as a direct entry class, pursuant to subsection (3) of K.S.A. 75-2935.

(e) Each unclassified employee who is voluntarily demoted shall serve a probationary period in accordance with K.A.R. 1-7-4. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12, and K.S.A. 75-2949; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended Dec. 17, 1995.)

1-6-28. Overlapping hires. (a) In filling a position that is not yet vacated by the incumbent, the agency may have the incumbent and the new employee on the position concurrently for a period not to exceed four weeks.

(b) When an employee is on extended leave, the appointing authority may fill the regular position. The agency shall notify the employee in writing at the time the employee is hired that the employee shall not obtain permanent status in the position, unless the employee on leave does not return or for some other reason it is possible and advisable to grant the new employee permanent status. The probationary period for the employee may be extended by the appointing authority without regard to limits on the duration of probationary periods established elsewhere in these regulations. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-6-29. Acting assignments. When a classified position is vacant and requires the temporary assignment of an employee who has permanent status in another posi-

tion, the appointing authority may proceed, with the approval of the director and based on the following principles:

(a) The appointing authority shall initiate action to fill the position on a permanent basis, if the incumbent has permanently vacated the position. However, the appointing authority may delay filling the position because of a shortage of funds.

(b) An acting assignment may be used only when there are no other viable alternatives.

(c) The assignee shall meet the required selection criteria for the class of positions.

(d) Acting assignments shall not be used to generate a series of acting assignments for an employee.

(e) Except as noted in subsection (f), an acting assignment shall not exceed one year in length unless approved by the director. Acting assignments shall not be retroactive. The acting assignment procedure shall not be used for a short duration, temporary assignment of an employee for less than 30 days.

(f) When a position is vacant due to a leave of absence, the acting assignment may be authorized for the duration of the leave of absence, except that continuation of an acting assignment beyond 12 months shall require approval of the director of personnel services.

(g) Documentation of the acting assignment shall be placed in the employee's permanent record.

(h) If an employee is acting in a position assigned to a pay grade higher than that of the employee's normal position, the employee shall be paid at a step on the higher grade that gives the employee an increase in pay. Such an increase shall not exceed the highest step possible if the employee was being promoted to the position. For the duration of an acting assignment, the employee may receive pay step increases in accordance with applicable pay step increase regulations. When the acting assignment is terminated, and the employee is returned to the former class, the employee's pay shall revert to whatever rate (dollar amount) it would have been had the employee not received the acting assignment. Neither the employee's pay increase date nor the employee's status in the normal position shall be affected by an acting assignment.

(i) If an employee is acting in a position assigned to the same pay grade as, or to a pay grade lower than, that of the employee's normal position, the employee shall be paid at the employee's normal pay rate. For the duration of an acting assignment, the employee may receive pay step increases in accordance with applicable pay step increase regulations.

(j) If the employee is promoted to a position in which the employee has served in an acting assignment, the pay shall remain at the amount paid during the acting assignment and any accumulated months shall count towards the next pay increase. The time served in the acting assignment may be credited towards the promotional probationary period. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2938, as amended by 1995 SB 175, § 4, and K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Jan. 6, 1992; amended Dec. 17, 1995.)

1-6-30. Reinstatement. Each employee who separates from state service in good standing may for a period of one year from the date of separation apply for, and may be certified as a candidate for, any vacancies open to state employees only, and may be rehired as a reinstatement. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1983; amended Dec. 17, 1995.)

1-6-31. Governor's trainee program. (a) Any agency may fill an existing vacancy under the governor's trainee program according to the provisions of this regulation.

(1) "Governor's trainee program" means a program to attract and utilize females, minorities, and persons with disabilities as defined in K.A.R. 1-2-34 in order to provide career development opportunities.

(2) "Underutilization" means a lower representation of females, minorities or persons with disabilities as defined in K.A.R. 1-2-34 in a class or EEO job category in an agency organizational unit's workforce or the agency's workforce than would be expected by their availability.

(3) Use of the governor's trainee program shall not result in the creation of additional positions.

(4) Governor's trainee program positions shall be created from vacancies arising out of attrition, vacancies created by the legislature or vacancies created by actions taken pursuant to K.S.A. 75-2949.

(b) Each agency electing to fill a vacant position under the governor's trainee program shall first conduct an underutilization review to determine if underutilization exists in a class or EEO job category, or both, in the agency workforce or the agency organizational unit in which the vacancy exists.

(c) The agency shall submit information to the director regarding the vacant position and the data used in determining underutilization. Upon verification of underutilization by the director, the agency shall be notified that the director has established a trainee classification and reallocated the position. The notice from the director shall also include a list of names in a relevant applicant pool, if one exists, and authorization for the agency to recruit persons who are members of the underutilized protected group or groups.

(d) Following the close of the application period, the agency shall select, on a competitive basis, in accordance with guidelines established by the director, an applicant who:

(1) is a member of an underutilized protected group;

(2) will not, at the time of hiring, meet the required selection criteria for the regular class of the trainee position;

(3) will be able to meet the required selection criteria for the regular class within 24 months; and

(4) is deemed qualified to satisfactorily perform the duties of the trainee position.

(e)(1) Upon selecting a trainee for the position, the agency shall submit:

(A) documentation that the trainee meets the requirements of subsection (d); and

(B) a copy of a proposed training and evaluation plan developed for the trainee that provides for regular assessments of the trainee's progress and communication of the assessments to the trainee.

(2) Upon approval of the training and evaluation plan by the director, the person shall be hired as a governor's trainee.

(f) Each person hired as a governor's trainee shall be paid at two pay grades lower than the grade for the applicable regular class.

(g) The agency shall submit a progress report on each trainee to the director not less than once each six months while the trainee is in training.

(h) Upon meeting the required selection criteria for the applicable regular class, and a satisfactory performance of the job duties and responsibilities of the position, the trainee shall be promoted to the applicable regular class as a probationary employee. In no event shall the trainee be retained in a position under the governor's trainee program for less than six months or more than 24 months from the date of appointment.

(i) Each individual hired as a governor's trainee shall be eligible for the same rights and benefits as a person in probationary status on a regular classified position. If the governor's trainee was promoted or transferred from a classified position in which the employee held permanent status, rights normally associated with such promotion and transfer under K.A.R. 1-10-8 and 1-6-24 shall apply. If demoted from a classified position in which the employee held permanent status, the trainee shall not be granted permanent status in the trainee position but shall be accorded the right to a position in the class in which the employee held permanent status. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective March 20, 1989; amended Aug. 3, 1992; amended Dec. 17, 1995.)

1-6-32. Candidate drug screening test for designated positions. (a) A drug test shall be administered to a candidate for a designated position upon a conditional offer of employment for a designated position.

(b) A conditional offer of employment for purposes of this regulation means the offer is contingent upon participating in the drug screening program established under K.S.A. 75-4362 or K.S.A. 75-4363, and amendments thereto.

(c) Failure to participate in the required drug screening test or a confirmed positive result based upon a test sample obtained from the candidate shall:

(1) make the conditional offer of employment null and void; and

(2) subject the candidate to disqualification from certification for designated positions in accordance with K.S.A. 75-2940 and K.A.R. 1-6-7 for a period of one year from the effective date of the disqualification action.

(d) All candidates who have been given a conditional offer of employment shall be informed of the provisions of subsection (b) in writing and shall sign a statement agreeing to participate in the test prior to the test being administered. Failure to accept this condition shall make the conditional offer of employment null and void.

(e) Each candidate required to submit to a drug screen shall be advised of:

(1) the methods of drug screening which may be used;

(2) substances which may be identified;

(continued)

(3) consequences of a refusal to submit to a drug screening test or of a confirmed positive result; and

(4) reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

(f) Procedures and testing personnel used in collecting, analyzing, and evaluating test samples shall meet the standards established by the director. Drug screening tests may screen for any substances listed in the Kansas controlled substances act. The substances to be identified by the tests and the threshold levels of those substances shall be determined by the director.

(g) Any candidate who has reason to believe that technical standards were not adhered to in deriving a confirmed "positive" result may appeal the result in writing to the director within 14 calendar days of receiving written notice of the result.

(h) A retest by the original or a different laboratory on the same or a new specimen may be authorized only by the director, if the director determines that the technical standards established for test methods or chain-of-custody procedures were violated in deriving a confirmed "positive" result or there is other appropriate cause to warrant a retest.

(i) Any candidate who intentionally tampers with a sample provided for drug screening, violates the chain-of-custody or identification procedures, or falsifies test results shall have the conditional offer of employment withdrawn and such actions shall be grounds for disqualification for all positions in state service in accordance with K.S.A. 75-2940.

(j) If the result of a drug screening test warrants disqualification action, a candidate shall be afforded due process in accordance with K.S.A. 75-2940 and K.A.R. 1-6-7 before any final action is taken.

(k)(1) Individual test results and medical information shall be considered confidential and shall not be disclosed publicly in accordance with K.S.A. 75-4362. A candidate shall be granted access to the candidate's information upon written request to the director.

(2) Each agency shall be responsible for maintaining strict security and confidentiality of drug screening records in that agency. Access to these records shall be restricted to the agency personnel officer, or a designee, persons in the supervisory chain of command, the agency legal counsel, the agency appointing authority, or a designee, the secretary of administration, or a designee, department of administration legal counsel, and the director, or a designee. Further access to these records shall not be authorized without the express consent of the director. This regulation shall be effective on and after December 17, 1995. (Authorized by and implementing K.S.A. 1994 Supp. 75-4362 and K.S.A. 1994 Supp. 75-4363; effective, T-1-10-28-88, Oct. 28, 1988; effective Dec. 19, 1988; amended Feb. 19, 1990; amended April 13, 1992; amended Dec. 17, 1995.)

1-6-33. Candidate alcohol and controlled substances test for commercial driver positions. (a) The provisions of 49 C.F.R., Part 382, as in effect on February 15, 1994, and 49 C.F.R., Part 40, as in effect on February 15, 1994, and amendments to Part 40, as published in 59 Fed. Reg. 42,996 (1994), are hereby adopted by reference.

(b) Each candidate who has been given a conditional offer of employment for a commercial driver position shall be administered an alcohol and controlled substances test.

(c) For purposes of this regulation, a "conditional offer of employment" means the offer of a commercial driver position is contingent upon participating in the alcohol and controlled substances testing program established under the federal omnibus transportation employee testing act of 1991, 49 U.S.C. Appx. § 2717.

(d) Each candidate who has been given a conditional offer of employment shall be informed of the provisions of subsection (c) and (g) of this regulation in writing and shall sign a statement agreeing to participate in the testing prior to administration of the tests. Failure to accept this condition shall make the conditional offer of employment null and void.

(e) Each candidate required to submit to alcohol and controlled substances testing shall be advised of:

(1) the methods of alcohol and controlled substances testing which may be used;

(2) the substances which may be identified;

(3) the consequences of a refusal to submit to an alcohol and controlled substances test or of a confirmed positive result; and

(4) the reasonable efforts utilized by the state to maintain the confidentiality of results and any medical information which may be provided.

(f) Procedures and testing personnel used in collecting, analyzing, and evaluating test samples shall meet the standards established by the director in accordance with 49 C.F.R., Part 40.

(g)(1) The conditional offer of employment shall be null and void and the candidate shall be subject to disqualification from commercial driver positions in accordance with K.S.A. 75-2940 and K.A.R. 1-6-7 for a period of one year from the effective date of the disqualification action in those instances in which:

(A) the candidate fails to participate in the required alcohol and controlled substances test;

(B) the candidate receives a confirmed positive alcohol or controlled substances test result;

(C) the candidate refuses to provide written authorization to obtain information from prior employers as required by 49 C.F.R., 382.413; or

(D) the information obtained from a prior employer under 49 C.F.R., 382.413 indicates that, within the preceding two years:

(i) the candidate violated any of the provisions of 49 C.F.R., 382, Subpart B; and

(ii) the candidate failed to complete the requirements for returning to work under 49 C.F.R., 382.605, including an evaluation by a substance abuse professional, a return-to-duty alcohol test, controlled substances test or both, and completion of any rehabilitation or treatment program.

(2) An alcohol test shall be considered "positive" when the alcohol concentration is 0.04 grams of alcohol per 210 liters of breath or greater. However, if the breath alcohol content is 0.02 grams of alcohol or greater and less than 0.04 grams of alcohol, the candidate shall not be allowed to begin performing safety-sensitive functions

until a 24-hour period has elapsed, in accordance with 49 C.F.R., 382.505. For purposes of this regulation, "safety-sensitive functions" shall be defined as in K.A.R. 1-9-25(c).

(h) In accordance with 49 C.F.R., 40.25(f)(10)(ii)(E), any candidate who receives a confirmed positive result on a controlled substances test may request a retest by the original or a different laboratory on the second half of the original specimen within 72 hours of being notified of the positive test result.

(i) Any candidate who intentionally tampers with a sample provided for alcohol or controlled substances testing, violates chain-of-custody or identification procedures or falsifies a test result shall have the conditional offer of employment withdrawn and shall be subject to disqualification for all positions in state service in accordance with K.S.A. 75-2940.

(j) If disqualification of a candidate is warranted under subsection (g) of this regulation, the candidate shall be afforded due process in accordance with K.S.A. 75-2940 and K.A.R. 1-6-7.

(k)(1) Individual results and medical information shall be considered confidential and shall not be disclosed publicly. Each candidate shall be granted access to the candidate's information upon written request to the director, in accordance with 49 C.F.R., 382.405.

(2)(A) Each agency shall be responsible for maintaining strict security and confidentiality of the alcohol and controlled substances records in that agency. Access to these records shall be restricted to:

- (i) the agency personnel officer, the agency appointing authority, the secretary of administration, the director, or any of their respective designees;
- (ii) persons in the supervisory chain of command;
- (iii) the agency legal counsel; or
- (iv) the department of administration legal counsel.

(B) Further access to these records shall not be authorized without the express consent of the director. This regulation shall take effect on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746, K.S.A. 75-2940, as amended by 1995 SB 175, §6, and K.S.A. 75-3707; effective, T-1-1-26-95, Jan. 26, 1995; effective May 30, 1995; amended Dec. 17, 1995.)

Article 7.—PROBATIONARY PERIOD AND EMPLOYEE EVALUATION

1-7-3. Probationary period. (a) The probationary period shall be considered as a working test of the employee's ability to perform adequately in the position to which hired. In order to aid the agency in developing efficient employees, the supervisor shall give reasonable instruction and training that may be required throughout the probationary period. Each agency shall establish procedures so that problems with probationary employees will be brought to the attention of the agency management for appropriate action prior to the end of the probationary period.

(b) Prior to the end of the probationary period, the appointing authority shall provide the director with results of a performance review for the employee. If the perform-

ance review given to a probationary employee prior to the end of the probationary period is less than satisfactory, the employee shall not be granted permanent status.

(c) Except as provided in K.A.R. 1-7-4, all new hires, promotions, and rehires shall be tentative and subject to a probationary period as authorized by K.A.R. 1-7-4. If the probationary period of an employee is to be extended as authorized by K.A.R. 1-7-4, the appointing authority or the authority's representative, prior to the end of the probationary period, shall furnish the employee with a copy of the performance review which states that the probation is extended. Results of the performance review shall be provided to the director. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2946 and K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-7-4. Duration of probationary period. (a) Each new hire and each rehire made on a basis other than reemployment or reinstatement who is employed in a regular position shall be subject to a standard probationary period of six months. This probationary period may be extended by the appointing authority for up to six additional months if action to extend the probationary period is taken prior to the end of the original six-month probationary period. A probationary period of up to 12 months may be established by the appointing authority when specific training or certification requirements for a position cannot be completed within six months.

(b) Each employee who is promoted shall be subject to a probationary period of not less than three months nor more than six months as determined by the appointing authority. However, a probationary period of up to 12 months may be established by the appointing authority when specific training or certification requirements for a position cannot be completed within six months.

(c) Each person rehired on the basis of reemployment shall have permanent status effective on the date of rehire.

(d) Each person rehired on the basis of reinstatement shall be subject to a probationary period of not less than three months or more than six months as determined by the appointing authority.

(e) Time on leave with or without pay of more than 30 days shall not count towards total time served on probation. The employee's probationary period shall be continued effective with the employee's return from leave until the total probation time served equals the time required for the position.

(f) An employee with permanent status who is transferred from one agency to another, or transferred within the same agency, shall continue to have permanent status.

(g) When a probationary employee is transferred from one position in a class to another position in the same class or another class in the same pay grade, the transfer shall have no effect on the employee's probationary period. The probationary period may be extended by the appointing authority for up to six additional months by

(continued)

giving written notice of the extension to the employee and director prior to the expiration of the original six-month probationary period.

(h) Each employee who is transferred, demoted or promoted from a temporary position in the classified service or any position in the unclassified service to a regular position shall serve a standard probationary period of six months.

(i) Persons serving in temporary positions shall not be subject to a probationary period.

(j) Each employee in a governor's trainee position or a position in a training classification shall be placed on probation for six months when promoted to the regular class at the end of the training period. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2946; effective May 1, 1983; amended May 1, 1985; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-7-5. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747, as amended by 1985 HB 2125; implementing K.S.A. 75-2946 and 1985 HB 2133; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; revoked Dec. 17, 1995.)

1-7-6. Notices relating to probationary periods and extensions. (a) Prior to the expiration of each employee's probationary period, a performance review shall be completed, and the appointing authority shall notify the employee and the director that:

(1) the employee has been dismissed or demoted;

(2) the probationary period is being extended, if extension is permissible under K.A.R. 1-7-4; or

(3) the employee is being given permanent status.

(b) If the appointing authority or the authority's representative has not notified the employee of the performance review rating by the end of any probationary period, the employee shall be deemed to have received permanent status. In case of dispute as to whether the employee was notified, a determination shall be made by the director. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2946 and K.S.A. 1994 Supp. 75-2943, as amended by SB 175, § 8; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 17, 1995.)

1-7-10. Performance reviews. (a) The appointing authority shall have performance reviews conducted for each employee under the authority's jurisdiction in the classified service. The performance review shall be used to review the effectiveness of each employee and to ensure that the employee's performance is consistent with basic employee performance principles and practices.

(1) The supervisor and employee shall negotiate priority outcomes at the beginning of a review period and any time priority outcomes change. In case of disagreement, the decision of the supervisor shall prevail.

(2) Each employee shall be given an opportunity to add comments to the performance review at each feedback session. The employee shall be given a copy of the performance review at the beginning of the review period

and each time a feedback session is conducted or priority outcomes change. The appointing authority shall encourage performance review feedback sessions for employees at least quarterly.

(3) The performance review of each employee shall be completed by the employee's immediate supervisor, or by another qualified person or persons designated by the appointing authority. A qualified person is one who is familiar with the duties and responsibilities of the employee's position and with the job performance of the employee.

(4) A rating shall be assigned to the performance review, at least annually, in the manner required, and on the forms prescribed by the director. The appointing authority may give a special performance review rating for any employee at any time.

(5) Each employee shall be given the opportunity to sign the employee's performance review as evidence that the employee has been informed of the performance review rating; that signature shall not abridge the employee's right of appeal if the employee disagrees with the rating. Failure of the employee to sign the performance review shall not invalidate the rating.

(b) Subject to provisions of K.S.A. 75-2949e, two consecutive performance review ratings of less than satisfactory may be utilized as a basis for demotion, suspension or dismissal of the employee.

(c) If the performance review rating assigned to a probationary employee at the end of the probationary period is less than satisfactory, the employee shall not be granted permanent status.

(d) Any employee entitled to appeal a rating may do so within seven calendar days after being informed of the rating. After the period of seven calendar days for filing appeals has expired and if no appeal has been filed, the appointing authority or the authority's designee shall review the rating, shall make any changes deemed necessary, shall sign the performance review, and shall have copies of the entire review transmitted to the employee, the employee's official personnel file, and to the reviewer or reviewers as the appointing authority deems necessary. If the appointing authority makes any change in the rating, or adds any comment on the performance review, the review shall be returned to the employee to be signed again, and the employee, if eligible to appeal the rating, shall again have seven calendar days to file an appeal to the appointing authority. Final results of the performance review shall be submitted to the director. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995.)

1-7-11. Employees entitled to appeal performance reviews. (a) Any classified employee with permanent status may appeal a performance review rating which is lower than the highest possible rating.

(b)(1) An employee on probation shall have the same right to appeal the performance review as an employee with permanent status if:

(A) an employee is on probation because of a promotion or is rehired on the basis of reinstatement and has had permanent status in the class in which the employee most recently served; or

(B) an employee with previous permanent status is reallocated to a position with probationary status.

(2) When action concerning the end of probation is dependent upon the performance review, the appeal committee may make a recommendation to the appointing authority concerning whether or not to grant permanent status to the employee. However, the appointing authority, subject to whatever limitations are imposed by the adjective rating of the performance review prepared by the appeal committee, shall have the right to make the determination as to whether or not to grant permanent status. If the time required to handle an appeal results in the employee having no final performance review by the end of the probationary period, the appointing authority, with the approval of the director of personnel services, may extend the probationary period for a limited period as is necessary for the appeal committee to prepare the final performance review. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1983; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-7-12. Performance review appeal procedure. (a)

(1) Each employee who is eligible to appeal a performance review under K.A.R. 1-7-11 and who believes that the rating was unfair may, within seven calendar days after the employee has been informed of the rating, address an appeal in writing to the appointing authority.

(2) The appointing authority or such authority's designee, within seven calendar days following receipt of the employee's written notice of appeal, shall have the option either to make any changes in the rating deemed appropriate, or to appoint a committee of three or more persons to hear the appeal.

(3) If the appointing authority or the authority's designee makes any change in the rating, or adds any comments to the rating form, the rating form shall be returned to the employee to be signed again. If the employee disagrees with the revised performance review, the employee may, within seven calendar days, file an appeal in writing to the appointing authority, and the employee shall be informed of that right. If the employee files such an appeal, the appointing authority or the authority's designee shall, within seven calendar days following receipt of the employee's written notice of appeal, appoint a committee of three or more persons to hear the appeal.

(4) If an appeal committee is appointed to hear the appeal, persons shall be appointed who, in the authority's judgment, will be fair and impartial in discharging their responsibilities. Before appointing the appeal committee, the appointing authority shall give the employee a reasonable opportunity for consultation on the matter of appointment of the appeal committee. The appeal committee shall not include the initial rater or raters. Members of the appeal committee shall be officers or employees of the agency. However, the appointing authority may se-

lect one or more members of the committee from one or more other state agencies if the appointing authority determines that the objective of a fair and impartial hearing can best be served by doing so.

(b)(1) As soon as the committee has been appointed, the appointing authority shall notify the employee of the names of the members of the committee.

(2) The appeal committee shall consider any relevant evidence that may be offered by the employee and the rater, and shall make available to the employee any evidence it may secure on its own initiative. The employee and rater shall have an opportunity to question any person offering evidence to the appeal committee. The appeal committee may limit the offering of evidence it deems to be repetitious.

(3) Within 14 calendar days of the date the members of the committee were appointed, the committee shall prepare and sign a rating for the employee. That rating shall be final and not subject to further appeal. The appeal committee shall give the rating to the appointing authority, who, within five calendar days, shall transmit copies to the employee, the person or persons who originally rated the employee, and the division of personnel services.

(4) If the appointing authority cannot appoint an appeal committee in the prescribed seven calendar days, or if the appeal committee cannot make its rating within 14 calendar days of the date of its appointment, the appointing authority may extend these time limits. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1983; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-7-13. This regulation shall be revoked on and after December 17, 1995. (Authorized by K.S.A. 75-3747, as amended by 1985 HB 2125; implementing K.S.A. 75-2943, 75-2944, and 75-2949e, as amended by 1985 HB 2133; effective May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; revoked Dec. 17, 1995.)

Article 8.—TRAINING AND CAREER DEVELOPMENT

1-8-6. Supervisory training programs. (a) A program shall be developed and maintained by the director to provide supervisory training for each employee appointed to a supervisory position and each employee currently working in a supervisory position in any agency. The program shall provide supervisory continuing education training for each employee who is currently a supervisor.

(b) Any agency may develop its own supervisory training programs which shall include periodic supervisory continuing education training and shall be consistent with guidelines developed by the director. Each agency that has its own supervisory training program shall submit a copy of the program to the director. Any agency

(continued)

that does not have a supervisory training program may request a copy of the director's program.

(c) No employee shall be granted permanent status in a supervisory position to which hired or promoted until the employee has successfully completed a supervisory training program. Each person hired or promoted into a supervisory position shall complete the prescribed program within six months of the date of hire or promotion. This time period for training may be extended to 12 months from the date of appointment or promotion if the training cannot be completed within six months. If a person has received prior supervisory training consistent with guidelines established by the director, the appointing authority may exempt the employee from supervisory training, subject to approval of the exemption by the director.

(d) Each supervisor who has completed the initial supervisory training, or who was exempted from the initial supervisory training, shall complete supervisory continuing education training every three years as long as the supervisor remains in a supervisory position. Each person remaining in a supervisory position shall complete a prescribed continuing education program no later than six months after the three-year anniversary date of completing the initial supervisory training program or subsequent continuing education programs. This time period for continuing education training may be extended to 12 months from the three-year anniversary date of completing the training if it cannot be completed within six months. There shall be no exemptions for any person in a supervisory position from the required continuing education training.

(e) A supervisor shall be defined in accordance with K.A.R. 1-2-84. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747 and K.S.A. 1994 Supp. 75-37,115; implementing K.S.A. 75-3746 and K.S.A. 1994 Supp. 75-37,115; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995.)

Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

1-9-1. Hours of work. (a) Unless specifically approved by the secretary of administration, the standard workday for each full-time employee shall be eight hours, and the standard workweek shall be 40 hours during a given seven-day work week, except as provided in subsection (b).

(b)(1) Any agency head may submit a request for a deviation from the standard workday and workweek in subsection (a) for particular classes of employees in writing to the director. Any such deviation shall be subject to approval by the secretary upon recommendation of the director.

(2) The salaries of exempt employees shall be established to cover the hours required to complete the job. Appointing authorities shall not be required to designate a deviation from the standard workweek established in paragraph (1) of this subsection for these positions.

(c) It shall be a condition of employment with the state that each employee is required to work the number of hours per day and the number of days per work week or work period specified for the employee's position.

(d) Exempt employees shall be paid on a salary basis and shall be considered to be in pay status except for:

(1) full days of leave without pay; and

(2) full work weeks of leave without pay due to a suspension.

Exempt employees may be required to use available vacation or sick leave or other paid leave, as appropriate, and shall be required to obtain authorization for such absences in such form and at such time as prescribed by the employee's appointing authority.

(e) The appointing authority may require employees to work overtime when necessary for the efficient conduct of the business of the state. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 17, 1995.)

1-9-2. Holidays. (a) The following days shall be legal holidays for the state service: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day. When one of these legal holidays falls on a Saturday, the preceding Friday shall be the officially observed holiday for state employees. When one of these legal holidays falls on a Sunday, the following Monday shall be the officially observed holiday for state employees.

(b)(1) The governor may designate, in a particular year, additional days on which state offices are to be closed in observance of a holiday or a holiday season. For the purpose of this regulation, such a day is termed a legal holiday.

(2) The governor may designate a discretionary holiday for observance of a holiday or other special day without closing state services. Each eligible employee working full-time shall receive a total of eight hours for a discretionary holiday and each employee working less than full-time shall receive a proportional number of hours. All hours for a discretionary holiday shall be taken on the same day.

(c) Each full-time employee, regardless of the employee's work schedule, shall receive a maximum of eight hours of holiday credit for each holiday and shall receive the same number of holidays in a calendar year as employees whose regular work schedule is Monday through Friday. Holiday credit means pay or credit for paid time off at a straight-time rate.

(d) Any appointing authority may require some or all employees to work on a legal holiday, an officially observed holiday, or both. Each full-time employee who is required to work on a legal holiday or on an officially observed holiday shall receive holiday compensation in addition to the employee's regular pay for the pay period. Holiday compensation is either pay or compensatory time credits at a time and a half rate for those hours worked on a holiday. The appointing authority shall determine whether the compensation for such holiday work will be in the form of pay or compensatory time credits.

(e) Hours worked on a holiday which result in overtime hours during that work week or work period shall be compensated at time and one half for holiday hours worked and an additional half-time rate for the resulting overtime hours.

(f) If a legal holiday is preceded or followed by an officially observed holiday, each employee shall receive holiday credit for only one of the two days. Each full-time employee who is required to work on both the legal holiday and the officially observed holiday shall receive holiday compensation for only one of the two days. If the number of hours worked on the two days are not the same, the employee shall receive holiday compensation for the day on which the employee worked the greater number of hours.

(g) Each employee who works less than full-time on a regular schedule shall receive, for each holiday that falls on a day included in the employee's regular work schedule, holiday credit equal to whatever pay the employee would receive for that day if it were not a holiday. If the employee works on the holiday, the employee shall receive, in addition, holiday compensation for the hours worked on the holiday.

(h) A less than full-time employee who works an irregular schedule, as determined by the appointing authority, shall not receive holiday credit but shall be paid at the time and a half rate for those hours worked on the holiday.

(i) An employee who is on leave without pay either on the last working day before a holiday or the first working day following a holiday, shall not receive holiday credit, unless the appointing authority granted an authorized leave without pay for a portion of either or both of the working days and approved the holiday credit for the employee.

(j) Any employee who separates from the service and whose next day at work, following the employee's last day at work, would have been a holiday, shall not receive pay for the holiday. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1985; amended Dec. 17, 1995.)

1-9-3. Request and approval of leave; authorized leave; unauthorized leave. (a) Requests for leave shall be made to the appointing authority in such form and at such time as prescribed by the appointing authority. Leave that is requested as above, and approved, shall be termed authorized leave. Leave that is not requested as above, or not approved, shall be termed unauthorized leave, unless the employee furnishes the appointing authority evidence satisfactory to the appointing authority that circumstances made it impossible to request leave in the form and at such time as prescribed by the appointing authority.

(b) Use of unauthorized leave shall be entered into the employee's official personnel file in the agency. Habitual or flagrant use of unauthorized leave shall be grounds for disciplinary action, including dismissal.

(c) When an employee takes unauthorized leave, the appointing authority shall determine whether use of ac-

cumulated leave or accumulated compensatory time shall be allowed, whether leave without pay shall be granted, or in a case of habitual or flagrant use of unauthorized leave, whether a pay decrease, suspension, demotion, dismissal, or other disciplinary action shall be proposed or taken. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-9-4. Vacations. (a) (1) Each classified employee in a regular position shall be entitled to vacation with pay which shall be earned and accumulated in accordance with this regulation. Vacation leave earned each payroll period, the maximum amount of vacation leave that may be accumulated, and the increments in which vacation leave may be used shall be determined as follows.

(A) Each non-exempt employee shall accrue vacation leave in accordance with the following table.

Vacation Leave Table for Non-Exempt Employees

Hours in Pay Status Per Pay Period	Hours Earned Per Pay Period Based on Length of Service			
	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0-7	0.0	0.0	0.0	0.0
8-15	0.4	0.5	0.6	0.7
16-23	0.8	1.0	1.2	1.4
24-31	1.2	1.5	1.8	2.1
32-39	1.6	2.0	2.4	2.8
40-47	2.0	2.5	3.0	3.5
48-55	2.4	3.0	3.6	4.2
56-63	2.8	3.5	4.2	4.9
64-71	3.2	4.0	4.8	5.6
72-79	3.6	4.5	5.4	6.3
80-	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

(i) Non-exempt employees shall only use vacation leave in increments of a quarter of an hour.

(ii) "Hours in pay status" shall not include overtime hours worked, additional hours for which the employee has been paid under K.A.R. 1-5-24 (d) (2), and holiday compensation earned.

(iii) For purposes of this regulation, hours in pay status shall include time off while receiving workers' compensation wage replacement for loss of work time.

(B) Each exempt employee in a position which is eligible for benefits shall accrue vacation leave in accordance with the following table.

Vacation Leave Table for Exempt Employees

Hours in Pay Status Per Pay Period	Hours Earned Per Pay Period Based on Length of Service			
	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0	0.0	0.0	0.0	0.0
>0	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

(i) Exempt employees, including part-time exempt employees, shall only use vacation leave in either half- or full-day increments.

(continued)

(ii) For purposes of this regulation, hours in pay status shall include time off while receiving workers' compensation wage replacement for loss of work time.

(C) Exempt employees in positions that are not eligible for benefits shall earn one-half the amount of leave set out in paragraph (a) (1) (B), based on the employee's length of service.

(2) All vacation leave over the maximum accumulation shall be forfeited at the end of the last payroll period paid in the fiscal year.

(3) If an employee terminates from the service, and if at the time of termination, the employee has more than the maximum accumulation of vacation leave to which the employee is permitted in paragraphs (a) (1) (A) and (B), the employee shall not be paid for any vacation leave in excess of the maximum accumulation to which the employee is entitled.

(b) Increased rates of vacation leave earnings based on length of service shall not be retroactive. Length of service shall be calculated in accordance with K.A.R. 1-2-46.

(c) The appointing authority shall not be arbitrary in approving or rejecting vacation leave requests. The appointing authority shall not unreasonably defer the taking of vacations so that for all practical purposes the employee is deprived of vacation rights.

(d) Vacation leave earned by an employee during a pay period shall be available for use on the first day of the following pay period. If the employee resigns or is otherwise separated from the service, the vacation leave earned in the pay period in which the separation occurs shall be credited to the employee and payment made to the employee for that leave as provided in K.A.R. 1-9-13.

(e) Any holiday on which state offices are closed, occurring within the period of an employee's vacation, shall not be charged against the employee's vacation leave.

(f) If an employee or a member of the employee's family as specified in K.A.R. 1-9-5(e)(2) becomes ill while the employee is taking vacation leave, and for all intents and purposes, the employee is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick leave some or all of the time the employee or family member was ill during the vacation. For purposes of this subsection, illness shall include any of the reasons for sick leave identified in K.A.R. 1-9-5(e)(1).

(g) Vacation leave for school employees. Any classified employee in a school institution having scheduled vacation periods at stated times, including Thanksgiving or Christmas, when school is not in session, and who does not work during the scheduled vacation periods because the employee's services are not required, may be granted leave without pay or vacation leave for such periods. Such vacation leave may be charged against accrued vacation leave or against vacation leave that will be accrued during the school term for which the employee is employed. Any classified employee at a school institution that is separated from the service before the end of the school term for which the employee is employed shall be charged on the final pay voucher for vacation leave used in excess of accrued vacation leave. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-

3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Jan. 6, 1992; amended Aug. 3, 1992; amended Dec. 17, 1995.)

1-9-5. Sick leave. (a) Each classified employee in a regular position shall be credited and accumulate sick leave as provided in this regulation.

(b) The maximum sick leave credit an employee may accrue in any payroll period shall be 3.7 hours. The amount of sick leave hours earned each payroll period and the increments in which sick leave may be used shall be determined as follows.

(1) Each non-exempt employee shall accrue sick leave in accordance with the following table.

Sick Leave Table for Non-Exempt Employees

Hours in Pay Status Per Pay Period	Hours Earned Per Pay Period
0-7	0.0
8-15	0.4
16-23	0.8
24-31	1.2
32-39	1.6
40-47	2.0
48-55	2.4
56-63	2.8
64-71	3.2
72-79	3.6
80-	3.7

(A) Non-exempt employees shall only use sick leave increments of a quarter of an hour.

(B) "Hours in pay status" shall not include overtime hours worked, additional hours for which the employee has been paid under K.A.R. 1-15-24 (d) (2), and holiday compensation earned.

(C) For purposes of this regulation, hours in pay status shall include time off while receiving workers' compensation wage replacement for loss of work time.

(2) Each exempt employee in a position which is eligible for benefits shall accrue sick leave in accordance with the following table.

Sick Leave Table for Exempt Employees

Time in Pay Status Per Pay Period	Hours Earned Per Pay Period
0	0.0
>0	3.7

(A) Exempt employees, including part-time exempt employees, shall only use sick leave in either half- or full-day increments.

(B) For purposes of this regulation, hours in pay status shall include time off while receiving workers' compensation wage replacement for loss of work time.

(3) Exempt employees in positions not eligible for benefits shall earn one-half the amount of leave set out in paragraph (b) (2).

(c) Sick leave earned by an employee during a pay period shall be credited to the employee, and available for use, on the first day of the following pay period.

(d) Any employee may be required by the appointing authority or the director of personnel services to provide evidence necessary to establish that the employee is entitled to use sick leave under the circumstances of the request. If the employee fails to provide this evidence, the use of requested sick leave may be denied by the appointing authority or director. The appointing authority, with the director's approval, may require an examination of an employee by a licensed health or mental health care professional ultimately responsible for patients' health care, as designated by the agency and at the agency's expense.

(e)(1) Sick leave with pay shall be granted only for the following reasons:

(A) illness or disability of the employee including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, and personal appointments with a physician, dentist or other recognized health practitioner;

(B) illness or disability, including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, of a family member, and a family member's personal appointments with a physician, dentist or other recognized health practitioner, when the illness, disability or appointment reasonably requires the employee to be absent from work;

(C) legal quarantine of the employee; or

(D) the adoption of a child by an employee or initial placement of a foster child in the home of an employee, when the adoption or initial placement reasonably requires the employee to be absent from work.

(2) For purposes of this regulation, an employee's "family member" shall be limited to:

(A) persons related to the employee by blood, marriage or adoption; and

(B) minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code;

(f) If an appointing authority has evidence that an employee cannot perform the employee's duties because of illness or disability, if the employee has accumulated sick leave, and if the employee refuses or fails to apply for sick leave, the appointing authority may require the employee to use sick leave, and upon exhaustion of the employee's sick leave, may require use of any accumulated vacation leave. An appointing authority may request a written release by a licensed health or mental health care professional ultimately responsible for patients' health care before the employee is allowed to return to work. If the employee has exhausted all sick leave or accumulated vacation leave, the appointing authority may grant the employee leave without pay as provided in K.A.R. 1-9-6(c).

(g) Each employee who is injured on the job and awarded workers' compensation shall be granted use of accumulated leave upon the employee's request. The compensation for accumulated leave used each payroll period shall be that amount which, together with workers' compensation, equals the regular pay for the employee. Unless the employee requests otherwise, vacation leave and compensatory time credits shall be used only after sick leave credits have been exhausted. The appointing authority shall not require the use of accumulated

compensatory time credits in conjunction with workers' compensation.

(h) Each former employee who had unused sick leave at the time of separation, and who returns to the service to a regular position within a year, shall have the unused sick leave returned to the employee's credit. This provision shall not apply to a person who has retired from the state service.

(i) Calculation for payment of accumulated sick leave as of the date of retirement in accordance with K.S.A. 75-5517 shall be made using the hourly or salary rates set forth in K.A.R. 1-5-21. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3707, K.S.A. 75-3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Sept. 26, 1988; amended July 16, 1990; amended Jan. 6, 1992; amended Aug. 3, 1992; amended July 26, 1993; amended Dec. 17, 1995.)

1-9-6. Leave without pay. (a) The appointing authority shall determine whether approval of each request for leave without pay is for the good of the service, and shall approve or disapprove the request. The appointing authority may require use of accumulated vacation leave and accumulated sick leave before approval of leave without pay.

(b) Any new hire in a regular position without permanent status may be granted leave without pay for a period not to exceed 60 calendar days:

(1) for illness or disability, including pregnancy, childbirth, miscarriage, abortion and recovery therefrom;

(2) for the adoption of a child by the employee;

(3) for the initial placement of a foster child in the home of the employee;

(4) in order to care for a family member who has a serious health condition; or

(5) for other good and sufficient reason, when the appointing authority deems leave to be in the best interest of the service.

When an appointing authority determines that granting a longer leave of absence without pay than prescribed in this subsection is in the best interest of the service, the appointing authority may approve a longer leave, or an extension of a leave. The total duration of the leave shall not exceed six months. Any leave granted under this subsection that exceeds 30 calendar days shall be reported to the director of personnel services.

(c) Any employee currently without permanent status as a result of a promotion or reinstatement may be granted leave without pay under the same conditions as an employee with permanent status, if the employee had permanent status in the class in which the employee was employed immediately prior to the promotion or reinstatement.

(d) Any employee with permanent status may be granted leave without pay for a reasonable period of time consistent with the effective fulfillment of the agency's duties, but not to exceed one year:

(1) for illness or disability, including pregnancy, childbirth, miscarriage, abortion and recovery therefrom;

(continued)

- (2) for the adoption of a child by the employee;
- (3) for the initial placement of a foster child in the home of the employee;
- (4) in order to care for a family member who has a serious health condition; or
- (5) for other good and sufficient reason, when the appointing authority deems such leave to be in the best interest of the service. Any leave that exceeds 30 calendar days shall be reported to the director of personnel services.

(e) Any employee with permanent status may be granted leave of absence without pay from the employee's classified position to enable the employee to take a position in the unclassified service, if the granting of this leave is considered by the appointing authority to be in the best interest of the service. Leave for this purpose shall not exceed one year, but the appointing authority may grant one or more extensions of up to one year, and the appointing authority may determine the number of extensions.

(f) Desire of an employee to accept employment not in the state service shall be considered by the appointing authority as insufficient reason for approval of a leave of absence without pay, except under unusual circumstances.

(g) If the interests of the service make it necessary, the appointing authority may terminate a leave of absence without pay by giving written notice to the employee at least two weeks prior to the termination date. With the approval of the appointing authority, an employee may return from leave on an earlier date than originally scheduled.

(h) When an employee returns at the expiration of an approved leave without pay or upon notice by the appointing authority that a leave without pay has been terminated, the employee shall be returned to a position in the same class as the position which the employee held at the time the leave was granted, or in another class in the same pay grade for which the employee meets the qualifications.

(i) Failure to return to work at the expiration of an authorized leave of absence, or upon notice by the appointing authority that a leave has been terminated, shall be deemed a resignation. Such resignation shall be reported by the appointing authority to the director of personnel services in the manner provided by the director. Before terminating an employee for failure to return from leave, the appointing authority shall make a reasonable effort to contact the employee, and a summary of the steps taken to try to contact the employee shall be submitted to the director of personnel services with the resignation.

(j) As used in this regulation, the term "family member" shall have the meaning set out in K.A.R. 1-9-5(e)(2). This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2947, as amended by 1995 SB 175, § 11; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1983; amended, T-88-9, April 21, 1987; amended, T-89-1, May 1, 1988; amended Oct. 1, 1988; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-9-7a. Military leave; voluntary or involuntary service in the Armed Forces. (a) Subject to the additional

requirements and limitations of Title 38, U.S. Code, Chapter 43, each employee in a regular position, who enlists or is drafted into the armed forces of the United States, including reservists and members of the national guard who are activated to military duty, shall be granted military leave without pay upon the employee's notice to the appointing authority of a military order requiring active duty for other than training purposes. The appointing authority shall require the employee to provide, within a reasonable period of time, documentation to substantiate the military order for active duty.

Any person on military leave, as mentioned above, who applies to the appointing authority for permission to return to the classified service within 90 days after receiving a discharge from the military service under honorable conditions, or from hospitalization, shall:

(1) be restored to that position or to a similar position with like status and pay in the same geographic location, as determined pursuant to K.A.R. 1-5-11;

(2) if qualified to perform the duties of any other position, be offered employment in the same geographic location in a position comparable in status and pay to the former position; or

(3) appeal to the secretary of administration for appropriate placement.

(b) Military leave shall be counted as part of the employee's length of service as prescribed in K.A.R. 1-2-46. Sick leave, vacation leave, and holidays shall not be earned or accrued during a period of military leave without pay.

(c) Reenlistment or continuation of active duty beyond the time prescribed by Title 38, U.S. Code, Chapter 43, shall be considered a voluntary resignation from military leave status. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 77-3746; effective May 1, 1985; amended, T-1-3-14-91, March 14, 1991; amended July 8, 1991; amended Dec. 17, 1995.)

1-9-7b. Military leave; voluntary or involuntary service with reserve component of the Armed Forces. (a)

(1) Subject to the additional requirements and limitations of Title 38, U.S. Code, Chapter 43, each employee in a regular position, who is a member of a reserve component of the military service of the United States, shall be granted a maximum of 12 working days per calendar year of military leave with pay for active duty for training purposes as defined in paragraph (a)(2). Any active duty for training purposes in excess of 12 working days in a calendar year shall be charged to military leave without pay, or at the employee's request, to accrued vacation leave.

(2) "Active duty for training purposes" means:

(A) the initial period of full-time, active duty required by federal law for newly-enlisted members;

(B) annual training on active duty which is normally conducted for 15 consecutive days. Such annual training may also be conducted on an intermittent schedule totaling 15 days in a calendar year; or

(C) periodic individual military training or schooling that offers the employee an opportunity to retain the employee's reserve component membership or receive a promotion.

(b) Each employee in a regular position, who is a member of a reserve component of the military reserve of the

United States, shall be granted military leave without pay, or at the employee's request, accrued vacation leave for the purpose of performing inactive duty for training.

(c) Requests for military leave shall be made to the appointing authority with an appropriate military order or duty training document at least:

(1) One month before the start of any inactive or active duty for training, except initial active duty for training; or

(2) Two weeks before the start of any initial active duty for training.

Leave that is not requested as prescribed in this subsection shall not be approved unless the employee furnishes the appointing authority with evidence which is satisfactory to the appointing authority and which demonstrates that, due to extenuating circumstances, the leave should be granted.

(d) Each employee in a regular position shall be granted military leave without pay, or at the employee's request, accrued vacation leave for the purpose of induction, entrance or examination for entrance into a reserve component. Notice to the appointing authority shall be provided as prescribed by the appointing authority. Upon completion of the examination, the employee shall return to state employment as prescribed in subsection (e).

(e) Upon each employee's release from a period of active or inactive duty for training, or upon each employee's discharge from hospitalization for injuries suffered during such training, the employee shall be permitted to return to a similar position with status and pay like that the employee would have had if the employee had not been absent for such purposes. If the employee is not qualified to perform the duties of the position by reason of disability sustained during training, but is qualified to perform the duties of any other position, the employee shall be offered employment in a position comparable in status and pay to the former position.

(f) When returning from periods of inactive or active duty for training, except initial active duty for training, the employee shall report for work at the beginning of the next regularly scheduled working period or within a reasonable time thereafter if the delayed return is due to factors beyond the employee's control and the employee provides documentation.

(g) When returning from performing initial active duty for training, each employee shall report back to work within:

(1) thirty-one days of release from training or release from hospitalization for injuries suffered during training; or

(2) one year after the member's scheduled release from training, whichever is earlier.

(h) Military leave shall be counted as part of the employee's length of service as prescribed in K.A.R. 1-2-46. Sick leave, vacation leave, and holidays shall not be earned or accrued during a period of military training when leave without pay has been granted.

(i) For purposes of this regulation, any reference to the military reserve of the United States shall be considered to include members of the national guard. This regulation shall be effective on and after December 17, 1995. (Au-

thorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995.)

1-9-7c. Military leave; state duty with Kansas national guard or state guard when organized. (a) Each employee in a regular position, who is a member of the state or Kansas national guard, shall be granted military leave with pay for the duration of any official call to state emergency duty.

(b) The appointing authority may grant military leave without pay, or at the employee's request, accrued vacation leave for the duration of any other type of state duty performed pursuant to K.S.A. 48-225.

(c) Each employee shall provide an appropriate state military order to the appointing authority before the processing of any pay reports or time and attendance reports, or both. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995.)

1-9-8. Jury duty; other required appearance before a court or other public body. (a)(1) Each employee in a regular position, shall be granted leave with pay by their appointing authority:

(A) for required jury duty; or

(B) in order to comply with a subpoena as a witness before the civil service board, the Kansas commission on civil rights, the United States equal employment opportunity commission, or a court.

(2) An employee shall not be entitled to leave of absence with pay in circumstances where the employee is called as a witness on the employee's own behalf in an action in which the employee is a party.

(b) Leave with pay may be granted to any employee for an appearance before a court, a legislative committee or other public body, if the appointing authority considers the granting of leave with pay to be in the best interest of the state.

(c) When any employee travels in a state vehicle for a required appearance before a court, or a legislative committee, or other public body, the employee shall turn over to the state any mileage expense payments received.

(d) Each employee granted leave under this section who receives pay or fees for a required appearance, excluding jury duty, shall turn over to the state the pay or fees in excess of \$50.00. The employee may retain any amount paid to the employee for expenses in traveling to and from the place of the jury duty or required appearance, except as provided in subsection (c) of this regulation. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; effective May 1, 1986; amended, T-87-17, July 1, 1986; amended May 1, 1987; amended, T-89-1, May 1, 1988; amended Oct. 1, 1988; amended Dec. 17, 1995.)

1-9-12. Funeral or death leave. An appointing authority may grant leave with pay to an employee in a regular position upon the death of a close relative. Such

(continued)

leave shall in no case exceed six working days. The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining whether to grant funeral or death leave and if so, the amount of leave to be granted. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1981; amended Dec. 17, 1995.)

1-9-13. Payment for accumulated vacation leave and compensatory time credits upon separation. Any employee who resigns or is otherwise separated from the service shall be paid for that employee's accumulated vacation leave and compensatory time credits at the same time the employee is paid for the last day at work. Pay for an employee's vacation leave or compensatory time credit shall be calculated using the appropriate hourly or salary rate set forth in K.A.R. 1-5-21, and with respect to non-exempt employees, the provisions of K.A.R. 1-5-24(e)(4). Pay for such vacation or compensatory time credit shall be a lump sum addition to the employee's last paycheck. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1984; amended May 1, 1985; amended, T-86-36, Dec. 11, 1985; amended, T-87-11, May 1, 1986; amended May 1, 1987; amended Feb. 1, 1993; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-9-15. Employee counseling. In cooperation with agency administrators, a program of employee counseling which will provide job-related information for employees shall be prepared, implemented and maintained under the supervision of the director. The counseling program shall include information regarding benefits, services, performance reviews, transfer, promotion, and retirement. Appropriate personnel officials and their locations shall be identified on the official bulletin boards. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended Dec. 17, 1995.)

1-9-18. Equal employment opportunity; affirmative action; discrimination prohibited. (a) Equal employment opportunity means the right of all persons to work and to advance on the basis of merit and ability without regard to race, color, national origin, age, sex, disability, or political or religious affiliation and may be achieved by appropriate affirmative action efforts.

(b) Affirmative action means a deliberate and sustained effort to identify and eliminate barriers to the employment and advancement of members of protected groups. The goal of affirmative action initiatives shall be to achieve, at all levels, a state government work force whose composition approximates the percentage of females, minorities and persons with disabilities in the available state resident work force.

(1) Each agency shall implement a plan of affirmative action in order to identify areas of underutilization, initiate programs designed to address underutilization and implement programs and policies designed to promote equal employment opportunity.

(2) Each agency shall keep complete and accurate employment records and statistics which provide information for evaluation and analysis of current and past employment practices. Each agency shall provide such data in the manner and on the forms required by the secretary of administration.

(3) Each appointing authority shall establish such goals and target dates as are necessary to effectuate agency-level and statewide affirmative action plans for equal employment opportunity.

(c) Discrimination against any registrant, applicant or candidate for, or employee in state service in recruitment, assessment, hiring, training, promotion, retention, discipline or any other aspect of personnel administration because of political or religious opinion or affiliation or because of race, sex, national origin, ancestry, a disability which is qualified under K.S.A. 75-2926, as amended by 1995 SB 175, Sec. 3, association with or relationship to a person with such a qualified disability or any other non-merit factors shall be prohibited. Discrimination on the basis of age, sex or disability shall be prohibited, except that it shall not constitute discrimination to base a personnel act on:

(1) age or sex, where age or sex constitutes a bona fide occupational qualification necessary to proper and efficient administration; or

(2) a disability which is a qualified disability under K.S.A. 75-2926, as amended by 1995 SB 175, Sec. 3, and which prevents the individual from performing the position's essential functions with reasonable accommodation. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746, K.S.A. 75-2925, as amended by 1995 SB 175, § 2, and K.S.A. 75-2938, as amended by 1995 SB 175, §4; effective May 1, 1979; amended Aug. 3, 1992; amended Dec. 17, 1995.)

1-9-22. Job injury leave. (a) Any classified or unclassified employee who sustains a qualifying job injury, as determined by the employee's appointing authority, shall be eligible for job injury leave in accordance with this regulation.

(b)(1) "Qualifying job injury" means an injury which:

(A) renders the employee unable to perform the employee's regular job duties;

(B) arose out of and in the course of employment with the state; and

(C)(i) was sustained as a result of a shooting, stabbing or aggravated battery, as defined in K.S.A. 21-3414, by another against the employee;

(ii) was sustained as a result of a confrontation with a patient or client in a mental health or mental retardation facility or ward wherein the client either inflicts great bodily harm, causes disfigurement, or causes bodily harm with a deadly weapon or in any manner whereby great bodily harm, disfigurement, dismemberment, or death can be inflicted; or

(iii) additionally for law enforcement officers, was sustained while in fresh pursuit of a person or while operating under the provisions of K.S.A. 8-1506.

Qualifying job injuries shall not include injuries sustained as a result of the intentional actions of a co-worker.

(2) "Fresh pursuit" means pursuit, without unnecessary delay, of a person who has committed a crime or who is reasonably suspected of having committed a crime.

(c) Job injury leave shall not exceed six total months away from work. While an employee is on an approved job injury leave, the employing state agency shall continue to pay the employee's regular compensation. If the employee is awarded worker's compensation, the state agency shall pay the employee compensation in an amount which, together with worker's compensation pay, equals the regular pay of the employee. The employee shall not be required to use accrued sick leave or vacation. The employee shall continue to accrue sick and vacation leave as long as the employee remains in pay status. Nothing herein shall be construed as providing voluntary or gratuitous compensation payments in addition to temporary total disability compensation payments pursuant to the worker's compensation laws.

(d) The appointing authority may require an employee on approved job injury leave to return to full or limited duty if the employee is physically able to perform the duty as determined by a physician selected by the appointing authority or selected by a representative of the state self-insurance fund. However, any limited duty allowed shall not, in combination with time away from work on job injury leave, exceed the total six months allowed for job injury leave. If the employee remains unable to return to full duty, the appointing authority shall take such action as deemed to be in the best interest of the state.

(e) When an employee is on approved job injury leave, the appointing authority may require the employee to be examined by a physician selected by the appointing authority to determine the capability of the employee to return to full or limited duty.

(f) Employees on approved job injury leave shall be prohibited from being gainfully employed by any other employer.

(g) The requirements of this regulation may be waived or modified by the director upon written request of the appointing authority. Such a waiver or modification may be granted only upon a finding by the director that:

(1) granting the requested waiver or modification would not be in conflict with any statutes pertaining to leave; and

(2) failure to grant the requested waiver or modification would create a manifest injustice or undue hardship on the employee requesting the job injury leave. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective, T-86-17, June 17, 1985; effective May 1, 1986; amended Nov. 21, 1994; amended Dec. 17, 1995.)

1-9-23. Shared leave. (a)(1) Each classified employee in a regular position, may be eligible to receive or donate shared leave as provided in this regulation.

(2) Shared leave may be granted to an employee if the employee or a family member as defined in K.A.R. 1-9-5(e)(2):

(A) is experiencing a serious, extreme or life-threatening illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the em-

ployee to take leave without pay or terminate employment; and

(B) the illness, injury, impairment or condition keeps the employee from performing regular work duties.

(b) (1) An employee shall be eligible to receive shared leave if:

(A) the employee has exhausted all paid leave available for use including vacation leave, sick leave, and compensatory time credits; and

(B) the employee has six months of continuous service.

(2) An employee shall be eligible to donate vacation leave or sick leave to another employee if:

(A) the donation of vacation leave does not cause the accumulated vacation leave balance of the donating employee to be less than 80 hours; and

(B) the donation of sick leave does not cause the accumulated sick leave balance of the donating employee to be less than 480 hours.

(c)(1) When requesting shared leave, or at any time during the use of shared leave, any employee may be required by the appointing authority or the director to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment or physical or mental condition of the employee or family member is serious, extreme or life-threatening and keeps the employee from performing regular work duties. If the employee fails to provide evidence as required, the use of shared leave may be denied or terminated by the appointing authority.

(2)(A) If the appointing authority determines the employee meets the initial eligibility requirements in paragraph (b)(1), and if applicable, determines that the employee would be caring for an individual who meets the definition of a family member, a leave share review committee shall be established as prescribed by the director. The leave share review committee shall review shared leave requests and provide a recommendation to the appointing authority.

(B) Shared leave may be denied if it is determined that the requesting employee has a history of leave abuse. A common illness or minor injury that is not serious, extreme or life-threatening shall be excluded from eligibility for shared leave.

(C) If the employee receives worker's compensation, long-term disability payments, or both, shared leave used each payroll period shall be that amount which, together with the payment of worker's compensation, long-term disability, or both, equals but does not exceed the regular pay for the employee.

(D) The appointing authority may grant all or a portion of the time requested. The decision by the appointing authority to approve or deny the request shall be final and not subject to appeal to the civil service board.

(d) Employees shall not be notified of the need for shared leave until the request for shared leave has been approved by the appointing authority. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for purposes of the shared leave program.

(e)(1) Shared leave may be used only for the duration of the current serious, extreme or life-threatening illness, injury, impairment or physical or mental condition for

(continued)

which it was collected. When an employee is granted shared leave due to the employee's illness or injury, the maximum duration of the shared leave shall be six months from the date the employee began using the shared leave. After six months, if the employee does not meet the conditions for long-term disability payments, shared leave may be extended for up to an additional six months. When the shared leave is granted due to the illness or injury of a family member, the maximum duration of the shared leave shall be 12 months from the date the employee began using the shared leave. Shared leave shall not be transferable to any employee other than the employee for which it was requested and donated.

(2) Shared leave may be applied retroactively for a period not to exceed two pay periods. Written notification of each instance in which shared leave is applied retroactively shall be given to the director.

(3) The employee shall no longer be eligible to receive shared leave for that particular occurrence if:

(A) the illness, injury, impairment or condition improves so that it is no longer serious, extreme or life-threatening and the employee is no longer prevented from performing regular work duties;

(B) the recipient terminates or retires; or

(C) the employee can no longer show evidence that the family member's illness, injury, impairment or physical or mental condition is serious, extreme or life-threatening and keeps the employee from performing regular work duties.

The employee shall be determined to no longer be prevented from performing regular work duties when the physician states the employee is able to return to work or when the employee has returned to work for 20 continuous working days.

(4) Any unused portion of the shared leave shall be prorated among all donating employees based on the original amount and type of donated leave. Shared leave shall not be returned to donating employees in increments of less than one full hour or to any person who has left state service.

(f)(1) Shared leave shall be paid according to the receiving employee's regular rate of pay by the receiving employee's agency. The rate of pay of the donating employee shall not be used in figuring the amount of shared leave the requesting employee receives.

(2) Shared leave shall be donated in full-hour increments.

(g) The requirements of this regulation may be waived or modified by the director upon written request of the appointing authority. Such a waiver or modification may be granted only upon a finding by the director that:

(1) all the criteria of K.S.A. 1994 Supp. 75-5549 have been met; and

(2) failure to grant the requested waiver or modification would create a manifest injustice or undue hardship on the employee requesting the shared leave or on a family member of that employee. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3706, K.S.A. 1994 Supp. 75-3747 and K.S.A. 1994 Supp. 75-5549; implementing K.S.A. 75-2925, as amended by SB 175, § 2, K.S.A. 75-3707, 75-3746, and K.S.A. 1994 Supp. 75-5549; effective, T-1-7-23-92, July 23, 1992; effective Sept. 14, 1992; amended July 26, 1993; amended, T-

1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995.)

Article 10.—GUIDANCE AND DISCIPLINE

1-10-8. Dismissal or demotion of a probationary employee. (a) Subject to the provisions of subsection (b), the appointing authority may dismiss any probationary employee at any time during the probationary period. The employee shall be notified in writing, on or before the date of dismissal, of the reason for the dismissal and the effective date thereof. The notice shall give the employee an opportunity at a stated time, or within a time limit specified, to appear before the appointing authority or the appointing authority's representative or to respond in writing. A copy of the dismissal notice shall immediately be entered into the employee's personnel file. The opportunity given the employee to appear or to respond in writing to a notice of dismissal while on probation shall not be construed as a limitation on the authority of the appointing authority to dismiss a probationer.

(b) Demotion of promotional employee while on probation.

(1) Each employee with permanent status who is promoted with probationary status to a higher position and whom the appointing authority wishes to terminate from the higher position for a cause other than personal conduct during the probationary period or at the conclusion thereof, shall not be dismissed, but shall be demoted with permanent status to a position in the class from which the employee was promoted, or to a position in another class in the same pay grade as the class from which the employee was promoted, or in a class in the next lower pay grade.

(2) If the employee was promoted from one agency to another agency, the demotion shall be to a position in the agency to which the employee was promoted, unless the agency from which the employee was promoted agrees to the demotion of the employee to that agency.

(3) If the employee was dismissed for misconduct or delinquency from the position to which the employee was promoted and for that reason is not entitled to be demoted to a lower position, the employee shall have a right to appeal the dismissal to the state civil service board. If an employee who is entitled to demotion pursuant to this subsection (b) is not given the opportunity to be demoted, but is dismissed, the employee shall have a right to appeal the dismissal to the state civil service board.

(4) The right to demotion provided in this subsection (b) shall not apply if the promotional employee was promoted immediately following a break in service of more than 30 days.

(5) Nothing in this subsection (b) shall prevent an agency from giving any employee referred to in paragraph (1) of this subsection a promotion on probation to some other class for which the employee is qualified under the regulations pertaining to promotions. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2944, as amended by 1995 SB 175, § 9, and K.S.A. 75-2946; effective, E-82-14, July 1, 1981; effective May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended Dec. 17, 1995.)

1-10-9. Dismissal of temporary employee. An appointing authority may dismiss a temporary employee by notifying the employee in writing of the date of the dismissal and the reason for the dismissal. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746; effective, E-82-14, July 1, 1981; effective May 1, 1982; amended Dec. 17, 1995.)

**Article 13.—RECORDS, REPORTS,
RESEARCH AND EVALUATION
OF PERSONNEL SYSTEM**

1-13-1a. Content and disclosure of information in employees' official personnel records. (a) The official personnel file of state employees shall include the following:

(1) documents showing employees' hires, transfers, promotions, demotions, separations, changes of pay rates, leaves of absence or other changes in employment status;

(2) performance reviews, letters of reprimand and letters of rebuttal thereto, and letters of commendation;

(3) applications for a vacancy and any assessment scores;

(4) such other information as the director of personnel services deems appropriate; and

(5) letters of proposed disciplinary action.

(b) Except as otherwise provided in this regulation and the Kansas open records act K.S.A. 45-215 et seq., information contained in each state employee's official personnel file shall not be open to public inspection.

(c) Upon inquiry of any individual, including prospective employers, the division of personnel services or personnel in the state agency where an employee is employed, shall disclose the following information concerning an employee:

(1) name of the employee;

(2) current title and job position;

(3) current or prior pay; and

(4) length of employment with the state.

(d) Upon inquiry of any individual, the division of personnel services, or personnel in the state agency where an employee is employed, may disclose the following additional information concerning an employee:

(1) name of employing state agency;

(2) length of time the employee has served in the employee's current job position; and

(3) letters of commendation.

(e) When individuals from the following agencies, in carrying forth their official duties, establish a need for information contained in an employee's official personnel file, personnel from those agencies shall be permitted to access the personnel file:

(1) the Kansas department of administration;

(2) the Kansas attorney general's office, including the Kansas bureau of investigation;

(3) the federal equal employment opportunity commission and Kansas human rights commission;

(4) the Kansas civil service board;

(5) legislative post audit;

(6) the state agency employing that employee; and

(7) child support enforcement specialists of the Kansas department of social and rehabilitation services.

(f) Any current or former employee, or an individual or organization authorized in writing by the current or former employee, may review the employee's official personnel file maintained in a state agency or in the division of personnel services. The request shall be made in writing to the appointing authority or the director, respectively. A copy of the written request and the written authorization from the employee shall be placed in the employee's personnel file. The review shall be made consistent with the conditions established by the appointing authority or the director, respectively, and at a time and place mutually convenient to the parties.

(g) The head of any state agency or a designee, having a proper interest and an established need to review an employee's personnel file, may review an employee's official personnel file, including employee references, maintained in a state agency or in the division of personnel services upon request to the appointing authority or designee, or the director, respectively.

(h) The official personnel file of any specifically named employee shall also be made available for inspection in connection with litigation pursuant to the terms of an order entered by a judge of any federal, state or municipal court properly having jurisdiction over such litigation. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2950 and K.S.A. 75-3746, and K.S.A. 45-221; effective May 1, 1983; amended Dec. 27, 1993; amended Dec. 17, 1995.)

**Article 14.—LAYOFF PROCEDURES AND
ALTERNATIVES TO LAYOFF**

1-14-7. Agency submission of layoff notice to director. (a) When submitting a layoff notice to the director, the appointing authority shall list the reason for the proposed layoff. As established by K.S.A. 75-2948, as amended, the reasons for proposing a layoff shall be limited to:

(1) a shortage of work or funds;

(2) the reinstatement of an employee returning from authorized leave; or

(3) the abolition of a position or other material change in duties or organization.

(b) Any appointing authority proposing a layoff shall give written notice of the proposed layoff to the director, and a copy of the notice to the secretary of administration, at least 45 calendar days before the proposed effective date of the layoff. In cases of extenuating circumstances, the 45-day notice requirement may be waived by the director. However, in no case shall notice of layoff to the director be less than 30 days prior to the proposed effective date of the layoff.

(c) In the notice, the appointing authority shall specify:

(1) the reason or reasons for the layoff;

(2) the class, classes, or class series in which the layoff is to occur;

(3) the estimated number of employees to be laid off;

(4) the proposed effective date of each layoff;

(continued)

(5) the position or positions to be vacated by layoff; and

(6) the layoff scores of employees identified in subsection (a) of K.A.R. 1-14-9.

(d) The appointing authority may designate a geographic area or an organizational unit within which the layoff is to occur and within which the employees are to be subject to layoff. If geographic areas or organizational units are designated by the appointing authority, they shall be indicated in the layoff notice. If no area or unit is designated, the layoff shall be agency-wide. The appointing authority also may limit the layoff to full-time employees or to employees employed on less than a full-time basis. If an area or unit is used, the layoff and bumping rights shall be applied only to employees within the designated area or unit. When the layoff is limited to full-time employees or less than full-time employees, any permanent employee may exercise bumping rights into a position filled by any probationary employee only within the group of employees having the same full-time or less than full-time status. Otherwise, any permanent employee may exercise bumping rights into any position filled by a probationary employee anywhere within the agency, if the permanent employee meets the required selection criteria for the class.

(e) The appointing authority may also allow employees to bump into lower classes in a class series in addition to any lower class in which the employee had permanent status. The class series bumping option shall be limited to class series that are designated in the layoff informational plan and shall be stated in the layoff notice.

(f) Within 10 calendar days of the receipt of a proposed layoff notice, the agency shall be contacted by the director with any questions the director may have regarding the layoff, and the proposed layoff shall be reviewed with the secretary of administration. The proposed layoff shall be approved, modified and approved as modified, or rejected by the secretary within 15 days of the receipt of the proposed layoff notice. The agency shall be notified in writing of the secretary's determination. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12; effective May 1, 1984; amended Jan. 18, 1994; amended Dec. 17, 1995.)

1-14-8. Computation of layoff scores. (a) A layoff score shall be computed by the appointing authority for each permanent employee in the agency in the class or classes of positions identified for layoff and for each employee in a class of positions that may be affected by the exercise of bumping rights.

(b) Layoff scores shall be computed according to the formula: $A \times L$, where:

A = average performance review rating of the employee, as described in 1-14-8(d); and

L = the length of service, as defined in K.A.R. 1-2-46(a), expressed in months.

Length of service for a retired employee who has returned to work shall be calculated on the same basis as a new

hire. The layoff scores shall be prepared in accordance with a uniform score sheet prescribed by the director.

(c) Layoff scores computed by the appointing authority shall be made available for inspection by each employee upon request at, or prior to, the time the agency gives written notice of a proposed layoff to the director and the secretary pursuant to K.A.R. 1-14-7. Upon request of any employee, the appointing authority or designee shall review the manner in which the employee's score was calculated. Any dispute as to the proper calculation of a layoff score of any employee shall be resolved by the director.

(d) Except as otherwise authorized by this subsection, the performance review ratings used in computing the layoff score of an employee shall be the most recent ratings for the employee during the last five years up to and including five ratings, if the employee has as many as five ratings. However, a rating resulting from a special performance review that is given for a rating period ending within 90 calendar days of any notice of the layoff to the director shall not be counted. Performance reviews completed for rating periods ending on or after the date the appointing authority notifies the director in writing that a layoff is to occur shall not be considered in computing layoff scores; however, the appointing authority may designate a uniform earlier cutoff date to identify which performance review ratings shall be used in computing layoff scores.

(1) Point values shall be assigned to performance reviews as follows: A rating of exceptional shall have a value of five; a rating of satisfactory, a value of three; and a rating of unsatisfactory, a value of zero.

(2) If an employee has not had a performance rating that may be used to compute a layoff score, the employee shall be deemed to have been given a performance rating of satisfactory and the value of that rating shall be used to compute a layoff score. New hires and rehires employed on a basis other than reinstatement who are on probation and employees in training classes shall be subject to subsections (e), (f), and (g).

(3) In case of identical layoff scores, and if some, but not all, of the persons with the same score need to be laid off, preference among such persons shall be given to any veteran, any surviving spouse of a veteran, and any orphan of a veteran, in that order. For the purpose of this regulation:

(A) "person who served in the armed forces of the United States" means any person who served in the army, navy, air force or marine corps of the United States in world war I or world war II, and any person who served with the armed forces of the United States during the military, naval, and air operations in Korea, Vietnam or other places under the flags of the United States and the United Nations or under the flag of the United States alone;

(B) "veteran" means a person who has served in the armed forces of the United States and who has been honorably discharged therefrom or who has been discharged under honorable conditions;

(C) "surviving spouse" means the spouse of a person who served in the armed forces of the United States and

who died while in the U.S. armed forces, unless the spouse has remarried; and

(D) "orphan" means a minor who is the child of a person who served in the armed forces of the United States and who died while serving in the U.S. armed forces.

If further ties remain, a method of breaking the ties shall be established by the secretary that is consistent with agency affirmative action goals and timetables for addressing underutilization of persons in protected groups. If further ties remain, preference in retention shall be given to the person with the greatest length of service as defined in K.A.R. 1-2-46. If a tie still exists, the next preference shall be given to the person with the greatest length of service as defined in K.A.R. 1-2-46 within that agency. If a tie still exists, the appointing authority shall be responsible for determining an equitable tie-breaking system.

(e) New hires and rehires on probation shall not be granted permanent status on or after the date the appointing authority has notified the director of a proposed layoff. However, any new hire or rehire on probation in a position for which no employee subject to layoff meets the required selection criteria may be given permanent status. New hires and rehires on probation shall have their probationary period extended until it is certain that no permanent employee whose position is to be vacated by layoff or who otherwise would be laid off through the exercise of bumping rights is claiming the probationary position.

(f) Any employee serving in probationary status as a result of one of the following shall be considered as permanent for layoff purposes only:

(1) promotion from a class in which the employee had permanent status;

(2) reallocation of a position from a class in which the employee had attained permanent status; or

(3) promotion from a classified position after six months of continuous classified service.

(g) Any employee serving in training status on a governor's trainee position, or in any identified training position, for at least six months of continuous employment shall be considered as permanent for layoff purposes only.

(h) The layoff list shall be based on the order of the layoff scores. The person with the lowest layoff score shall be laid off first. If more than one person is to be laid off, the persons to be laid off shall be selected on the basis of the lowest layoff scores. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12, and K.S.A. 1994 Supp. 75-2943, as amended by 1995 SB 175, § 8; effective May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Dec. 27, 1993; amended Dec. 17, 1995.)

1-14-10. Procedures for bumping and layoff conferences. (a) Bumping shall occur within the layoff group identified in the agency's layoff informational plan and layoff notice, or agency-wide if the agency has not designated a layoff group. If the criteria set forth in paragraphs (1) and (2) of this subsection have been met, any permanent employee, or any employee considered per-

manent for layoff purposes only, who is scheduled for layoff shall only bump into a lower class in which the employee previously had permanent status, unless the employee's position is in a class which is part of a class series designated by the appointing authority in the agency's layoff plan. If such a class series is designated in the agency's layoff plan, then the employee shall be permitted to bump into a lower class in the class series as indicated in the layoff informational plan and notice. Except as authorized by subsection (b), in order for a permanent employee to exercise bumping rights, the following criteria shall be required.

(1) The employee to be bumped shall have a lower layoff score than the person exercising the bumping right.

(2) The employee to be bumped shall have the lowest layoff score in the employee's job class of anyone in a position not scheduled for layoff.

(b) No permanent employee shall be laid off if:

(1) there is a position filled by a probationary employee anywhere in the agency;

(2) the permanent employee scheduled to be laid off is interested in the position; and

(3) the permanent employee is eligible for transfer or demotion to the position pursuant to K.A.R. 1-6-24 and 1-6-27.

(c) Bumping procedures shall begin as soon as possible after layoff notices have been given pursuant to K.A.R. 1-14-9. The appointing authority or designee shall develop a schedule for an individual conference with each affected employee, starting with the employee having the highest layoff score. The schedule of conferences shall continue in this order until all affected employees have had such a conference. During the layoff conference, the employee shall be informed of the bumping options available to the employee and of the opportunity to select one such option. The employee may defer the selection no longer than one full working day, unless a longer period of time is authorized by the appointing authority. When an employee is unavailable on the day the employee is scheduled for a layoff conference, the appointing authority shall reschedule the layoff conference. If the employee fails to appear at the rescheduled conference, the appointing agency shall not be required to hold a layoff conference with the employee and the employee shall forfeit bumping rights. Any disputes stemming from the forfeiture of bumping rights shall be resolved by the director. In extenuating circumstances and when deemed to be in the best interest of the state service, group layoff conference sessions may be authorized by the director.

(d) In addition, at the layoff conference, employees shall be informed of their right to seek reemployment opportunities with the state, including outplacement assistance provided by the division of personnel services. Outplacement assistance shall be available to the affected employee for up to three years after the effective date of the layoff.

(e) Any employee who is not scheduled for layoff, but whose position will be vacated during the layoff and bumping process, and who refuses to accept a transfer or demotion to another position, may request to be laid off voluntarily. Any employee who has been granted a vol-

(continued)

untary layoff shall have reemployment rights. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-2948, as amended by 1995 SB 175, § 12; effective May 1, 1984; amended Jan. 18, 1994; amended Dec. 17, 1995.)

Article 21.—UNITED STATES SAVINGS BOND DEDUCTION PROGRAM

1-21-1. Definitions. (a) "Director" means the director of accounts and reports.

(b) "Agency" means the agency employing the participating employee.

(c) "Payroll savings program" means the state of Kansas program for the purchase of United States savings bonds through state payroll deductions.

(d) "Participating employee" means an employee who has elected to participate in the payroll savings program.

(e) "Bond" means United States payroll savings bond.

(f) "Account" means the amount accumulated in the clearing fund toward the purchase of a specific bond on behalf of an employee.

(g) "Clearing fund" means the state of Kansas United States savings bond clearing fund. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3706, 75-5530; implementing K.S.A. 79-5530; effective May 1, 1978; amended July 12, 1993; amended Dec. 17, 1995.)

1-21-2. Participation. (a) Any employee may elect to participate in the payroll savings program on an individual basis only.

(b) Joint purchase of United States savings bonds by two or more employees shall not be permitted. However, any employee may establish multiple bond accounts in multiple denominations with a designated amount or percentage of the payroll deduction going to each account. Any employee may designate different owners, co-owners or beneficiaries for each bond purchased from that individual's account.

(c) Participation shall begin in the first payroll period following processing of the authorization form by the agency as prescribed by the director.

(d) Any participating employee may discontinue participation at any time, subject to the limitations set out in subsection (g).

(e) Any employee may elect to re-enroll at any time, subject to the limitations set out in subsection (g).

(f) Authorization changes shall be limited to:

(1) changes in the name, address or social security number of the owners, co-owners or beneficiaries;

(2) changes in the amount or the percentage of the payroll deduction designated for each account; and

(3) changes in the denomination of bond.

(g) All authorization changes shall take effect in the first payroll period following receipt of the prescribed authorization form by the agency. This regulation shall be effective on and after December 17, 1995. (Authorized by K.S.A. 75-3706, 75-5530; implementing K.S.A. 75-5530; effective May 1, 1978; amended July 12, 1993; amended Dec. 17, 1995.)

1-21-4. Limitations. (a) Each participating employee shall designate a whole dollar amount to be deducted in each payroll period which shall:

(1) be at least \$5.00 per payroll period; and

(2) not exceed the amount of the employee's net pay after all other payroll deductions.

(b) Each participating employee may designate different owners, co-owners or beneficiaries of record.

(c) Each participating employee may have multiple active accounts in multiple denominations.

(d) The following denominations of bonds shall be offered:

	Face Value	Cost
(1)	\$100.00	\$50.00
(2)	\$200.00	\$100.00
(3)	\$500.00	\$250.00
(4)	\$1,000.00	\$500.00 (effective January 1, 1996)
(5)	\$5,000.00	\$2,500.00 (effective January 1, 1996)
(6)	\$10,000.00	\$5,000.00 (effective January 1, 1996)

(e) Employees may purchase multiple bonds in multiple denominations for issue in the same pay period. This regulation shall take effect on and after December 17, 1995. (Authorized by K.S.A. 75-3706, 75-5530; implementing K.S.A. 75-5530; effective May 1, 1978; amended July 12, 1993; amended Dec. 17, 1995.)

Article 24.—PAYROLL DEDUCTIONS FOR CHARITABLE CONTRIBUTIONS

1-24-1. Written authorization. (a) Each state employee who desires to participate in the payroll deduction plan authorized by K.S.A. 75-5531 *et seq.* for the purpose of making contributions to united way organizations shall enroll in the plan by completing a written authorization on the form prescribed or approved by the director of accounts and reports.

(b) The completed and signed authorization form shall be submitted to the united way organization solicitor or agent, who shall forward one copy to the agency for the agency records.

(c) For each employee who elects during the annual "united way" drive to contribute by payroll deduction, the employee's agency shall process the authorization form prescribed by the director.

(d) Any employee not electing to participate during the annual calendar year "united way" drive may participate at any time thereafter, subject to the other provisions of this regulation and after processing of the authorization form prescribed by the director.

(e) Unless changed or canceled, the deductions shall continue through the calendar year. If a participating employee decides to cancel or change the united way contribution by payroll deduction, the employee shall file written notice of such authorization with the designated agency official. The change in payroll deduction shall be effective the first day of the payroll period that begins after the authorization form is received by the agency.

(f) This regulation shall take effect on and after December 17, 1995. (Authorized by K.S.A. 75-5534; implementing K.S.A. 1994 Supp. 75-5532; effective May 1, 1981; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended Dec. 17, 1995.)

Sheila Frahm
Secretary of Administration

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1994 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-20	New	V. 14, p. 172, 483
1-5-15	Amended	V. 13, p. 1500
1-5-24	Amended	V. 13, p. 1679
1-5-29	Amended	V. 13, p. 1461, 1501
1-6-21	Amended	V. 13, p. 1461, 1501
1-6-22a	Amended	V. 13, p. 1501
1-6-33	New	V. 14, p. 172, 483
1-8-2	Amended	V. 13, p. 1461, 1502
1-8-5	Amended	V. 13, p. 1461, 1502
1-8-6	Amended	V. 13, p. 1462, 1502
1-9-22	Amended	V. 13, p. 1502
1-9-23	Amended	V. 13, p. 1462, 1503
1-9-25	New	V. 14, p. 173, 484
1-9-26	New	V. 14, p. 175, 487
1-16-18	Amended	V. 14, p. 1376
1-17-13	Amended	V. 13, p. 720
1-18-1a	Amended	V. 14, p. 971, 1018
1-49-1	Amended	V. 13, p. 720
1-63-1	New	V. 13, p. 1463, 1504
1-63-2	New	V. 13, p. 1463, 1504

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-2-4	Revoked	V. 13, p. 1609
4-2-5	Revoked	V. 13, p. 1609
4-2-6	Revoked	V. 13, p. 1609
4-2-8	Amended	V. 13, p. 1609
4-2-20	New	V. 13, p. 1609
4-3-47	Amended	V. 13, p. 1609
4-3-49	Amended	V. 13, p. 1609
4-4-900	Amended	V. 13, p. 1017, 1043
4-4-982	New	V. 13, p. 1018, 1043
4-4-983	New	V. 13, p. 1018, 1043
4-4-984	New	V. 13, p. 1018, 1043
4-7-716	Amended	V. 13, p. 1018
4-7-719	Amended	V. 13, p. 1018
4-7-900	Amended	V. 13, p. 1610
4-7-901	Amended	V. 13, p. 1610
4-7-904	Amended	V. 13, p. 1610
4-7-905	Amended	V. 13, p. 1610
4-13-60	Amended	V. 13, p. 1018
4-13-61	Amended	V. 13, p. 1018
4-13-64	Amended	V. 13, p. 1019
4-13-65	Amended	V. 13, p. 1019
4-16-1a	Amended	V. 13, p. 1610
4-16-1c	Amended	V. 13, p. 1611
4-16-300	Amended	V. 13, p. 1611
4-16-301	Amended	V. 13, p. 1611
4-16-304	Amended	V. 13, p. 1611
4-16-305	Amended	V. 13, p. 1612
4-17-1c	Amended	V. 13, p. 1612
4-17-5a	Amended	V. 13, p. 1612
4-17-300	Amended	V. 13, p. 1612
4-17-301	Amended	V. 13, p. 1613
4-17-304	Amended	V. 13, p. 1613
4-17-305	Amended	V. 13, p. 1613

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 13, p. 491
5-1-2	New	V. 13, p. 493
5-3-4a	Amended	V. 13, p. 493

5-3-5e	New	V. 13, p. 493
5-3-9	New	V. 13, p. 1543
5-3-10	New	V. 13, p. 1543
5-3-11	New	V. 13, p. 1544
5-3-14		
through		
5-3-18	New	V. 13, p. 1545-1547
5-4-4	New	V. 13, p. 493
5-5-8		
through		
5-5-12	New	V. 13, p. 1547-1551
5-7-1	Amended	V. 13, p. 494
5-7-3	Revoked	V. 13, p. 494
5-7-4	New	V. 13, p. 495
5-10-6	New	V. 13, p. 1551
5-11-1	New	V. 13, p. 495
5-11-2	New	V. 13, p. 496
5-21-1	Amended	V. 13, p. 443
5-21-3	Amended	V. 13, p. 444
5-21-4	New	V. 13, p. 444
5-22-1	Amended	V. 13, p. 91
5-22-2	Amended	V. 13, p. 92
5-22-7	Amended	V. 13, p. 92
5-22-8	Amended	V. 13, p. 93

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-19-1		
through		
7-19-6	New	V. 13, p. 1044, 1045, 1355, 1356
7-19-4	Amended	V. 14, p. 1154
7-23-13	Amended	V. 13, p. 1543
7-36-1		
through		
7-36-6	Amended	V. 14, p. 982, 1102
7-37-1	New	V. 13, p. 765
7-37-2	New	V. 13, p. 765

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-1		
through		
11-8-8	New	V. 14, p. 629, 630

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-3-1	Amended	V. 13, p. 1992
16-3-2	Amended	V. 13, p. 1992
16-3-3	New	V. 13, p. 1992
16-4-1	Revoked	V. 13, p. 1992
16-5-2	Revoked	V. 13, p. 1992
16-5-3	Revoked	V. 13, p. 1992
16-6-2	New	V. 13, p. 1992

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-21	Amended	V. 13, p. 1132
17-22-1	Amended	V. 13, p. 1399

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-70-1		
through		
21-70-54	New	V. 13, p. 1651-1660

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	V. 14, p. 676, 720

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1	Amended	V. 14, p. 990
26-8-3	Amended	V. 13, p. 1429
26-8-4	Amended	V. 14, p. 991
26-8-5	Amended	V. 13, p. 1429
26-8-7	Amended	V. 13, p. 1429
26-8-8	Amended	V. 14, p. 991
26-9-1	New	V. 14, p. 884, 970

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-19	Amended	V. 13, p. 1932
28-4-550		
through		
28-4-572	New	V. 13, p. 1932-1945

28-15-11	Amended	V. 13, p. 1788
28-15-13	Amended	V. 13, p. 1790
28-15-14	Amended	V. 13, p. 1792
28-15-15a	Amended	V. 13, p. 1801
28-15-16	Amended	V. 13, p. 1802
28-15-19	Amended	V. 13, p. 1157
28-15-20	Amended	V. 13, p. 1157
28-15-22	New	V. 13, p. 1157
28-16-28b		
through		
28-16-28f	Amended	V. 13, p. 1050-1061
28-19-7	Amended	V. 13, p. 1865
28-19-8	Amended	V. 13, p. 1874
28-19-14	Amended	V. 13, p. 1874
28-19-14a	Revoked	V. 13, p. 1874
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
28-19-78	Revoked	V. 13, p. 151
28-19-202	Amended	V. 13, p. 1875
28-19-204	New	V. 13, p. 1876
28-19-212	New	V. 13, p. 1876
28-19-275	New	V. 13, p. 1877
28-19-300		
through		
28-19-304	New	V. 13, p. 1877-1880
28-19-400		
through		
28-19-404	New	V. 13, p. 1880, 1881
28-19-500	New	V. 13, p. 1881
28-19-501	New	V. 13, p. 1882
28-19-502	New	V. 13, p. 1883
28-19-510		
through		
28-19-518	New	V. 13, p. 1883-1892
28-19-540		
through		
28-19-546	New	V. 13, p. 1892-1894
28-19-561	New	V. 13, p. 1894
28-19-562	New	V. 13, p. 1895
28-19-563	New	V. 13, p. 1896
28-19-575		
through		
28-19-578	New	V. 13, p. 1896, 1897
28-19-720	New	V. 13, p. 1897
28-19-735	New	V. 13, p. 1897
28-19-750		
through		
28-19-753	New	V. 13, p. 1897, 1898
28-29-23a	New	V. 14, p. 5
28-29-6a	New	V. 13, p. 151
28-29-84	Amended	V. 14, p. 992
28-29-85	Amended	V. 14, p. 992
28-29-98	Amended	V. 14, p. 7, 91
28-29-99	Revoked	V. 13, p. 1017
28-29-100	New	V. 13, p. 1356
28-29-101	New	V. 13, p. 1357
28-29-102	New	V. 13, p. 1358
28-29-103	New	V. 13, p. 1361
28-29-104	New	V. 13, p. 1362
28-29-108	New	V. 13, p. 1366
28-29-111	New	V. 13, p. 1369
28-29-112	New	V. 13, p. 1371
28-29-113	New	V. 13, p. 1372
28-29-114	New	V. 13, p. 1376
28-29-121	New	V. 13, p. 1377
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
28-35-135	Amended	V. 13, p. 1287
28-35-144a	New	V. 13, p. 1299
28-35-199a	Amended	V. 13, p. 1300
28-35-211a	Amended	V. 13, p. 1300
28-35-211c	New	V. 13, p. 1300
28-35-211d	New	V. 13, p. 1300
28-35-212a	Amended	V. 13, p. 1301
28-35-212b	Amended	V. 13, p. 1301

(continued)

109-8-1 Amended V. 13, p. 1650
 109-10-1 Amended V. 14, p. 1242
 109-10-5 New V. 13, p. 1651

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-7-1 through 110-7-4		V. 13, p. 1407, 1408
110-7-4	New	1571, 1572
110-40-5	Amended	V. 13, p. 1132

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 13, p. 1045
111-2-1	Amended	V. 14, p. 311
111-2-2	Amended	V. 12, p. 1261
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 13, p. 1435
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through 111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 14, p. 403
111-2-31	New	V. 14, p. 170
111-2-32	New	V. 14, p. 311
111-2-33	New	V. 14, p. 312
111-2-34	Amended	V. 14, p. 722
111-2-35	New	V. 14, p. 796
111-2-36	New	V. 14, p. 908
111-2-37	New	V. 14, p. 1094
111-3-1	Amended	V. 14, p. 908
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 13, p. 1826
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 13, p. 1827
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 14, p. 909
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through 111-4-5		V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through 111-4-15		V. 12, p. 113
111-4-66 through 111-4-77		V. 12, p. 113
111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610

111-4-100	Amended	V. 14, p. 972
111-4-101	Amended	V. 14, p. 972
111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 14, p. 972
111-4-105	Amended	V. 14, p. 972
111-4-106	Amended	V. 14, p. 973
111-4-106a	Amended	V. 14, p. 974
111-4-107	Amended	V. 11, p. 978
111-4-108	Amended	V. 14, p. 974
111-4-110	Amended	V. 11, p. 978
111-4-111	Amended	V. 9, p. 1366
111-4-112	Amended	V. 14, p. 974
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160		V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220		V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through 111-4-240	Revoked	V. 11, p. 413
111-4-241 through 111-4-244	Revoked	V. 12, p. 1371
111-4-245 through 111-4-248	Revoked	V. 12, p. 1371
111-4-249 through 111-4-256	Revoked	V. 12, p. 113, 114
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414
111-4-287 through 111-4-300	New	V. 10, p. 883-886
111-4-287 through 111-4-290	Revoked	V. 12, p. 1371
111-4-291 through 111-4-300	Revoked	V. 12, p. 114
111-4-301 through 111-4-307	Revoked	V. 13, p. 1402
111-4-301	Amended	V. 12, p. 1115
111-4-303	Amended	V. 12, p. 1115
111-4-304	Amended	V. 12, p. 1115
111-4-306	Amended	V. 12, p. 1115
111-4-308 through 111-4-320	New	V. 10, p. 1214, 1215
111-4-308	Amended	V. 12, p. 1261
111-4-311	Amended	V. 12, p. 1262
111-4-312	Amended	V. 12, p. 1262
111-4-313	Amended	V. 12, p. 1262
111-4-318 through 111-4-321	Revoked	V. 12, p. 114
111-4-322 through 111-4-331	New	V. 10, p. 1411-1413
111-4-322 through 111-4-327	Revoked	V. 12, p. 1371
111-4-328 through 111-4-335	Revoked	V. 12, p. 114

111-4-336 through 111-4-345	New	V. 10, p. 1526-1528
111-4-336 through 111-4-340	Amended	V. 12, p. 1371, 1372
111-4-341	Revoked	V. 11, p. 1473
111-4-341a	Revoked	V. 12, p. 1372
111-4-341b	Amended	V. 12, p. 1372
111-4-341c	New	V. 12, p. 1664
111-4-344	Amended	V. 12, p. 1373
111-4-346 through 111-4-361	New	V. 10, p. 1586-1589
111-4-356 through 111-4-361	Revoked	V. 14, p. 7
111-4-346 through 111-4-349	Revoked	V. 12, p. 114
111-4-362 through 111-4-365	Revoked	V. 12, p. 114, 115
111-4-362	Amended	V. 11, p. 13
111-4-366 through 111-4-379	New	V. 11, p. 136-139
111-4-366 through 111-4-369	Revoked	V. 12, p. 1373
111-4-370 through 111-4-379	Revoked	V. 14, p. 7, 8
111-4-380 through 111-4-383	Revoked	V. 12, p. 1664
111-4-384 through 111-4-387	Revoked	V. 12, p. 1373
111-4-388 through 111-4-400	New	V. 11, p. 478-481
111-4-388 through 111-4-391	Revoked	V. 12, p. 1373
111-4-392	Amended	V. 12, p. 520
111-4-394 through 111-4-400	Amended	V. 12, p. 521, 522
111-4-401 through 111-4-404	Revoked	V. 12, p. 1373
111-4-405 through 111-4-413	New	V. 11, p. 756, 757
111-4-405	Amended	V. 14, p. 723
111-4-407	Amended	V. 13, p. 877
111-4-408	Amended	V. 14, p. 723
111-4-409	Amended	V. 14, p. 723
111-4-411	Amended	V. 14, p. 1094
111-4-412	Amended	V. 11, p. 1475
111-4-413	Amended	V. 11, p. 1475
111-4-414 through 111-4-428	Revoked	V. 14, p. 8
111-4-414	Amended	V. 11, p. 1150
111-4-429 through 111-4-432	Revoked	V. 12, p. 1373
111-4-433 through 111-4-436	Revoked	V. 12, p. 1374
111-4-437 through 111-4-444	New	V. 11, p. 1475-1477
111-4-437 through 111-4-440	Revoked	V. 12, p. 1374
111-4-441 through 111-4-443	Revoked	V. 14, p. 8
111-4-443	Revoked	V. 14, p. 8
111-4-445 through 111-4-453	New	V. 11, p. 1794-1796

111-4-445 through 111-4-448	Revoked	V. 12, p. 1374	111-4-683 through 111-4-694	New	V. 14, p. 404-406	111-7-33 through 111-7-43	New	V. 7, p. 1197, 1198
111-4-449 through 111-4-453	Revoked	V. 14, p. 8	111-4-695 through 111-4-702	New	V. 14, p. 725-727	111-7-43a through 111-7-44	New	V. 8, p. 300
111-4-454 through 111-4-465	Revoked	V. 12, p. 1664, 1665	111-4-703 through 111-4-723	New	V. 14, p. 909-914	111-7-44 through 111-7-54	Revoked	V. 13, p. 340
111-4-466 through 111-4-473	New	V. 12, p. 316, 317	111-4-724 through 111-4-736	New	V. 14, p. 978-981	111-7-46 Amended	Amended	V. 11, p. 1152
111-4-473 through 111-4-466	New	V. 12, p. 316, 317	111-4-737 through 111-4-749	New	V. 14, p. 1095-1098	111-7-54 Amended	Amended	V. 11, p. 1511
111-4-469 through 111-4-470	Revoked	V. 12, p. 1665	111-4-750 through 111-4-757	New	V. 14, p. 1408, 1409	111-7-55 through 111-7-63	Revoked	V. 10, p. 1217
111-4-474 through 111-4-488	New	V. 12, p. 522-524	111-4-762 through 111-4-778	New	V. 14, p. 1410-1414	111-7-60 Amended	Amended	V. 10, p. 262
111-4-488 through 111-4-492	Revoked	V. 14, p. 974, 975	111-5-1 through 111-5-23	New	V. 7, p. 209-213	111-7-64 through 111-7-75	New	V. 11, p. 13, 14
111-4-493 through 111-4-496	New	V. 12, p. 525	111-5-23 through 111-5-15	Amended	V. 8, p. 210, 211	111-7-75 through 111-7-81	Amended	V. 13, p. 1049
111-4-497 through 111-4-512	Revoked	V. 14, p. 975	111-5-15 through 111-5-12	Amended	V. 9, p. 505	111-7-81 through 111-7-84	Amended	V. 13, p. 340
111-4-513 through 111-4-521	New	V. 12, p. 1374, 1375	111-5-12 through 111-5-17	Amended	V. 11, p. 415	111-7-84 through 111-7-90	New	V. 12, p. 677, 678
111-4-519 through 111-4-522	Amended	V. 14, p. 1095	111-5-17 through 111-5-18	Amended	V. 10, p. 13	111-7-90 through 111-7-91	New	V. 13, p. 340
111-4-522 through 111-4-571	Revoked	V. 14, p. 975-977	111-5-18 through 111-5-19	Amended	V. 8, p. 212	111-7-91 through 111-7-94	Revoked	V. 13, p. 914
111-4-571 through 111-4-572	New	V. 13, p. 878-880	111-5-19 through 111-5-21	New	V. 11, p. 415-418	111-7-94 through 111-7-99	New	V. 12, p. 1376, 1377
111-4-572 through 111-4-574	Amended	V. 14, p. 723	111-5-21 through 111-5-33	Amended	V. 13, p. 1438	111-7-99 through 111-7-105	New	V. 13, p. 1568, 1569
111-4-574 through 111-4-575	Amended	V. 14, p. 724	111-5-33 through 111-5-22	Amended	V. 11, p. 481	111-7-105 through 111-7-106	New	V. 14, p. 171
111-4-575 through 111-4-576	Amended	V. 14, p. 724	111-5-22 through 111-5-23	Amended	V. 11, p. 983	111-7-106 through 111-7-112	New	V. 7, p. 1633
111-4-576 through 111-4-577	Amended	V. 14, p. 724	111-5-23 through 111-5-24	Amended	V. 11, p. 482	111-7-112 through 111-7-113	New	V. 7, p. 1633
111-4-577 through 111-4-579	Amended	V. 14, p. 724	111-5-24 through 111-5-25	Amended	V. 11, p. 482	111-7-113 through 111-7-117	New	V. 10, p. 886
111-4-579 through 111-4-581	Amended	V. 14, p. 725	111-5-25 through 111-5-28	Amended	V. 12, p. 317	111-7-117 through 111-8-1	New	V. 7, p. 1714
111-4-581 through 111-4-582	Amended	V. 14, p. 725	111-5-28 through 111-5-34	New	V. 12, p. 318	111-8-1 through 111-8-2	Amended	V. 13, p. 1406
111-4-582 through 111-4-583	Amended	V. 14, p. 725	111-5-34 through 111-5-35	Amended	V. 14, p. 1098	111-8-2 through 111-8-3	New	V. 7, p. 1634
111-4-583 through 111-4-584	Amended	V. 14, p. 725	111-5-35 through 111-5-38	Revoked	V. 13, p. 1439	111-8-3 through 111-8-4	Amended	V. 13, p. 881
111-4-584 through 111-4-606	Revoked	V. 14, p. 977, 978	111-5-38 through 111-6-1	New	V. 7, p. 213-217	111-8-4 through 111-8-4a	Revoked	V. 13, p. 1680
111-4-606 through 111-4-607	New	V. 13, p. 1436-1438	111-6-1 through 111-6-3	Amended	V. 13, p. 339	111-8-4a through 111-8-5	New	V. 7, p. 1634
111-4-607 through 111-4-619	Amended	V. 14, p. 1407	111-6-3 through 111-6-4	Amended	V. 14, p. 313	111-8-5 through 111-8-13	New	V. 13, p. 881
111-4-619 through 111-4-609	Amended	V. 14, p. 1407	111-6-4 through 111-6-5	Amended	V. 10, p. 1413	111-8-13 through 111-8-14	New	V. 13, p. 881
111-4-609 through 111-4-610	Amended	V. 14, p. 1407	111-6-5 through 111-6-6	Amended	V. 13, p. 1405	111-8-14 through 111-8-15	New	V. 9, p. 1680
111-4-610 through 111-4-611	Amended	V. 14, p. 1407	111-6-6 through 111-6-7	Amended	V. 11, p. 1973	111-8-15 through 111-9-1	New	V. 7, p. 1714-1716
111-4-611 through 111-4-613	Amended	V. 14, p. 1408	111-6-7 through 111-6-7a	New	V. 11, p. 1477	111-9-1 through 111-9-12	New	V. 9, p. 1680
111-4-613 through 111-4-616	Revoked	V. 14, p. 978	111-6-7a through 111-6-8	Revoked	V. 12, p. 1118	111-9-12 through 111-9-13	New	V. 9, p. 1680
111-4-616 through 111-4-623	New	V. 13, p. 1828-1835	111-6-8 through 111-6-9	Revoked	V. 12, p. 1263	111-9-13 through 111-9-18	Revoked	V. 9, p. 1680
111-4-623 through 111-4-624	Amended	V. 13, p. 1922	111-6-9 through 111-6-11	Revoked	V. 14, p. 313	111-9-18 through 111-9-25	New	V. 9, p. 699, 700
111-4-624 through 111-4-652	Amended	V. 13, p. 1922	111-6-11 through 111-6-12	Amended	V. 12, p. 1376	111-9-25 through 111-9-30	New	V. 10, p. 262
111-4-652 through 111-4-653	New	V. 13, p. 1922	111-6-12 through 111-6-13	Amended	V. 8, p. 212	111-9-30 through 111-9-31	New	V. 10, p. 1439, 1440
111-4-653 through 111-4-664	New	V. 13, p. 1923-1925	111-6-13 through 111-6-15	Amended	V. 8, p. 299	111-9-31 through 111-9-36	New	V. 12, p. 1263, 1264
111-4-664 through 111-4-665	New	V. 14, p. 8, 9	111-6-15 through 111-6-17	Amended	V. 12, p. 677	111-9-36 through 111-9-37	New	V. 8, p. 136-138
111-4-665 through 111-4-669	New	V. 14, p. 170	111-6-17 through 111-6-18	Revoked	V. 10, p. 1475	111-9-37 through 111-9-48	Amended	V. 8, p. 301
111-4-669 through 111-4-670	New	V. 14, p. 312, 313	111-6-18 through 111-6-19	New	V. 13, p. 150	111-9-48 through 111-9-49	New	V. 8, p. 301
111-4-670 through 111-4-673	New	V. 14, p. 438, 439	111-6-19 through 111-6-20	New	V. 13, p. 340	111-9-49 through 111-9-54	New	(continued)
111-4-673 through 111-4-674	New		111-6-20 through 111-6-21	New	V. 13, p. 340	111-9-54 through 111-9-55	New	
111-4-674 through 111-4-677	New		111-6-21 through 111-6-22	New	V. 13, p. 881	111-9-55 through 111-9-60	New	
111-4-677 through 111-4-678	New		111-6-22 through 111-6-23	New	V. 13, p. 881	111-9-60 through 111-10-1	New	
111-4-678 through 111-4-682	New		111-6-23 through 111-7-1	New	V. 13, p. 881	111-10-1 through 111-10-9	New	
			111-7-1 through 111-7-10	New	V. 7, p. 1192, 1193	111-10-9 through 111-10-7	Amended	
			111-7-10 through 111-7-1	Amended	V. 8, p. 212			
			111-7-1 through 111-7-3	Amended	V. 11, p. 1796			
			111-7-3 through 111-7-3a	Revoked	V. 13, p. 340			
			111-7-3a through 111-7-4	Amended	V. 9, p. 1367			
			111-7-4 through 111-7-5	Amended	V. 9, p. 986			
			111-7-5 through 111-7-6	Amended	V. 9, p. 987			
			111-7-6 through 111-7-9	Amended	V. 12, p. 1263			
			111-7-9 through 111-7-11	Amended	V. 10, p. 1475			
			111-7-11 through 111-7-12	Amended				
			111-7-12 through 111-7-32	New	V. 7, p. 1194-1196			

AGENCY 112: KANSAS RACING
COMMISSION

Reg. No.	Action	Register
112-3-16	Amended	V. 14, p. 751
112-4-1	Amended	V. 14, p. 200
112-4-25	New	V. 13, p. 1088
112-5-10	New	V. 13, p. 1088
112-6-1	Amended	V. 13, p. 1088
112-6-2	Amended	V. 13, p. 1088
112-6-9	New	V. 13, p. 1089
112-6-10	New	V. 13, p. 1089
112-7-24	New	V. 13, p. 843, 1090
112-8-13	New	V. 13, p. 1090
112-9-1	Amended	V. 14, p. 751
112-9-21a	Amended	V. 14, p. 751
112-11-21	Amended	V. 13, p. 1090
112-12-2	Amended	V. 13, p. 1996
112-12-3	Revoked	V. 13, p. 1997
112-12-4 through 112-12-9		
112-12-9	Amended	V. 13, p. 1997-1999
112-12-10	Amended	V. 14, p. 1102
112-12-12	Amended	V. 13, p. 1999
112-12-13	Amended	V. 13, p. 1999
112-12-14	New	V. 13, p. 962, 1091
112-15-2	Amended	V. 13, p. 1091
112-15-3	Amended	V. 13, p. 1091
112-15-5	Amended	V. 13, p. 1091
112-15-6	Amended	V. 13, p. 1091
112-17-1 through 112-17-13		
112-17-13	Amended	V. 14, p. 752-756
112-17-15	Amended	V. 14, p. 756
112-18-9	Amended	V. 13, p. 1092
112-18-11	Amended	V. 13, p. 1092
112-18-17	Amended	V. 13, p. 1092
112-18-18	Amended	V. 13, p. 1092
112-18-20	New	V. 13, p. 1093

AGENCY 115: DEPARTMENT OF
WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 14, p. 949
115-2-2	Amended	V. 14, p. 949
115-2-3	Amended	V. 14, p. 950
115-4-3	Amended	V. 14, p. 493
115-4-5	Amended	V. 14, p. 494
115-4-6	Amended	V. 14, p. 495
115-4-7	Amended	V. 14, p. 497
115-4-8	Amended	V. 14, p. 498
115-4-12	Amended	V. 13, p. 1286
115-4-13	New	V. 13, p. 1926
115-5-2	Amended	V. 13, p. 1286
115-5-3	New	V. 13, p. 1287
115-8-3	Amended	V. 13, p. 1680
115-8-19	New	V. 13, p. 1926
115-8-22	New	V. 13, p. 233
115-9-5	Amended	V. 13, p. 980
115-9-7	New	V. 13, p. 1287
115-14-1	Amended	V. 13, p. 980
115-14-2	Amended	V. 13, p. 980
115-14-8	Amended	V. 13, p. 980
115-14-9	Amended	V. 13, p. 980
115-14-10	Amended	V. 13, p. 981
115-17-16 through 115-17-20		
115-17-20	New	V. 13, p. 234-236
115-18-6	New	V. 14, p. 950
115-18-8	Amended	V. 13, p. 1927
115-18-12	Amended	V. 13, p. 1927
115-18-13	New	V. 13, p. 981
115-18-14	Amended	V. 14, p. 1244
115-20-1	Amended	V. 14, p. 123
115-30-3	Amended	V. 14, p. 123
115-30-10	New	V. 13, p. 595
115-30-11	New	V. 14, p. 950

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-4-1	New	V. 13, p. 934
116-4-2	New	V. 13, p. 934

AGENCY 117: REAL ESTATE
APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 13, p. 974
117-2-2	Amended	V. 14, p. 533
117-3-2	Amended	V. 14, p. 534
117-4-2	Amended	V. 14, p. 534
117-5-1	New	V. 13, p. 975
117-6-1	Amended	V. 13, p. 1965
117-6-2	Amended	V. 13, p. 1965
117-7-1	Amended	V. 13, p. 1966
117-8-1	Amended	V. 13, p. 1966

AGENCY 120: HEALTH CARE DATA
GOVERNING BOARD

Reg. No.	Action	Register
120-1-1	New	V. 13, p. 1682

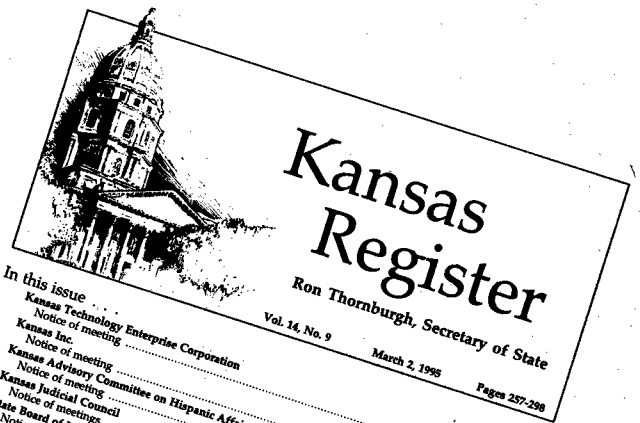
AGENCY 121: DEPARTMENT OF
CREDIT UNIONS

Reg. No.	Action	Register
121-1-1	New	V. 14, p. 1214

AGENCY 122: POOLED MONEY
INVESTMENT BOARD

Reg. No.	Action	Register
122-1-1	New	V. 14, p. 1126
122-2-1	New	V. 14, p. 1126
122-2-2	New	V. 14, p. 1126
122-3-1 through 122-3-10		
122-3-10	New	V. 14, p. 1127, 1128
122-4-1	New	V. 14, p. 1128
122-5-1	New	V. 14, p. 1128

Order a custom-made loose-leaf binder for the Kansas Register!



	Page
In this issue	
Kansas Technology Enterprise Corporation	259
Notice of meeting	
Kansas Inc.	259
Notice of meeting	
Kansas Advisory Committee on Hispanic Affairs	259
Notice of meeting	
Kansas Judicial Council	259
Notice of meetings	
State Board of Indigents' Defense Services	260
Notice of meeting	
Real Estate Appraisal Board	261
Notice of hearing on proposed administrative regulations	
State Emergency Response Commission	261
Notice of meeting	
Kansas Law Enforcement Training Commission	261
Legislative bills introduced February 16-22	
Notice of meeting	
Social and Rehabilitation Services	261
Notice of meeting	
Request for proposals	261

Custom-made Kansas Register binders are now available. These binders will attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. They are high quality, durable casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binders feature dark blue supported vinyl covering and gold imprinting.

\$12 each, includes shipping and handling.

(Kansas residents must include an additional \$.74 state and local sales tax.)

Clip and mail

Please send _____

Kansas Register Binders @ \$12 each

(Note: Kansas residents must include an additional \$.74 state and local sales tax.)

Total enclosed _____

Ship to:

Shipping is by
U.P.S. Delivery Service -
Street address is necessary.

Mail this form, with payment, to: Kansas Register, Kansas Secretary of State, 2nd Floor, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594

**Kansas Register
Secretary of State
2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

**One-year subscriptions @ \$60 ea.
(Kansas residents must include
\$3.69 state and local sales tax.)**

**Total Enclosed _____
(Make checks payable to the Kansas Register)**

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

This space for Register office use only.

Rec. No. _____ Exp. _____ Code _____

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:

Indicate change of name or address
here:

**Mail either form to: Kansas Register, Secretary of State, 2nd Floor,
State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594**