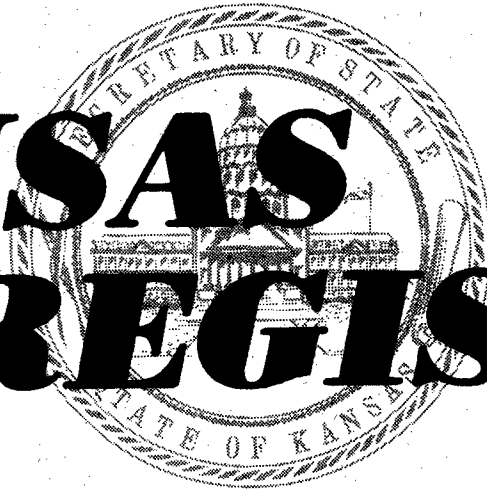


KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 11

March 18, 1982

Pages 203-216

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State of Kansas

KANSAS STATE BOARD OF EDUCATION

NOTICE OF PUBLIC HEARING

TO ALL TEACHERS, ADMINISTRATORS, BOARDS OF EDUCATION, TRUSTEES AND CONTROL, TEACHER TRAINING INSTITUTIONS, SCHOOL AND COMMUNITY COLLEGE DISTRICTS, AND ALL OTHER PERSONS WHOM IT MAY CONCERN:

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the first floor conference room of the Kansas State Board of Education, Kansas State Education Building, 120 East Tenth Street, Topeka, Kansas 66612, on the 13th day of April, 1982, beginning at 1:30 p.m. of said day to consider in substance the proposed five-year Kansas Plan for Vocational Education for Fiscal Years 1983-1987 and the Kansas Vocational Education Accountability Report for Fiscal Year 1981 both to become effective July 1, 1982, upon approval by the state board of education and the Governor.

The new state plan and report relate generally to the following:

The proposed Kansas State Plan for Vocational Education is for the years 1983 through 1987. The plan contains three goals for vocational education accompanied by appropriate objectives and the proposed activities and funding requirements to achieve the stated goals. The plan was developed to meet the vocational needs of Kansas and to provide the basis for compliance with Public Law 94-482 as it pertains to the use of federal funds to support vocational education. The proposed Kansas Vocational Education Accountability Report for Fiscal Year 1981 outlines the activities, accomplishments and funding allocations for that fiscal year.

Copies of this public hearing notice (along with the state board's public hearing procedures) are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. Copies of said notice are also being mailed to the clerks of local school boards for the attention of school board members. Copies of said plan and report may be obtained by contacting the secretary of the state board of education, Kansas State Education Building, 120 E. 10th Street, Topeka, Kansas 66612, prior to April 5, 1982.

On the date of said hearing all interested persons shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said plan and report. Individuals or organizations that cannot appear at the hearing may, prior to April 9, 1982, submit to the secretary of the state board of education their written reactions in favor of or in opposition to said plan and report, and any other matters, suggestions, or proposals that relate thereto, and such reactions will be read into the record and considered by the board. Said hearing shall be conducted in compliance with the public hearing procedures of the state board of education.

KANSAS STATE BOARD OF EDUCATION

By: **DR. FLOYD J. GRIMES**
Chairman

Certified by:

DR. MERLE R. BOLTON
Kansas Commissioner of
Education

Doc. No. 000110

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas**CORRECTIONS OMBUDSMAN BOARD****NOTICE OF BOARD MEETING**

The Corrections Ombudsman Board will meet March 23, 1982, 503 Kansas Avenue, Topeka, Room 537, from 9:00 a.m.-1:30 p.m.

PRESTON N. BARTON
Ombudsman

Doc. No. 000116

State of Kansas**OFFICE OF THE ATTORNEY GENERAL****OPINION NO. 82-58**

Public Health—Embalmers and Funeral Directors—Cremation and Embalming; Transportation of Dead Human Bodies. Carl O. Tompkins, M.D., District Coroner, Newton, Kansas, March 5, 1982.

Pursuant to K.A.R. 1981 Supp. 63-3-11(f), a dead human body need not be placed in a casket or wooden container in order to be cremated. If a casket is not used, the body shall be placed in a suitable combustible container. Kansas Administrative Regulations promulgated by the Kansas State Board of Embalming govern the transportation of embalmed or unembalmed bodies. Cited herein: K.A.R. 63-3-10, K.A.R. 1981 Supp. 63-3-11, K.A.R. 63-3-12, 63-3-14. JLY.

OPINION NO. 82-59

Automobiles and Other Vehicles—Registration of Vehicles—Payment of All Personal Property Taxes as a Condition Precedent to Registration. Jerry D. Fairbanks, Wallace County Attorney, Sharon Springs, March 8, 1982.

Under the provisions of K.S.A. 1981 Supp. 79-5106 and K.S.A. 8-173, a taxpayer may not register a motor vehicle or motor vehicles owned by such taxpayer unless the taxpayer has paid taxes due on the motor vehicle under Article 51 of Chapter 79 of the Kansas Statutes Annotated and all personal property taxes levied against such taxpayer for the preceding year, except that, if the application for registration or reregistration is made before June 21, then the taxpayer must have paid only one-half of all the personal property taxes levied against the person in the preceding year. Cited herein: K.S.A. 8-173, K.S.A. 1981 Supp. 79-5106. RJB

OPINION NO. 82-60

Taxation—Mortgage Registration Fee—Instruments Subject Thereto; Assignment of Oil and Gas Interests. Douglas A. Price, Allen County Attorney, Iola, March 8, 1982.

Any instrument, by which all or any portion of the working interest in an oil or gas leasehold is assigned, and in which the assignor reserves a production payment, is a mortgage of real property within the contemplation of K.S.A. 79-3101. Consequently, the mortgage registration fee imposed under K.S.A. 1981 Supp. 79-3102 must be paid before any such instrument is

received and filed for record. Cited herein: K.S.A. 79-3101, K.S.A. 1981 Supp. 79-3102. RJB

OPINION NO. 82-61

Agriculture—County Agricultural Extension Councils, Boards and Agents—Compensation of Extension Service Agents. Kay Homewood, Russell County Extension Council, Russell, March 8, 1982.

K.S.A. 1981 Supp. 2-610(d) requires that the executive board of the county extension council prepare an annual budget in cooperation with the board of county commissioners and the director of extension of Kansas State University. K.S.A. 1981 Supp. 2-615 requires that compensation of county extension service agents be determined by the executive board of the county extension council and the director of extension or the director's authorized representative. By implication, K.S.A. 1981 Supp. 2-615 does not allow a board of county commissioners to place limits on the salaries of county extension service agents as part of the budget approval process. Cited herein: K.S.A. 1981 Supp. 2-610, 2-615. RVE.

OPINION NO. 82-62

Counties and County Officers—Sheriff—Special Deputies in Counties Over 100,000. Michael G. Moroney, Legal Counsel, Wyandotte County Sheriff's Office, Kansas City, March 9, 1982.

The authority of a special deputy appointed pursuant to K.S.A. 19-805a to exercise general law enforcement powers is not equal to that of a "law enforcement officer" as such term is defined by the Kansas Criminal Code. The authority of a special deputy to exercise general law enforcement powers is limited by K.S.A. 19-805b to certain specified premises or in the event of riot, sabotage, serious disturbances or breach of the peace. Thus, a special deputy is prohibited from carrying a concealed firearm when not engaged in the performance of his or her statutorily authorized duties. Cited herein: K.S.A. 19-805, 19-805a, 19-805b, 21-3110(10), 21-4201, 22-2401a. KJS.

ROBERT T. STEPHAN
Attorney General

Doc. No. 000113

State of Kansas**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., C.S.T., on the date indicated and then will be publicly opened.

MONDAY, MARCH 29, 1982

#25068

Department of Social and Rehabilitation Services—
JANITORIAL SERVICES, for Topeka

(continued)

25069

Department of Social and Rehabilitation Services—
LAUNDRY SERVICES, for Kansas Vocational Reha-
bilitation Center, Salina, Kansas

#49457

University of Kansas, Lawrence—LIBRARY
TABLES

#49460

Department of Revenue, Topeka—CONTINUOUS
FORMS-3 PART-CARBONLESS

#49465

Kansas State Industrial Reformatory, Hutchinson—
MEAT PRODUCTS

#49490

Department of Social and Rehabilitation Services—
POLYETHYLENE FOAM BORDER WADDING, for
Kansas Industries For/The Blind, Kansas City, Kansas

#A-4455

Department of Health and Environment, Topeka—
PROVIDE INSTALLATION FOR LAMINAR FLOW
HOODS AT BUILDING 740, Forbes Air Field Facil-
ity

TUESDAY, MARCH 30, 1982

#49446

Pittsburg State University, Pittsburg—SALE OF
DRIVER TRAINING EQUIPMENT

WEDNESDAY, MARCH 31, 1982

#49467

Kansas State University, Manhattan—SKID STEER
LOADER

#49469

Kansas Department of Transportation, Chanute—
PLANT MIX BITUMINOUS MIXTURE, COMMERCIAL
GRADE, SIMILAR TO BM-2, for Franklin
County

#49473

Kansas State University, Manhattan—FILTERING
AND CLEAN-UP OF COLD GENERATORS

#49474

Kansas Department of Transportation, Topeka—
AGGREGATE AB-SPECIAL, for Wamego, Kansas

#49475

Kansas Department of Transportation, Norton—
MRA-A Aggregate for Oakley, Kansas

#49476

Kansas Department of Transportation, Chanute—
AS-1 AGGREGATE, ALTERNATE AB-3 AGGRE-
GATE, for Garnett, Kansas

THURSDAY, APRIL 1, 1982

#49478

University of Kansas, Lawrence—1982 FOOTBALL
PARKING TICKETS

#49480

Kansas Department of Transportation, Topeka—
RADIO TOWERS

#49481

Kansas Correctional Institute, Lansing—HARD-
WARE FOR SIGNS

#49482

University of Kansas Medical Center Kansas City—
RECOVERY ROOM CARTS

#49495

Kansas Neurological Institute, Topeka—KITCHEN
EQUIPMENT

#49496

Kansas Neurological Institute, Topeka—KITCHEN
EQUIPMENT

#49497

Kansas Department of Transportation, Norton—
STRIPER REPAIR PARTS

#49498

Kansas Technical Institute, Salina—ELECTRONIC
TEST EQUIPMENT

#49502

Kansas Department of Transportation, Topeka—
SHEAR BASES

FRIDAY, APRIL 2, 1982

#49488

Kansas State University, Manhattan—CENTRI-
FUGE ROTOR

#49494

Kansas Neurological Institute, Topeka—KITCHEN
EQUIPMENT

#49501

Kansas State University, Manhattan—NURSERY
STOCK

MONDAY, APRIL 5, 1982

#25067

Wichita State University, Wichita—MAINTENANCE
PERSONNEL UNIFORMS

TUESDAY, APRIL 6, 1982

#A-2931 (a)

Kansas State University, Manhattan—LANDSCAPE
GRADING, SEEDING AND SPRINKLER IRRIGA-
TION SYSTEM, for Throckmorton Hall Area, Plant
Science Facility

#A-4335

University of Kansas, Lawrence—REMOVAL OF
ASBESTOS INSULATION, in Kurata Facility

WEDNESDAY, APRIL 7, 1982

#25065

Statewide—CONTINUOUS MARGINAL
PUNCHED "STOCK" TABULATING FORMS

#A-4348 (b)

Department of Administration, Topeka—ENERGY
CONSERVATION PROJECT, Capitol Complex Area,
Historical Society, Memorial Building

MONDAY, APRIL 12, 1982

#49489

Kansas Department of Transportation, Hutchin-
son—STEEL POSTS

TUESDAY, APRIL 13, 1982

#A-4063

University of Kansas, Lawrence—MOORE HALL
ADDITION, of Kansas Geological Survey Facility

JAMES I. TOLBERT
Division of Purchases

Doc. No. 000111

(Published in the KANSAS REGISTER on March 18, 1982.)

**NOTICE OF BOND SALE
\$289,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF McPHERSON, KANSAS**

The CITY OF McPHERSON, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, located in the MUNICIPAL CENTER, 400 EAST KANSAS AVENUE, McPHERSON, KANSAS, until 11:00 o'clock A.M., C.S.T., on

WEDNESDAY, MARCH 31, 1982

for \$289,000.00 aggregate par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered. No bids for less than the entire aggregate amount of the three Series of Bonds will be considered.

All of the Bonds will be negotiable coupon bonds, will be dated MAY 1, 1982, and will consist of three (3) Series of Bonds as follows: SERIES 109A OF 1982 being GENERAL OBLIGATION FIRE TRUCK BONDS in the total principal amount of \$90,000.00, in denominations of \$5,000.00 each; SERIES 109B OF 1982 being GENERAL OBLIGATION STREET RECONSTRUCTION BONDS in the total principal amount of \$95,000.00, in denominations of \$5,000.00 each; and SERIES 109C OF 1982 being GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS in the total principal amount of \$104,000.00, in denominations of \$5,000.00 each, except Bond No. 1 in denomination of \$4,000.00. The Bonds will mature serially on each NOVEMBER 1 in accordance with the following schedules:

Principal Amount (Series 109A)	Principal Amount (Series 109B)	Principal Amount (Series 109C)	Total Principal Amount	Maturity Date
\$10,000.00	\$ 5,000.00	\$ 4,000.00	\$19,000.00	1983
15,000.00	5,000.00	5,000.00	25,000.00	1984
15,000.00	5,000.00	5,000.00	25,000.00	1985
15,000.00	10,000.00	5,000.00	30,000.00	1986
15,000.00	10,000.00	5,000.00	30,000.00	1987
20,000.00	10,000.00	5,000.00	35,000.00	1988
-0-	10,000.00	5,000.00	15,000.00	1989
-0-	10,000.00	5,000.00	15,000.00	1990
-0-	15,000.00	5,000.00	20,000.00	1991
-0-	15,000.00	5,000.00	20,000.00	1992
-0-	-0-	10,000.00	10,000.00	1993
-0-	-0-	10,000.00	10,000.00	1994
-0-	-0-	10,000.00	10,000.00	1995
-0-	-0-	10,000.00	10,000.00	1996
-0-	-0-	15,000.00	15,000.00	1997

Interest on the Bonds will be payable semiannually on the first days of MAY and NOVEMBER in each year until the respective Bonds are each fully paid. The first interest payment on the SERIES 109C BONDS will be made on NOVEMBER 1, 1982; and the first interest payments on the SERIES 109A and SERIES 109B BONDS will be made on NOVEMBER 1, 1983. Both the principal of and the interest on all of the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing

such rate or rates of interest, not exceeding SIX (6) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of One percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed Four percent (4%). No interest rate shall exceed Twelve percent (12%), and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at MUNICIPAL CENTER, 400 EAST KANSAS AVENUE, McPHERSON, KANSAS 67460, ATTENTION: LINN PETERSON, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF McPHERSON, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion on each respective Series of Bonds of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose respective opinions will be paid for by the City. The purchaser will be furnished with complete Transcripts of Proceedings evidencing the authorization and issuance of each of the Series of Bonds; and the usual closing proofs, which will include Certificates that there is no litigation pending or threatened at the time of delivery of each of the Series of Bonds affecting their validity. Delivery of all of the Bonds will be made to the successful bidder on or before MAY 6, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The Series 109A Bonds will constitute 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 upon all of the taxable tangible property within the territorial limits of the City. The Series 109A Bonds are being issued under the authority of K.S.A. 1980 Supp. 12-110(c) for the purpose of paying costs in connection with the purchase and acquisition of a Fire Truck for the McPherson Fire Department.

(continued)

The Series 109B Bonds will also constitute 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 upon all of the taxable tangible property within the territorial limits of the City. The Series 109B Bonds are being issued under the authority of K.S.A. 12-681 et seq. for the purpose of paying costs in connection with the recurring, resurfacing and repaving of certain streets in the City.

The Series 109C Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The Series 109C Bonds are being issued under the authority of K.S.A. 12-6a01 et seq., as amended and supplemented, for the purpose of paying costs in connection with the construction of various street and sanitary sewer improvements in the City.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures for the City of McPherson, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of	
Taxable Tangible Property . . .	\$30,904,109.00
Tangible Valuation of Motor	
Vehicles	\$ 3,751,654.00
Tangible Valuation of Motor	
Vehicle Dealers Inventory	\$ 246,087.00
Equalized Assessed Tangible	
Valuation for Computation of	
Bonded Debt Limitations	\$34,901,850.00

The total general obligation bonded indebtedness of the City of McPherson, Kansas, at the date hereof, including these proposed issues of Bonds in the aggregate amount of \$289,000.00, is in the amount of \$2,374,500.00; but excluding No Fund Warrants in the amount of \$103,000.00. The City also has Temporary Notes outstanding in the total amount of \$235,025.00, all of which will be retired upon issuance and delivery of these proposed issues of Bonds.

DATED March 8, 1982.

LINN PETERSON, City Clerk
City of McPherson, Kansas

Doc. No. 000109

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE OF MEETING

The Statewide Health Coordinating Council and its two planning committees (Long-Term Care and Environmental/Health) will meet on March 24, 1982 at the Holiday Inn South, 3802 South Topeka Avenue, Topeka, Kansas. Committee meetings will begin at 9:00 a.m., and the Council will meet as a whole at 1:30 p.m.

The Kansas Statewide Health Coordinating Council was appointed by the Governor under the provisions of the "National Health Planning and Resources Development Act of 1974" and the "Kansas Health Planning and Development Act," to advise the Department of Health and Environment on its health planning functions and develop a State Health Plan.

The schedule agenda for the Statewide Health Coordinating Council meeting includes:

- Executive Committee's Report
- SHCC Policy #10 (Credentialing)
- Credentialing Program Procedure Revisions
- Committee Reports
- Long-Term Care Committee
- Environmental/Health Committee

The public is invited to attend these meetings. Persons wishing additional information should contact the Office of Health Planning, Kansas Department of Health and Environment, 6700 South Topeka Avenue, Building 321, Topeka, Kansas 66620, (913) 862-9360, ext. 536.

JOSEPH F. HARKINS
Secretary of Health
and Environment

Doc. No. 000112

State of Kansas

LEGISLATURE

The following list gives the numbers and titles of bills and concurrent resolutions recently introduced in the Legislature.

Copies of bills and resolutions are available free of charge. (Limit: 5 copies of any one item.) Write: Legislative Document Room; State Capitol; Topeka, KS 66612. Or call: (913) 296-7394.

Bills Introduced March 4-10:

SB 862, by Committee on Ways and Means: An act concerning real estate mortgages; relating to liens for future advances and adjustments; amending K.S.A. 58-2336 and repealing the existing section.

SB 863, by Committee on Ways and Means: An act amending the Kansas retailers' sales tax act; exempting purchases of materials used in constructing senior citizen service centers; amending K.S.A. 1981 Supp. 79-3606 and repealing the existing section.

SB 864, by Committee on Ways and Means: An act relating to sales of liquor by clubs; increasing the rate of tax on receipts from sales thereof; establishing the state alcoholic liquor fund and providing for expenditures therefrom; amending K.S.A. 1981 Supp. 79-41a02, 79-41a03 and 79-41a04 and repealing the existing sections.

SB 865, by Committee on Federal and State Affairs: An act concerning sales of cereal malt beverages by licensed private clubs; amending K.S.A. 41-2637 and 41-2704 and repealing the existing sections.

(continued)

SB 866, by Committee on Federal and State Affairs: An act concerning alcoholic liquors and beverages; relating to agreements for distribution of individual brands of beer or cereal malt beverages to certain wholesalers or distributors; amending K.S.A. 41-409 and 41-2705 and repealing the existing sections.

SB 867, by Committee on Ways and Means: An act concerning boiler inspection; relating to the qualifications of deputy inspectors; authorizing inspection fees to be established by rules and regulations; amending K.S.A. 44-916, 44-919 and 44-926 and repealing the existing sections.

SB 868, by Committee on Ways and Means: An act concerning the health care provider insurance availability act; relating to the Kansas soldiers' home; amending K.S.A. 40-3414 and repealing the existing section.

SB 869, by Committee on Ways and Means: An act relating to the Kansas police and firemen's retirement system; providing for service credit under certain conditions; amending K.S.A. 74-4956 and repealing the existing section.

SB 870, by Committee on Ways and Means: An act concerning the health care provider insurance availability act; authorizing coverage under the act for not for profit corporations organized for the purpose of rendering professional services by persons who are health care providers; amending K.S.A. 40-3401 and repealing the existing section.

HB 3127, by Committee on Ways and Means: An act concerning the office of governor; relating to transition expenses upon the election of a new governor; amending K.S.A. 1981 Supp. 75-137 and repealing the existing section.

HB 3128, by Committee on Ways and Means: An act concerning the Kansas securities act; relating to prosecution of violations; amending K.S.A. 17-1267 and repealing the existing section.

HB 3129, by Committee on Ways and Means: An act concerning highways; providing for transfers from the state general fund to the state highway fund and the special city and county highway fund; prescribing certain duties for the secretary of revenue; amending K.S.A. 68-2313 and repealing the existing section.

HB 3130, by Committee on Ways and Means: An act relating to taxation; exempting money, notes and other evidence of debt from all ad valorem and other property taxes; and repealing K.S.A. 79-3108, 79-3108a, 79-3109a, 79-3110a, 79-3110b, 79-3110c, 79-3111, 79-3112, 79-3113a, 79-3113b, 79-3114, 79-3115, 79-3116, 79-3117, 79-3118a, 79-3118b, 79-3119, 79-3120, 79-3120b, 79-3120c, 79-3120d and 79-3120e and K.S.A. 1981 Supp. 79-3109, 79-3112a, 79-3120a, 79-3120f and 79-3120g.

HB 3131, by Committee on Ways and Means: An act concerning the construction, maintenance and stocking of a fish hatchery; authorizing the issuance and sale of revenue bonds and hatchery stamps therefor; making certain acts unlawful and prescribing penalties therefor.

SCR 1656, by Senators Eldredge, Allen, Ehrlich and Johnston: A concurrent resolution encouraging boards of education to institute life development education programs in schools; requesting the state board of education in cooperation with the state department on aging, the state department of health and environment and the state board of regents to provide assistance to schools in developing such programs.

SCR 1657, by Senator Hein: A concurrent resolution relating to medical record departments of hospitals; modifying K.A.R. 28-34-9.

SCR 1658, by Senator Ehrlich: A concurrent resolution concerning adult care homes; modifying Kansas administrative regulations 28-39-77, 28-39-87 and 28-39-89, as adopted by the secretary of health and environment and filed with the revisor of statutes on December 29, 1981.

HCR 5056, by Representative Jarchow: A proposition to amend article 11 of the constitution of the state of Kansas by adding a new section thereto relating to the taxation of certain homesteads.

HCR 5057, by Representative Dyck: A proposition to amend sections 1, 11 and 12 of article 1 of the constitution of the state of Kansas; relating to the lieutenant governor and secretary of state.

HCR 5058, by Representative Dyck: A concurrent resolution inviting the Midwestern Conference of the Council of State Governments to hold its annual meeting in Kansas in 1983.

SENATE BILL No. 646

AN ACT concerning the issuance of bonds by Bel Aire, Kansas.

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

Section 1. (a) Notwithstanding any controversy, litigation or other proceeding disputing the legal organization of the city of Bel Aire, Kansas, the governing body of such city may issue general obligation bonds of the city pursuant to the authority of any appropriate statute without executing a non-litigation certificate required by K.S.A. 1981 Supp. 10-108a. Any bonds authorized to be issued hereunder shall be a general obligation of the property located within Bel Aire as it existed on the date the bonds are delivered to the purchaser, and except as provided by this subsection shall be authorized, issued, registered and sold in the manner provided by the general bond law and shall bear interest at a rate not to exceed the maximum prescribed by K.S.A. 1981 Supp. 10-1009.

(b) If it is finally determined by a court of competent jurisdiction that the city of Bel Aire, Kansas, was not legally organized, the property located within Bel Aire on the date any general obligation bonds were delivered to the purchaser shall remain liable for the payment of the interest on and the principal amount of the bonds issued by Bel Aire in accordance with their terms and shall continue to be subject to the levy of special assessments, if any, and be taxed, if necessary, for the payment of the bonds and the interest thereon. Any special assessments levied by the city of Bel Aire shall continue to constitute a lien on the property assessed. The county clerk shall annually levy a tax or collect the necessary amount to pay any special assessment levied against the property as required by the statute under which the general obligation bonds were authorized.

(c) The provisions of this section shall expire on June 30, 1983 or on the date of a final determination by a court of competent jurisdiction that the city of Bel Aire was not legally organized, whichever occurs first.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 16, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE March 4, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED March 11, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of March, 1982.

JACK H. BRIER
Secretary of State.

(SEAL)

SENATE BILL No. 562

AN ACT concerning revenue bonds; relating to the issuance of such bonds; amending K.S.A. 1981 Supp. 12-1744b and 12-1744c and repealing the existing sections.

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

Section 1. K.S.A. 1981 Supp. 12-1744b is hereby amended to read as follows: 12-1744b. Revenue bonds for which notice is required to be filed pursuant to K.S.A. 1981 Supp. 12-1744a shall not be issued unless the securities commissioner shall find chairperson of the board of tax appeals finds all information and documents required to be contained in such notice are complete and timely filed. The securities commissioner chairperson of the board of tax appeals shall establish, by rules and regulations, procedures for the filing of the required information and documents in the event that the information and documents originally filed are not found to be complete and timely filed, and such bonds may be issued upon compliance therewith.

Sec. 2. K.S.A. 1981 Supp. 12-1744c is hereby amended to read as follows: 12-1744c. Upon the issuance of revenue bonds for which notice is required to be filed pursuant to K.S.A. 1981 Supp. 12-1744a, a certificate evidencing such issuance shall be filed with the securities commissioner chairperson of the board of tax appeals, along with verification thereof by the appropriate bond counsel.

Sec. 3. K.S.A. 1981 Supp. 12-1744b and 12-1744c are hereby repealed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body February 3, 1982.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE March 1, 1982.

WENDELL LADY
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED March 12, 1982.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 12th day of March, 1982.

(SEAL)

JACK H. BRIER
Secretary of State.

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 et seq. These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the Kansas Register. The May 6, 1982 issue of the Register will contain a complete index to regulations effective May 1, and any legislative actions on them.

ATTORNEY GENERAL

ADMINISTRATIVE REGULATIONS

16-1-1 to 16-1-6. (Authorized by K.S.A. 75-7b18(b); effective, E-77-23, May 1, 1976; effective Feb. 15, 1977; revoked May 1, 1982.)

Article 2.—DEFINITIONS

16-2-1. Definitions. (a) "License" means a certificate and card, issued by the attorney general upon proper application, testing and approval, authorizing a person to engage in Kansas in the detective business as a private detective or private detective agency.

(b) "Hearing officer" means the person appointed by the attorney general to conduct a hearing as provided for in these regulations.

(c) "Firearms trainer" means a person certified by the attorney general to train private detective applicants in the handling of firearms and the lawful use of force. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b01; effective May 1, 1982.)

Article 3.—APPLICATIONS

16-3-1. Procedure. (a) All new applicants for private detective licenses and private detective agency licenses shall be required to appear at a location designated by the attorney general for a written examination and oral interview. Renewal applicants may be required to complete a written exam and return it with their application.

(b) Applicants who fail to pass the written examination may retake this examination one time. The re-examination must occur within 30 days after receiving notice of the results of the original exam. Failure to retake an examination and successfully complete it within the 30 day period shall result in denial of a license.

(c) Any applicant denied a license as a private detective or detective agency for failure to pass a written examination shall not make application under the provisions of the Kansas Private Detective Licensing Act within 12 months following this denial. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b20; effective May 1, 1982.)

16-3-2. Renewal. All applicants for renewal of their
(continued)

private detective license, all officers, directors, partners and associates of a private detective agency, and all firearms trainers shall submit 1 classifiable set of applicant's fingerprints with the renewal application. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b07; effective May 1, 1982.)

Article 4.—HEARINGS

16-4-1. Investigation on Charges. (a) The attorney general may, upon his or her own motion, and shall, upon the verified complaint in writing of any person setting forth facts which, if proven, would constitute grounds for refusal, suspension or revocation, investigate the actions of any person holding or claiming to hold a license. The attorney general shall, before suspending, revoking or refusing to renew any license, notify in writing, at least 10 days before to the date set for the hearing, the holder of the license of any charges made and shall afford the accused person an opportunity to be heard in person or by counsel. The written notice shall be served by delivering the notice personally to the accused person, or by mailing the notice by certified mail to the place of business specified by the accused person in his or her last application for license. At the time and place fixed in the notice designated by the attorney general, a hearing officer appointed by the attorney general shall hear the charges. Both the accused person and the complainant shall be accorded opportunity to present in person or by counsel, statements, testimony, evidence and argument as may be pertinent to the charges or to any defense presented. The hearing officer may continue this hearing from time to time.

(b) The attorney general or his appointed hearing officer may administer oaths to any person, or cause his or her deposition to be taken. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 75-7b15; effective May 1, 1982.)

Article 5.—TRAINERS

16-5-1. Individuals deemed personally qualified.

(a) An individual shall be personally qualified to train private detectives in the handling of firearms and lawful use of force upon successful completion of:

- (1) A National Rifle Association Course in the handling of firearms;
- (2) federal bureau of investigation training in firearms; or
- (3) a Kansas bureau of investigation training course for certified firearm trainers.

(b) Additionally, applicants shall demonstrate to the attorney general applicant's experience in the handling of firearms and lawful use of force. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b21; effective May 1, 1982.)

16-5-2. Kansas Bureau of Investigation training course. The Kansas bureau of investigation shall annually conduct a course for new applicants who meet the requirements of 1981 Kansas Session Laws, Chapter 326, Sec. 12 (b) (1) and (2), but who are not personally qualified to train private detectives in the handling of firearms and the lawful use of force and as required by K.A.R. 16-5-1. Applicants shall furnish their own firearm, 250 rounds of wadcutter ammunition, protective eye and ear wear and classroom sup-

plies. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b21; effective May 1, 1982.)

16-5-3. Renewal of trainers certificates. Before the renewal of a firearms trainer certificate, all certified firearms trainers shall be required to attend annually a National Rifle Association firearm course or a federal bureau of investigation firearm course or a Kansas bureau of investigation firearm course. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b21; effective May 1, 1982.)

16-5-4. Plan of operation. As a plan of operation, all courses given to private detective applicants by firearms trainers shall include as a minimum the following:

- (1) A firing range course using a National Rifle Association "B27" silhouette in conjunction with the following course:

25 Yards:	Point Shoulder Double Action	
	5 Shots Right-hand Barricade	-20 seconds
	—Holster—	
	5 Shots Left-hand Barricade	-20 seconds
15 Yards:	Point Shoulder Double Action	
	5 Shots	-20 seconds
	—Holster—	
	5 Shots	-20 seconds
10 Yards:	Natural Point Double Action	
	5 Shots	-20 seconds
	—Holster—	
	5 Shots	-20 seconds
	—Holster—	
	5 Shots	-20 seconds
5 Yards:	Hip Shooting Double Action	
	5 Shots	-20 seconds
	—Holster—	
	5 Shots	-20 seconds
	—Holster—	
	5 Shots	-20 seconds

TOTAL SHOTS: 50

The applicant, to successfully complete this firing range course, must shoot at least 40 times in the black portion of the silhouette; and

- (2) Four hours of classroom instruction or until applicant has demonstrated adequate proficiency of the following topics: weapon familiarization, safety rules, range procedures, shooting basics and the lawful use of force.
- (3) A firearms trainer may excuse an applicant from firing with a particular hand when the applicant has demonstrated to the trainer that he or she is disabled with that hand or arm.

(Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b21; effective May 1, 1982.)

16-5-5. Notice of completion. Firearms trainers shall furnish notice of the fact an applicant has received a trainers class to the Kansas bureau of investigation within 10 days of the date the class was completed. The notice shall be in a form prescribed by the attorney general and shall include the name of the applicant, name of the trainer, the firing range score of the applicant and the number of attempts made by the applicant to qualify, the make and serial number of the firearm used to qualify, the dates the course was given and whether the applicant failed or successfully completed the course. A copy of this notice shall be given to the applicant and a copy retained by the trainer.

(continued)

(Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b17; effective May 1, 1982.)

Article 6.—FIREARM PERMITS

16-6-1. Training in the handling of firearms. New firearm permits and renewal of firearm permits shall not be granted unless the applicant has satisfactorily completed training in the handling of firearms and the lawful use of force from a firearms trainer 6 months before the issuance of the new permit. Firearm permits shall be granted only for the type of firing action, caliber and make of firearm for which the applicant has satisfactorily completed a course from a firearms trainer. (Authorized by K.S.A. 75-7b18; implementing K.S.A. 1981 Supp. 75-7b17; effective May 1, 1982.)

ROBERT T. STEPHAN
Attorney General

Doc. No. 000114

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1981 Supp. 77-415 *et seq.* *These regulations are scheduled to become effective May 1, 1982, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1.* Any such legislative action will be reported in the *Kansas Register*. The May 6, 1982 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

ANIMAL HEALTH DEPARTMENT

ADMINISTRATIVE REGULATIONS

Article 2.—BOVINE BRUCELLOSIS

9-2-5. Branding positives. A permanent brand with the letter "B" (at least 2 x 2 inches) shall be placed on the left jaw, and a Kansas brucellosis reactor tag shall be placed in the left ear, of all cattle classed positive. Positives shall remain on the premises where disclosed until a state or federal permit has been obtained, authorizing movement to immediate slaughter where state approved or federal inspection is maintained. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; implementing K.S.A. 47-658a and 47-658b; effective Jan. 1, 1966; amended May 1, 1982.)

Article 3.—SWINE BRUCELLOSIS

9-3-4. Official program work and reports. All official work shall be conducted by an authorized licensed, accredited veterinarian and the work shall be at the expense and liability of the swine owners, except fee-basis testing of swine is authorized in areas not validated brucellosis free and the testing shall be limited to suspicious and infected herds and area validation. Blood samples shall be tested at a state-federal cooperative laboratory. All testing shall be reported to

the livestock commissioner on official brucellosis test charts and the reports shall show the date, name and address of the owner, the positive identification of the animal tested, and test results. (Authorized by K.S.A. 47-608, 47-610, 47-657; implementing K.S.A. 47-610; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1982.)

Article 7.—MOVEMENT OF LIVESTOCK INTO OR THROUGH KANSAS

9-7-1. General. (a) Livestock shall not be imported into Kansas except in accordance with the laws and rules and regulations of the state of Kansas, and of the animal and plant health inspection service, veterinary services, United States department of agriculture.

(b) Livestock shall not be imported into Kansas without an official health certificate issued by a licensed, accredited veterinarian. When a permit is required, the permit number shall be shown on the health certificate. Livestock may be imported without a health certificate directly to:

- (1) a state or federally-approved slaughter establishment for immediate slaughter;
- (2) a state or federally-approved public livestock market for sale; or
- (3) a Kansas farm, without change of ownership, from a farm owned or leased by the owner of the livestock within the trade territory.

(c) A copy of the health certificate, showing the permit number when required, authorizing movement into Kansas, shall accompany the livestock. If movement of livestock be by railroad, a copy of the health certificate showing the required permit number, shall be attached to the bill of lading.

(d) Livestock entering Kansas on a public highway or road shall clear through a Kansas motor carrier inspection station. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing K.S.A. 47-607; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1974; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1980; amended May 1, 1982.)

9-7-2. Health certificates. (a) Livestock moved into Kansas, except as specifically exempted, shall be accompanied by an official interstate health certificate and completed in a manner approved by the livestock commissioner of Kansas.

(b) A copy of the health certificate, required for livestock imported into Kansas, shall be submitted to the livestock official of the state of origin for his or her approval, and shall be forwarded to the livestock commissioner of Kansas.

(c) Livestock imported into Kansas, other than by railroad, shall clear through a Kansas motor carrier inspection station. Health certificates are required for motor carrier inspection station clearance. Two copies of the certificates shall be supplied, one copy for the motor carrier inspection station attendant and one copy for the owner of the livestock. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing K.S.A. 47-607; effective Jan. 1, 1966; amended Jan. 1, 1971; amended May 1, 1982.)

9-7-3. Livestock permits' required: (a) A permit shall be obtained from the Kansas livestock commissioner authorizing import movements of the following:

(continued)

(1) All test-eligible cattle, except those consigned direct to slaughter or to an approved public livestock market;

(2) Calves under two (2) months of age and not accompanied by their dams;

(3) Feeder swine; and

(4) Livestock imported from areas where a specific disease exists.

(b) The permit may be issued to either the Kansas purchaser or the veterinarian in the state of origin who issues the health certificate. The permit number shall be shown on the health certificate.

(c) Permits shall be void fifteen (15) days after date of issuance. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing K.S.A. 47-607; effective Jan. 1, 1966; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1982.)

9-7-4. Cattle. (a) *Tuberculosis.* All breeding cattle, six (6) months of age and over, shall not be imported into Kansas unless accompanied by an official health certificate showing that they have: (1) Originated in a tuberculosis accredited herd;

(2) Originated in a tuberculosis-free state or modified accredited tuberculosis area; or

(3) Been tested and were found negative to tuberculosis within sixty (60) days before date of entry.

(b) *Brucellosis.*

(1) Brucellosis tests, regardless of method, shall be confirmed at a state-federal cooperative laboratory.

(2) Breeding cattle, six (6) months of age or over, imported into Kansas shall meet interstate requirements as outlined in the federal uniform methods and rules according to state classification.

(3) Breeding cattle, six (6) months of age or over and feeding and grazing cattle of test-eligible age from nonquarantined herds, moving into Kansas from any state having a high incidence of brucellosis, as determined by the livestock commissioner of Kansas, shall have two (2) negative brucellosis tests at least one hundred twenty (120) days apart and the second test within thirty (30) days of shipment into Kansas, except the following:

(A) Animals from a certified brucellosis-free herd;

(B) Cattle from an established herd and from a "farm of origin" within the trade territory of any Kansas public livestock market, as determined by the market operator and the market veterinary inspector. Cattle held on the same out-of-state premises for at least one hundred twenty (120) days before interstate movement shall qualify as "farm-of-origin" cattle; and

(C) Cattle consigned to a licensed quarantined feed lot shall have one (1) negative test within thirty (30) days of shipment into Kansas.

(4) All animals imported into Kansas from any state having a high incidence of brucellosis, except those going to a licensed feed lot, shall be placed under quarantine upon arrival at a Kansas destination and shall be held in isolation from all other cattle, and shall be retested not sooner than forty-five (45) days, and not more than one hundred twenty (120) days after arrival in Kansas. The retest shall be at the owner's expense. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing K.S.A. 47-607, 47-610 and 47-657; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1974; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1982.)

9-7-5. Heifers for feeding and grazing. Beef heifers, under test-eligible age, may be imported into Kansas for feeding and grazing, without a permit, if accompanied by an official health certificate. Heifers consigned to any location other than a licensed feed lot will be quarantined upon arrival and shall be held for feeding purposes only. A permit for import movement may be required when a specific disease condition exists. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing K.S.A. 47-607 and 47-610; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1974; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1982.)

9-7-7. Swine. (a) Swine imported into Kansas shall be identified. The identification information for the swine shall be shown on the official health certificate. All feeder swine imported into Kansas shall be accompanied by a permit issued by the livestock commissioner.

(b) Feeder swine imported into Kansas shall be held under quarantine until fed out and delivered for slaughter, or until otherwise released by the livestock commissioner. Breeding swine shall be placed under quarantine at time of movement into Kansas and shall remain under quarantine thirty (30) days after entry into Kansas.

(c) Breeding swine; brucellosis and pseudorabies. Breeding swine (6) months of age and over shall be tested and found negative for brucellosis and pseudorabies within thirty (30) days before date of entry, or shall be from a validated brucellosis-free or qualified pseudorabies-free herd, or shall originate direct from Specific Pathogen Free laboratories.

(d) Swine may be moved into Kansas to go to a public livestock market, if origin is direct from a producer in the trade territory. The trade territory for swine is considered to be a county adjoining the county in Kansas where the market is located. (Authorized by K.S.A. 47-607d, 47-610, 47-620; implementing 47-607 and 47-610; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982.)

Article 10.—PUBLIC LIVESTOCK MARKETS

9-10-1. Requirement for sale. (a) The consignor, at the time of unloading of livestock, shall indicate to the public livestock market operator, or his representative in charge at the unloading dock, any and all known disease conditions, injuries or physical defects and the information shall be recorded on the drive-in ticket.

(b) Brucellosis reactor animals may be sold at a public livestock market, for slaughter only, and other animals, approved by the veterinary inspector, may be permitted to sell within limitations otherwise authorized.

(c) Consigned livestock delivered at a public livestock market, shall be inspected by the authorized veterinary inspector, and the livestock shall be tested, and shall be otherwise treated, as required by law and regulations. (Authorized by K.S.A. 47-610, 47-1009, 47-1010; implementing K.S.A. 47-607, 47-658b and 47-1008; effective Jan. 1, 1966; amended May 1, 1982.)

9-10-2. Special sales at irregular intervals. The public livestock market operator shall be responsible

(continued)

for the sale, purchase or exchange of livestock at regular or irregular intervals at the public livestock market premises, including private sales, consignment sales, and breed association sales. Livestock shall be released from the market premises, only in accordance with the Kansas laws and regulations. Laws and regulations hold the market operator responsible for sale and release of livestock even though the facilities may be rented. Veterinary inspector's presence is required. (Authorized by K.S.A. 47-610, 47-1010; implementing K.S.A. 47-607 and 47-1008; effective Jan. 1, 1966; amended May 1, 1982.)

PROCEDURES FOR BACKTAGGING AND MARKET CATTLE BRUCellosis TESTING TO BE FOLLOWED AT KANSAS PUBLIC LIVESTOCK MARKETS.

9-10-24a. Backtagging procedures at public livestock markets. (a) Heifers, cows, and bulls over test-eligible age shall be tagged with the uniform backtag. This includes animals from other states, as well as from Kansas origin. The owner's name, at the point of origin (farm location), shall be shown on the record sheet for the animals which are backtagged. If the owner's name as defined here, cannot be determined, then the seller's name may be shown.

(b) The backtags, glue, and other adhesives shall be furnished to the public livestock market operators at federal or state expense. Backtags shall be applied by personnel of the public livestock market operator under the supervision of the market veterinarian or the market manager. The public livestock market operator shall be reimbursed for personnel services in applying the backtags on the basis of fifteen cents (15¢) per head for each animal backtagged when authorized by the livestock commissioner.

(c) The person doing the backtagging shall keep a record showing the tag number used, the name and address of the owner of the animal, and the county of origin for the animal backtagged. A copy of this record shall be forwarded to the Kansas animal health department when a sheet covering the listed backtag numbers is completed.

(d) A backtag shall be applied on each animal, just behind the shoulder and below the mid line of the back; not on hip.

(e) The backtag on animals sold for slaughter without a test shall not be removed until time of slaughter.

(f) Backtagged animals which are bled at markets, shall have the backtag sprayed with yellow transparent lacquer. This lacquer will be furnished by the Kansas animal health department. The backtag shall remain on the animal and will help serve as rapid identification should the animal be moved to another market or should there be any reason for trace back.

(g) Any unauthorized removal of a backtag from cows, which are moved for slaughter, shall be reported to the livestock commissioner of Kansas or his authorized representative. The buyer of the animals may be denied a release of backtagged cattle for any purpose, unless the backtagged animal has been tested before removal from the market. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004; implementing K.S.A. 47-658a and 47-1008; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982.)

9-10-26a. Brucellosis testing procedures and status determination for cattle; handling of exposed cattle. (a) *Testing procedures.* (1) Backtagged animals, cows, heifers, and bulls of test-eligible age and from non-quarantined herds shall be tested for brucellosis before being released from the market, unless they: (A) Have a negative brucellosis test within thirty (30) days of sale;

(B) Are from a certified brucellosis-free herd;

(C) Are "S" branded because they originated from a quarantined herd or a licensed feed lot; or

(D) Originated from a Class C state or a state designated by the livestock commissioner as having a high incidence of brucellosis.

(2) Animals shall be tested for brucellosis before the sale, or shall be sold subject to test when they are received at the market too late to be tested before being sold.

(3) Brucellosis reactors found at the market and all brucellosis exposed animals in the consignment shall revert back to the consignor of the cattle. All reactors shall be tagged and branded and sold for slaughter.

(b) *Handling of exposed cattle.* When brucellosis reactors are found in tested cattle, the remainder of any consignment of cattle, classified as exposed, shall be:

(1) Quarantined by the market veterinarian to the original owner until the cattle have passed two (2) clean tests—the first not earlier than thirty (30) days from date reactors were removed, the second test not earlier than ninety (90) days from date of first test;

(2) Sold for slaughter by being "S" branded and identified on an official shipping permit issued by the market veterinarian; or

(3) Moved to a Kansas licensed feed lot, "S" branded and identified on an official shipping permit. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004; implementing K.S.A. 47-658a and 47-1007; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982.)

Article 12.—SWINE, SPECIFIC PATHOGEN FREE REGULATIONS

9-12-2. Laboratory SPF swine. Laboratory SPF pigs shall be derived only as follows:

(a) By the conventional hysterectomy procedure;

(b) By laparotomy or caesarian section, in which:

(1) There is accepted practice of strict surgical asepsis; and

(2) This pig's first breath is taken in an area protected from the expired area of the non-SPF dam. The latter may be accomplished by:

(A) Passing the pig from the uterus into a separate room with a separate air supply;

(B) passing the pig from the uterus through a disinfectant water lock into a receptacle; or

(C) The closed method which is the removal of the uterus and placing same in a sterile receptacle, where the pigs are removed. (Authorized by K.S.A. 47-670; implementing K.S.A. 47-669; effective, E-68-24, Aug. 9, 1968; effective Jan. 1, 1969; amended May 1, 1982.)

9-12-6. Parasites. External parasites in a Specific Pathogen Free swine herd will be cause for suspend-

(continued)

ing accreditation status until the parasitic condition is eliminated. Reinstatement shall be subject to regulation 9-12-8. (Authorized by K.S.A. 47-670; implementing K.S.A. 47-669; effective, E-68-24, Aug. 9, 1968; effective Jan. 1, 1969; amended May 1, 1982.)

GERALD D. GURSS, D.V.M.
Livestock Commissioner

Doc. No. 000115

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