KANSAS BEGSTER

December 7, 1989

State of Kansas

Vol. 8, No. 49

BILL GRAVES Secretary of State

Pages 1713-1740

ELECTRONIC DE LA CONTRACTOR DE LA CONTRA

THIS ISSUE				e established			Page
			1.			1.1	. .
State Fair Board Notice of Meeting					•		1714
Kansas Judicial Council Notice of Meetings				*			
Northwest Kansas Groundwater Management Distri Notice of Meeting	int No. 4					, , , , , , , , , , , , , , , , , , ,	1714
Department of Health and Environment Correction Notice Concerning Permanent Admini						the state of the s	
State Emergency Response Commission Notice of Meeting				The second secon			4 4-
Kansas Water Authority			·				1715
Legislative Interim Committee Schedule				• • • • • • • • • •			1715
Department of Transportation Notice to Contractors							
Secretary of State Usury Rate for December				· · · · · ·			1716
Department of Administration Notice of Commencement of Negotiations for Arc Notice to Bidders for State Purchases		. %			100	and the second second	
Notice to Bidders for State Purchases							1716
Kansas State University							
Wildlife and Parks Commission Notice of Hearing on Proposed Administrative R	Regulations						1718
Executive Appointments							1719
Kansas Racing Commission Notice of Hearing on Proposed Administrative R							
State Corporation Commission Notice of Hearing on Proposed Administrative R Notice of Motor Carrier Hearings	Regulations		•				1729
Permanent Administrative Regulations Emergency Medical Services Board State Board of Agriculture Department of Wildlife and Parks	.						, 1191
Notice of Bond Redemption City of Dodge City City of Coloriele	• • • • • • • • • • • • • • • • • • • •					· · · · · · · · · · · · · · · · · · ·	1734
Shawnee County	•••••	· · · · · · · · · · · · · · · · · · ·			• • • • • • • • • • • • • • • • • • • •		1736
I. J. L. Administrative Perulations							

STATE FAIR BOARD

NOTICE OF MEETING

The State Fair Board will meet at noon Wednesday, December 13 and at 8 a.m. Thursday, December 14 in the board room at the Administration Office, State Fair grounds, Hutchinson. For further information contact Deana Novak, (316) 662-6611.

DEANA K. NOVAK Administrative Officer

Doc. No. 008590

State of Kansas KANSAS JUDICIAL COUNCIL

NOTICE OF MEETINGS

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

Date	Committee	Time	Location
Dec. 7	Family Law	9:30 a.m.	Room 259
Dec. 8	Probate Law	9:30 a.m.	Room 259
Dec. 15	PIK	9:30 a.m.	Room 259
\ .	Civil Code	9:30 a.m.	Room 266
Dec. 29	Criminal Law	9:30 a.m.	Room 259
Jan. 5	Judicial Council	9:00 a.m.	Room 259
Jan. 18	Care & Treatment	1:30 p.m.	Room 259
Jan. 19	Criminal Law	9:30 a.m.	Room 259

JUSTICE RICHARD W. HOLMES
Chairman

Doc. No. 008595

State of Kansas

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 4

NOTICE OF MEETING ·

The Northwest Kansas Groundwater Management District No. 4 will meet at 2 p.m. Thursday, December 14, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT Manager

Doc. No. 008598

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

CORRECTION NOTICE CONCERNING PERMANENT ADMINISTRATIVE REGULATION

In the Vol. 8, No. 35, August 31, 1989, issue of the Kansas Register, the following subsection (1) of K.A.R. 28-19-16a (concerning ambient air quality standards and air pollution control) was inadvertently omitted from page 1295:

(1) "Fixed capital cost" means the capital needed to provide all the depreciable components.

Copies of this regulation can be obtained by contacting John Irwin, Kansas Department of Health and Environment, Forbes Field, Topeka 66620-0001, (913) 296-1542.

STANLEY C. GRANT Secretary of Health and Environment

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PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



Phone: (913) 296-3489

DEPARTMENT OF HEALTH AND ENVIRONMENT STATE EMERGENCY RESPONSE COMMISSION

NOTICE OF MEETING

The State Emergency Response Commission will meet at 9 a.m. Tuesday, December 19, in the State Defense Building, 2800 S. Topeka Blvd., Topeka.

STANLEY C. GRANT Secretary of Health and Environment

Doc. No. 008605

State of Kansas KANSAS WATER AUTHORITY

NOTICE OF MEETING

The Basin Planning Committee of the Kansas Water Authority will meet at 8 a.m. Monday, December 18, in the conference room of the Governor's Wichita office, 225 N. Market, Suite 100, for the purpose of reviewing the 12 basin sub-sections of the fiscal year 1991 State Water Plan.

For further information contact the Kansas Water Office. (913) 296-3185.

JOHN L. BALDWIN Chairman

Doc. No. 008602

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE The following committee meetings have been scheduled during the period of December 11 through December 24:

Agenda Committee Time Room Date Agenda not available. 514-S 10:00 a.m. Ioint Committee on December 11 Administrative Rules and December 12 514-S 9:00 a.m. Regulations Agenda not available. Ioint Committee on State December 11 123-S 10:00 a.m. 9:00 a.m. **Building Construction** December 12 123-S No Meetings Scheduled December 13 Request for introduction of legislation-**Joint Committee on Arts** December 14 529-S 10:00 a.m. Kansas State Historical Society; tour of and Cultural Resources 9:00 a.m. December 15 529-S Charles Curtis Home; review of committee reports. Staff review of Kansas State University December 18 514-S 10:00 a.m. Selected Senate Ways and and Fort Hays State University Means and House 514-S 9:00 a.m. December 19 budgets. Appropriations Regents Subcommittees Staff review of Wichita State December 20 10:00 a.m. Selected Senate Ways and 514-S University, Emporia State University, 9:00 a.m. Means and House December 21 514-S and Board of Regents' budgets. **Appropriations Regents** Subcommittees

EMIL LUTZ
Director of Legislative
Administrative Services

State of Kansas DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. January 25, 1990, and then publicly opened:

DISTRICT FIVE—Southcentral

Sedgwick—87 U-1256-01—City-wide computerized signal system on federal-aid urban system highways in Wichita, Kansas. (Federal Funds)

Prequalification of contractor or subcontractor for performing the speciality work listed in the proposal is required. A pre-bid conference will be held at 10 a.m. January 4 at City Hall, 7th Floor, 455 Main, Wichita. Contractors wishing to bid on this project are required to attend the pre-bid conference in accordance with the provisions of 80P-207-R1, dated January 31, 1985. The project is tentatively scheduled to be let for bid at 10 a.m. January 25 at the Ramada Inn Downtown, 420 S.E. 6th, Topeka.

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

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

Plans and specifications for the project may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS Secretary of Transportation

Doc. No. 008574

State of Kansas

SECRETARY OF STATE

USURY RATE FOR DECEMBER

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of December 1, 1989, through December 31, 1989, is 11.30 percent.

BILL GRAVES Secretary of State

Doc. No. 008604

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT OF NEGOTIATIONS FOR ARCHITECTURAL SERVICES

Notice is hereby given of the commencement of negotiations for "on-call" architectural services for the University of Kansas Medical Center, Kansas City. Interested firms should be capable of assisting university personnel on miscellaneous small architectural projects during the years 1990 and 1991.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before December 22. An SF 255 form also should be submitted with letters of interest.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 008586

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASES

NOTICE TO BIDDERS

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

Monday, December 18, 1989

#28167

Kansas Bureau of Investigation—UPS SYSTEM #82081

Department of Social and Rehabilitation Services—COMPUTER AND MONITOR

#82084

Kansas State University—DIGITIZER TABLES AND GRAPHICS ADAPTER AND MONITOR

#82098

Department of Transportation—SPRAYER, Hutchinson

#82099

Department of Human Resources—MOVING SERVICES

#82122

Winfield State Hospital and Training Center—ADULT INCONTINENT BRIEFS

#82133

Department of Administration, Buildings and Grounds Services—FLOOR BOX FITTINGS

Tuesday, December 19, 1989

#A-6201

Larned State Hospital—NEW REFRIGERATION, HEATING AND AIR CONDITIONING, Commodities Warehouse

#A-6207

Larned State Hospital—MODERNIZE ELEVATOR, Hospital Building

#A-6359

Department of Wildlife and Parks—DAM REPAIR AND IMPROVEMENTS, Atchison State Lake #27499

University of Kansas Medical Center—MISCELLANEOUS GROCERIES

#82138

University of Kansas and University of Kansas Medical Center—STREET LIGHTING #82143

Department of Administration, Division of Information Systems and Communications—AUTOMATED CARTRIDGE TAPE SYSTEM

Wednesday, December 20, 1989

#A-6348

Kansas State Historical Society—HANDICAPPED ACCESSIBLE RESTROOMS, Pawnee Indian Village Museum

#28166

University of Kansas—2-WAY RADIO EQUIPMENT MAINTENANCE

#28168

University of Kansas Medical Center—WALL CARPET

#82111

University of Kansas Medical Center—EXERCISE EQUIPMENT

Thursday, December 21, 1989

#27166A

Statewide—CORRECTIONAL OFFICER UNIFORM COMPONENTS

#27487

University of Kansas—FIRE EXTINGUISHER SERVICE

#27488

Various state agencies—FIRE EXTINGUISHER SERVICE, Shawnee County

#27923

Statewide—DISPOSAL OF WASTE MOTOR OIL

#82123

Department of Transportation—BITUMINOUS MIXTURE

#82125

Department of Transportation—TRUCKS, Norton and Hutchinson

#82126

Department of Transportation—LOADERS/DOZERS, various locations

#82127

University of Kansas—LIBRARY SUPPLIES
#82146

Department of Administration, Division of Information Systems and Communications—IBM 3290-1 TERMINAL

Friday, December 22, 1989

#82137

University of Kansas Medical Center—ULTRASONIC WELDER

#82139

Wichita State University—FURNISH AND INSTALL FIBER OPTIC CABLES

#82141

University of Kansas Medical Center—VINYL FLOORING

#82142

Kansas State Library—SOFTWARE

#82144

Department of Administration, Division of Information Systems and Communications—IBM 3708-1 NET CONVERSION UNITS

#82145

Department of Social and Rehabilitation Services—DATA GENERAL PERIPHERAL

Thursday, December 28, 1989

#28169

Kansas Correctional Institution at Lansing— ALCOHOL AND DRUG TREATMENT SERVICES

REQUEST FOR PROPOSALS

Friday, December 15, 1989
EXPANSION OF DOT CADD SYSTEM FOR THE DEPARTMENT OF TRANSPORTATION

Friday, December 29, 1989 #82095

GROUND WATER INVESTIGATIONS FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENT

NICHOLAS B. ROACH Director of Purchases

State of Kansas KANSAS STATE UNIVERSITY

NOTICE TO BIDDERS

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

Monday, December 18, 1989 #00053

Electrochemistry System

WILLIAM H. SESLER Director of Purchasing

Doc. No. 008591

State of Kansas WILDLIFE AND PARKS COMMISSION

NOTICE OF MEETING AND HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 7 p.m. Thursday, January 11, in the basement conference room of the Pratt Operations Office of the Wildlife and Parks Department, Pratt, to consider the adoption and revocation of several department regulations. If necessary, the public hearing will continue at 9 a.m. Friday, January 12, at the same location. A workshop meeting on upcoming business and regulations will begin at 1:30 p.m. Thursday, January 11, at the above location. If necessary, the workshop will continue following the conclusion of the public hearing. The public is also invited to attend the workshop.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations and the proposed revocations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending or rejecting the proposed regulations and revocations.

The following is a brief summary of the permanent regulations proposed for adoption and the permanent regulations proposed for revocation:

115-5-1. Furbearers and coyotes; legal equipment, taking methods and general provisions. This proposed permanent regulation continues provisions of K.A.R. 23-6-6, which is proposed for revocation. Coyotes are included in order to provide for taking, possession and disposal of that animal. The conditions are essentially unchanged from those previously found in statute.

Economic Impact Summary: The proposed regulation is not intended or anticipated to have any economic im-

pact on the department, the public, business or other state agencies.

K.A.R. 115-5-2. Furbearers and coyotes; possession, disposal and general provisions. This proposed permanent regulation continues provisions of K.A.R. 23-6-6, which is proposed for revocation. Coyotes are included in order to provide for possession and disposal of that animal. It specifies that coyote furs, pelts, skins and carcasses could only be sold to licensed fur dealers. Also included is a provision that would authorize the sale of furbearer meat to any individual.

Economic Impact Summary: The authorization to sell furbearer meat may provide an opportunity for some additional revenue for furharvesters, but that revenue potential is presently unknown. Selling coyote furs, pelts, or skins to licensed fur dealers only may cause a few furharvesters to spend more time or mileage to deliver their product to a licensed fur dealer.

K.A.R. 115-6-1. Fur dealers license; application, authority, possession of furs, records and revocation. This proposed permanent regulation continues most provisions of K.A.R. 23-7-5 and K.A.R. 23-7-7, both of which are proposed for revocation. Changes include: authorization to deal in coyotes; record keeping and reporting on coyotes; ability to establish more than one business location; and establishing June 30 as the expiration date of a fur dealer license.

Economic Impact Summary: Authorizing more than one business location under one license will enable fur dealers to provide better service to furharvesters. Five dealers purchased seven extra licenses to operate several locations and would no longer be required to do so. A \$700 saving would be realized at \$100 per license.

Individuals dealing only with coyotes would also be required to purchase a fur dealer's license. It is estimated that no more than six residents and six nonresidents would be affected. The estimated \$1,800 in license revenue to the department represents an equal expenditure by the license purchasers.

The requirement to maintain records and submit reports on coyotes will involve additional effort by fur dealers. Forms will continue to be provided by the department.

Changing the license expiration date from December 31 to June 30 will have little impact on the department or fur dealers. Any license purchased during calendar year 1990 will be good through June 30, 1991. Dealers will receive an extra six months. Department revenue would be unaffected but would be received during the last half of 1991 rather than the first half.

K.A.R. 115-8-9. Camping. This proposed regulation, previously announced in the *Kansas Register*, Vol. 8, No. 34, August 24, 1989, contains provisions of K.A.R. 23-8-2 and K.A.R. 33-1-9, which have been revoked. The proposed regulation provides for camping on designated areas and allows camping stays of up to 14 days. One extended stay of not more than 14 days may be authorized if vacant camp sites are available. The regulation prohibits leaving equipment, vehicles or other property unattended or unoccupied in a campground for more than 24 hours.

Economic Impact Summary: K.A.R. 23-8-2 restricted stays to seven days, so K.A.R. 115-8-9 relaxes that re-

striction but does restrict camping to designated areas, which is a new provision for lands other than state parks. The latter restriction may necessitate that some campers utilize a state park campground, thus paying a vehicle or camping fee. The total economic impact is anticipated to be quite small except for those required to use a state park campground. The department may experience a slight increase in sale of camping or vehicle permits. The public and department should benefit from a reduction in uncontrolled camping.

K.A.R. 115-8-21. Special events; permit requirements and procedures. This proposed permanent regulation establishes conditions for which a special events permit would be required to hold certain events on department lands and waters. Application procedures are established. Events not involving facility reservations and having 25 or fewer participants would be exempt from the permit fee.

Economic Impact Summary: It is estimated that 500 special events permits would be purchased annually. At \$25 per permit, this represents revenue of \$12,500 to the department and an equal expenditure by the public.

The following permanent regulations are proposed for revocation:

K.A.R. 23-6-6. Furbearers; season restrictions. Provisions of this permanent regulation are contained in proposed regulation K.A.R. 115-5-1 and K.A.R. 115-5-2. Changes are discussed under the summary statements for those proposed new regulations.

Economic Impact Statement: No economic impact would occur as a result of revocation.

K.A.R. 23-7-5. Purchase of bobcat pelts. Provisions of this permanent regulation are contained in proposed regulation K.A.R. 115-6-1.

Economic Impact Summary. No economic impact would occur as a result of revocation.

K.A.R. 23-7-7. Fur dealers; license, application, authority, possession of furs, records, and revocation. Provisions of this permanent regulation are contained in proposed regulation K.A.R. 115-6-1. Changes are discussed under the summary statement for that proposed new regulation.

Economic Impact Summary: No economic impact would occur as a result of revocation.

K.A.R. 33-1-21. Special events. A portion of this permanent regulation has been included in proposed regulation K.A.R. 115-8-21. K.A.R. 33-1-21 speaks specifically to state parks and does not define special events other than in number of participants.

Economic Impact Summary: No economic impact would occur as a result of revocation

Copies of the full text of the proposed regulations and the economic impact statements may be obtained by writing to the secretary at the address above.

RONALD HOPKINS

Chairman

Doc. No. 008596

State of Kansas

SECRETARY OF STATE

EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed November 16-

30:

State Board of Accountancy

Adley Johnson, C.P.A., P.O. Box 33, Salina 67402. Term expires October 31, 1992. Succeeds Horton Goss.

Janice K. Winter, C.P.A., 400 Exchange Building, 110 N. Market, Wichita 67202. Term expires January 31, 1991. Succeeds Eugene Robben, resigned.

Animal Health Board

Corky Albright, Route 1, Box 139, Delia 66418. Term expires October 31, 1992. Succeeds Ralph Rindt.

Gene Brinkman, Route 5, Box 342, Arkansas City 67005. Term expires October 31, 1992. Succeeds Herb Bowman.

Kansas Corn Commission

Harlan House, Route 1, Box 48, Goodland 67735. Term expires June 30, 1993. Reappointment.

Robert Reed, Box 97, Copeland 67837. Term expires June 30, 1993. Reappointment.

Marvin Wiechman, 708 Ora, Scott City 67871. Term expires June 30, 1993. Succeeds William Mai.

Governor's Council on the Arts

Steve Anthimides, 1052 S. Christine, Wichita 67218. Term expires October 31, 1993.

Richard Bergen, 2327 Meadow Lane, Salina 67401. Term expires October 31, 1991.

Kenneth Burchinal, 1302 W. 2nd, Coffeyville 67337. Term expires October 31, 1991.

Bev Corcoran, 503 N. Pine, Pittsburg 66762. Term expires October 31, 1991.

Ruben Corona, 3417 S.W. 37th, Topeka 66614. Term expires October 31, 1993.

Carolyn Dillon, 4600 E. 28th, Hutchinson 67501. Term expires October 31, 1991.

Kent Glasscock, 1921 Crescent, Manhattan 66502. Term expires October 31, 1991.

Marcia Golden, 1010 W. 10th, Goodland 67735. Term expires October 31, 1993.

Mary Lee Graham, Chairman, 164 Dartmouth Drive, Manhattan 66502. Chairmanship expires October 31, 1990. Term expires October 31, 1993.

James Hamil, 4722 W. 77th Place, Prairie Village 66208. Term expires October 31, 1991.

Gloria Hickok, 5920 Mission Drive, Shawnee Mission 66208. Term expires October 31, 1993.

Ann Jeter, 310 W. 23rd, Hays 67601. Term expires October 31, 1991.

Lorraine Griffin Johnson, 6844 Garfield Ave., Kansas City 66102. Term expires October 31, 1993.

Charles Joss, Jr., 5426 Aberdeen Road, Fairway 66205. Term expires October 31, 1991.

Nancy Kerr, Route 2, Pratt 67124. Term expires October 31, 1993.

Sally Luallen, 2020 Windsong, Dodge City 67801. Term expires October 31, 1991.

John Lungstrum, 1145 W. Campus Road, Lawrence 66044. Term expires October 31, 1993.

Alberta McGrath, 3221 W. 75th, Prairie Village 66208. Term expires October 31, 1993.

Ellen Morgan, P.O. Box 62, Oberlin 67749. Term expires October 31, 1991.

LaVern Nelson, Route 3, Box 88, Goodland 67735. Term expires October 31, 1993.

Martha Nichols, 2401 Drury Lane, Prairie Village 66208. Term expires October 31, 1993.

Ray Rothgeb, 2218 Samuel Place, Independence 67301. Term expires October 31, 1991.

Barbara Schleich, 301 W. 32nd, Hays 67601. Term expires October 31, 1991.

Marjorie Schnacke, 1445 Westover Road, Topeka 66604. Term expires October 31, 1993.

Sydney Stoeppelwerth, 4507 W. 89th, Prairie Village 66207. Term expires October 31, 1993.

Pat Sweeney, 805 Spruceway, Abilene 67410. Term expires October 31, 1991.

Sharon Treaster, P.O. Box 97, Beloit 67420. Term expires October 31, 1993.

KanWork Interagency Coordinating Committee

Reynaldo Mesa, 2305 A St., Garden City 67846. Term expires August 31, 1990. Succeeds Don Laird, resigned.

Regional Systems of Cooperating Libraries (Term expires October 31, 1993.)

Central Kansas Regional Library System:

John Colwell, Rural Route, Lebanon 66952. Succeeds Ruth Dietz.

Pat Hanson, Route 1, Box 37, Jamestown 66948. Succeeds Nancy Reynolds.

Martha Metz, P.O. Box 603, Salina 67402. Succeeds Nancy Naes.

Mary Misegadis, Route 3, Great Bend 67530. Reappointment.

Ruth Sorensen, Route 1, Box 53, Sylvan Grove 67841. Succeeds Zelma Powell.

Debi Treaster, Route 2, Beloit 67420. Succeeds Jean Inskeep.

North Central Kansas Regional Library System:

Edith Penner, Route 2, Hillsboro 67063. Succeeds Kathryn Oborny.

Marjorie Sand, Route 1, Riley 66531. Succeeds Kevin

Kay Wealand, Route 1, Box 112, Cedar Point 66843.

Northeast Kansas Regional Library System:

Darlene Caraway, 101 Timbercreek Circle, Lansing 66043.

Almeda Edwards, R.F.D. 2, Ottawa 66067. Reappointment.

Grace Jeschke, Route 1, Box 8A, Highland 66035.

Betty Lou Metsker, Route 5, Lawrence 66044. Succeeds Elsie Hunsinger.

Shirley Strickler, Route 1, Box 81-F, McLouth 66054. Succeeds Joyce Peek.

Northwest Kansas Regional Library System:

Judy Caldwell, Box 938, Hoxie 67740. Succeeds Audrey Moss. South Central Kansas Regional Library System.

Kathy Curl, P.O. Box 34, Windom 67491. Succeeds Lily Goering.

Norma Dillard, Caldwell 67002. Succeeds Eleanor Platt.

Melinda Rose, Route 3, Lyons 67554. Succeeds Shirley Frederick.

Leta Royer, Route 2, Haven 67543. Succeeds Elizabeth Oswald.

Martha Stucky, Box 293, North Newton 67117. Succeeds JoEllen Koerner.

Kathleen Whitmer, Double L Ranch, Zenda 67149. Reappointment.

Janet Whittington, Route 1, Box 66, Douglass 67039. Succeeds Patricia Ratliff.

Southwest Kansas Regional Library System: Dinah Mellard, HCR 2, Box 11, Meade 67864.

Board of Examiners in Optometry

Jane Cates, 5500 W. 31st Terrace, Topeka 66614. Term expires September 30, 1992. Succeeds JoAnn McDowell.

Supreme Court Nominating Commission

Judith Nightingale, 3701 S.E. Long, Topeka 66609. Term expires June 30, 1994. Succeeds Margie Canfield.

Kansas Wheat Commission

J. C. "Joe" Berry, Box 68, Lenora 67645. Term expires October 31, 1993. Reappointment.

Kent Eddy, P.O. Box 835, Syracuse 67878. Term expires October 31, 1993. Reappointment.

Nadine Griffin, Route 3, Abilene 67410. Term expires October 31, 1993. Succeeds Harvey Wood, Jr.

Harland Sloan, Route 1, Box 100, Colby 67701. Term expires October 31, 1993. Reappointment.

BILL GRAVES Secretary of State

John Briss J.

State of Kansas KANSAS RACING COMMISSION

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9 a.m. Friday, January 12, in the hearing room at commission offices, 3400 Van Buren, Topeka, to consider the adoption of proposed amendments to permanent regulations of the Kansas Racing Commission. This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on these proposed amendments to commission regulations.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the commission office. The following is a summary of the

proposed amendments.

K.A.R. 112-3-16. Organization license application forms and fees for fair associations and the state of Kansas. The proposed amendment outlines specific fees for race meetings conducted by organization licensees, depending on the length of the meeting and whether parimutuel wagering will be used.

Economic impact: The organization applicant will bear the expense stated in the amendment. Persons affected by the amendment include the potential fair board members applying for licenses, horse and greyhound owners, trainers and employees. Neither the commission nor any other state agency will be affected by this amendment. No less costly method of achieving the amendment's purpose was considered because the fees are considered administrative costs of processing applications.

K.A.R. 112-3-19. Background investigations. The proposed amendment specifically identifies those individuals required to submit fingerprint cards and subject to back-

ground investigations.

Economic impact: The license applicant will bear the expense of the investigation and fingerprint processing. Persons affected by the amendment include racetrack patrons who will be assured of races conducted by individuals without criminal histories. No other state agencies will be affected, except the Kansas Bureau of Investigation, which will receive a portion of the background investigation fee. Less costly methods, including requiring fewer than three fingerprint cards, were considered but rejected because of the individual requirements of the commission, the KBI and the FBI for multiple fingerprint cards. Photocopied fingerprints cannot be used for identification purposes.

K.A.R. 112-5-1. Racetrack officials. The proposed amendment adds the mutuel manager and "horsemen's bookkeeper" to the list of officials at horse race meetings. It states the racing secretary and mutuel manager are to be employed by and accountable to the organization

licensee.

Economic impact: The economic impact of this amendment cannot be measured.

K.A.R. 112-5-2. Commission officials, stewards. The proposed amendment establishes a procedure for substitution of racetrack officials and stewards. The amendment

clarifies the authority of the stewards under the administrative procedures act.

Economic impact: The amendment causes no new expense. It affects any individual participating in horse racing, because the stewards are empowered to interpret any of the racing regulations and to take appropriate action to ensure a fair race.

K.A.R. 112-5-3. The starter. The proposed amendment more clearly defines the proper procedure for loading a horse into the starting gate.

Economic impact: No economic impact is predicted for

the implementation of this amendment.

K.A.R. 112-5-8. Racing secretary. This amendment states the duties of the racing secretary to submit the condition book to the commission for approval and to maintain a stall list.

Economic impact: The organization licensee will bear any administrative expense for maintenance of the stall list. Persons affected by the regulation include organization employees, trainers and racetrack patrons who are ensured fair races because the identity and location of the racing horse may be traced. The stall list procedure is a security measure.

K.A.R. 112-5-9. The identifier. The proposed amendment eliminates redundant language and prevents confusion concerning the duties of the identifier and the

stewards.

Economic impact: No economic impact is predicted.

K.A.R. 112-6-6. The starter. The proposed amendment authorizes use of a starting box with fewer or greater than

eight positions with commission approval.

Economic impact: The economic impact of this amendment is presently unknown. Racetrack operators state a nine-position greyhound race will mean larger pools for exotic wagers that will pay less often because of the additional greyhound entries. Greyhound kennel owners and breeders state nine-position greyhound races will mean crowding on the track and greater potential for race injuries. They and race patrons may be affected by the regulation if the statements are true and the commission approves a nine-position race.

K.A.R. 112-9-5. Claim for payment from parimutuel

pool.

K.A.R. 112-9-7. Uncashed tickets.

K.A.R. 112-9-8. Accounting.

K.A.R. 112-9-11. Race declared official.

K.A.R. 112-9-13. Place pool.

K.A.R. 112-9-18. Trifecta pool.

K.A.R. 112-9-21. Daily triple.

K.A.R. 112-9-22. Pick (N).

K.A.R. 112-9-23. Payoff on minus pool.

K.A.R. 112-9-29. Probable odds on morning line.

K.A.R. 112-9-34. Wagering by jockey.

K.A.R. 112-9-37. Dead heats.

Summary of related regulation amendments: The parimutuel regulations proposed for amendment generally establish procedures for placing wagers, monitoring and reporting them and paying-out winnings. They also establish the types of wagers that may be offered by racetracks. The proposed amendments improve syntax and eliminate redundant provisions so that confusion may be

avoided in these lengthy, detailed regulations. The proposed amendments also make the parimutuel procedure at the racetrack compatible with the computerized totalisator equipment used at all Kansas facilities. They more clearly detail the pay-out procedure for exotic wagers. The proposed amendment to K.A.R. 112-9-34 prohibits a jockey from wagering on any card in which he participates. This amendment was drafted to help preserve the integrity of the race.

Economic impact: No economic impact is predicted except that racetrack management may save some admin-

istrative cost with improved procedures.

K.A.R. 112-10-4. Drugs or medications. The proposed amendment establishes classifications for drug positives detected in racing horses. It provides guidelines for assessing penalties depending on the classifications. The procedure will affect horse owners and trainers whose horses will not be automatically disqualified for a positive test, as they are presently.

Economic impact: No economic impact is predicted.

K.A.R. 112-11-2. Minimum requirements for security guard.

K.A.R. 112-11-3. Security guard license.

K.A.R. 112-11-6. Standards of conduct for security guard.

K.A.R. 112-11-7. Security guard and other law enforcement cooperation.

K.A.R. 112-11-9. Physical requirements for premises security.

K.A.R. 112-11-10. Identification and credentials.

K.A.R. 112-11-12. Search and seizure.

K.A.R. 112-11-14. Ambulances and first aid station.

K.A.R. 112-11-15. Fire prevention.

K.A.R. 112-11-20. Racetrack facility safety standards,

greyhound race meets.

Summary of related regulation amendments: The safety and security regulations proposed for amendment generally establish qualifications for security guards at racetracks and procedures and facilities for safety of patrons and racing animals. The proposed amendments eliminate redundant and conflicting provisions so that confusion may be avoided. They also eliminate requirements considered unrealistic, because personnel and services dictated by the original regulations are unavailable in communities where racetracks are located. The proposed amendment to K.A.R. 112-11-12 removes adjacent facilities from the purview of this regulation on licensees' consent to search and seizure.

Economic impact: The commission, organization and management licensees and patrons, who ultimately would bear much of the expense for overly restrictive regulations, will appreciate the cost savings affected by these amendments. These amendments are not predicted to generate new expense for these individuals.

K.A.R. 112-12-2. Kansas horse breeding development

fund, stallion eligibility certificate.

K.A.R. 112-12-4. Kansas horse breeding development fund, mare eligibility certificate.

Summary of related regulation amendments: The proposed amendments establish a one-month extension for filing of eligibility certificates in the start-up year.

Economic impact: The proposed amendments will generate more participation in the Kansas bred program, resulting in higher purses and breed awards for owners. Related economic impact in the breed industry is predicted.

> JIMMY D. GRENZ Executive Director

Doc. No. 008593

State of Kansas STATE CORPORATION COMMISSION

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Thursday, January 18, in the Conservation Division hearing room, third floor, 200 Colorado Derby Building, 202 W. 1st, Wichita, to consider the adoption of proposed permanent regulations for the conservation of crude oil and natural gas.

The period of 30 days notice from the date of this publication to the date of the public hearing constitutes. a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Comments may be submitted to the State Corporation Commission, Attn: Shari Feist Albrecht, Director, 200 Colorado Derby Building, 202 W. 1st. Wichita 67202.

Copies of the proposed regulations and the economic impact statements may be obtained at the Wichita address. Persons requesting a copy of the proposed regulations and economic impact statements, in accordance with K.S.A. 45-219, will be required to compensate the State Corporation Commission for the cost of reproduction. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally or in writing, in regard to the adoption of the proposed regulations.

All written or oral comments submitted by interested parties on or before January 18 will be considered by the commission as a basis for making changes to these proposed permanent regulations.

The following is a brief summary of the proposed reg-

ulations and economic impact statements.

K.A.R. 82-3-100 (Rermanent regulation). The amendment specifies the number of copies of the exception application to be filed and with whom. The amendment clarifies where notice is to be published.

Economic Impact: None.

K.A.R. 82-3-101 (Permanent regulation). The amendment adds six new definitions (dike, reserve pit, sensitive groundwater area, special order, treatment pit, and workover pit), deletes three existing definitions (storage pit, well completion [oil], and well completion [gas]), and clarifies three existing definitions (correlative rights, disposal well, and enhanced recovery injection well). The new definitions were added to give definition to language used in existing regulations. "Storage pit" was removed since "treatment pit" better describes the intended concept. Both well completion definitions were deleted since the

time frame for reporting well completions now ties into the spudding of the well rather than its completion.

Economic Impact: None.

K.A.R. 82-3-103 (Permanent regulation). The amendment adds the requirement of filing a plat map with the notice of intention to drill. The plat map is to show the intended well location as well as the location of other wells producing from the intended common source of supply. A penalty of \$5000 is imposed for inadequate installation of or failure to install surface casing or to complete alternate II cementing as required in K.A.R. 82-3-106. The amendment further establishes a penalty of \$1000 for drilling without an approved notice of intent to drill. The amendment allows the director to permit one six-month extension of the effectiveness of the approval only upon written request.

Economic Impact: Operators will bear the cost of pre-

paring and filing the plat map.

K.A.R. 82-3-103a (Permanent regulation). The amendment specifies the number of copies of the application to be filed and with whom. The amendment clarifies where notice is to be published.

Economic Impact: None

K.A.R. 82-3-106 (Permanent regulation). The amendment updates the reference to the latest revision of Table I and establishes a \$5000 penalty for failure to install surface casing as required. The amendment further specifies the procedure by which requests for extension of time to complete additional cementing are to be handled.

Economic Impact: The operator bears any penalty

expense.

K.A.R. 82-3-107 (Permanent regulation). The amendment reflects a reorganization of the regulation, which eliminates duplication of language and further clarifies industry terminology. The amendment eliminates the exception provision since exceptions to regulations are generally authorized under K.A.R. 82-3-100. The amendment establishes two penalties: a \$500 penalty for failure to deliver the required information to the conservation division and a \$250 penalty for failure to submit or timely submit (by the twentieth day of the month following the month in which services were performed) a list of all logging services performed on each hole serviced each month.

Economic Impact: The operator bears the cost of any

penalty expense.

K.A.R. 82-3-108 (Permanent regulation). The amendment clarifies that the regulation applies to both oil and gas wells, eliminates notice provisions, and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedure Act provisions effective July 1, 1989. The amendment further establishes that the approval of the notice of intent to drill hinges on the granting of any well location exception.

Economic Impact: None.

K.A.R. 82-3-109 (Permanent regulation). The amendment makes the regulation applicable to applications for amendment of existing spacing or basic proration orders,

clarifies existing language, and requires a certificate of mailing as part of the application process. The amendment specifies the evidentiary requirements necessary for the applicant to meet its burden of proof and the manner in which notice is to be published.

Economic Impact: None.

K.A.R. 82-3-110 (Permanent regulation). The amendment conforms the title of the regulation to its contents and corrects self-regulatory language.

Economic Impact: None.

K.A.R. 82-3-111 (Permanent regulation). The amendment establishes an application rather than a notice process for temporary abandonment of wells. Temporary abandonment requests must be approved by the Conservation Division before the well can be abandoned. The amendment establishes a \$100 penalty for failure to file for temporary abandonment. The amendment further gives the Conservation Division the right to deny temporary abandonment when necessary to prevent pollution of fresh and usable water. At the expiration of the temporary abandonment period, the well is to be plugged, repaired, or returned to production.

Economic Impact: The operator bears the expense of any fluid level or mechanical integrity test that the Conservation Division may require and any penalty expense.

K.A.R. 82-3-113 (Permanent regulation). The amendment imposes a \$100 penalty for an operator's failure to file a notice of intention to abandon a well and revises self-regulatory language.

Economic Impact: The operator bears any penalty

expense.

K.A.R. 82-3-117 (Permanent regulation). The amendment imposes a \$100 penalty for an operator's failure to file a plugging report.

Economic Impact: The operator bears any penalty

expense

K.A.R. 82-3-120 (Permanent regulation). The amendment requires that an operator have a current license to operate oil and gas wells, including those wells that may be shut-in. The amendment further imposes a \$500 penalty for failure to obtain or renew an operator or contractor license before operating wells.

Economic Impact: The operator bears any penalty

expense.

K.A.R. 82-3-122 (Permanent regulation). The amendment eliminates self-regulatory language and substitutes the statutory-defined term "operator" for licensee.

Economic Impact: None.

K.A.R. 82-3-123 (Permanent regulation). The amendment eliminates notice provisions and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-123a (Permanent regulation). The amendment eliminates notice provisions and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation

Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-124 (Permanent regulation). The amendment corrects self-regulatory language, eliminates notice provisions, and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-126 (Permanent regulation). The amendment establishes a \$100 penalty for failure to post an identification sign on or near a tank battery.

Economic Impact: The operator bears the expense of

any penalty.

K.A.R. 82-3-128 (Permanent regulation). The amendment corrects self-regulatory language and imposes a \$100 penalty for an operator's failure to verify information requested by the Conservation Division.

Economic Impact: The operator bears the expense of

K.A.R. 82-3-129 (Permanent regulation). The amendment specifies costs for a variety of reports.

Economic Impact: None, since the amendment merely

codifies existing charges.

K.A.R. 82-3-130 (Permanent regulation). The amendment clarifies the documentation required to verify that

ment clarifies the documentation required to verify that appropriate well cementing was completed. The amendment further establishes a \$500 penalty for an operator's failure to properly file an affidavit of completion.

Economic Impact: The operator bears the expense of

any penalty.

K.A.R. 82-3-131 (Permanent regulation). The amendment eliminates notice provisions and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-133 (Permanent regulation). The amendment corrects self-regulatory language and clarifies the types of penalties the commission may impose. The amendment specifically establishes a \$500 penalty for overproduction in addition to the existing penalties.

Economic Impact: The operator bears the expense of

any penalty.

K.A.R. 82-3-135 (Permanent regulation). The amendment includes hearings for the protection of fresh and usable water within its scope and corrects self-regulatory language. The amendment further reflects the name change for the Wichita Eagle newspaper and reduces the mailing period for notice from 33 days to 10 days.

Economic Impact: None.

K.A.R. 82-3-135a (Permanent regulation). This new regulation centralizes the notice requirements for appli-

cations. Notice requirements have been previously contained within some but not all of the individual regulations pertaining to filing applications. The regulation requires applicants to provide copies of the application to operators or lessees of record and unleased mineral owners with interests located within a one-half radius of the well or acreage subject to the application. If the application addresses an environmental matter, the landowner whose land is affected by the application must also be notified.

The regulation requires publication of notice of the application in the official county newspaper in each county in which lands affected by the application are located. If the application involves a production matter, notice must also be published in the Wichita Eagle newspaper.

The regulation further holds the application in abeyance for 15 days from the date of publication pending the filing of any protest pursuant to K.A.R. 82-3-135b. If a valid protest is received, the matter will be set for hearing for which notice is to be published according to K.A.R. 82-3-135.

Economic Impact: Applicants will bear the cost of providing copies of the application to the described individuals and for publication of notice of the application and

any hearing arising out of the application.

K.A.R. 82-3-135b (Permanent regulation). This new regulation prescribes requirements for filing protests to applications filed according to K.A.R. 82-3-135a. Protests shall be made in writing and state the name and address of the protester as well as the nature of his interest in the application. The regulation must be filed within the 15-day protest period established in K.A.R. 82-3-135a to warrant consideration. The protester shall serve the protest upon the applicant, the Conservation Division will not perform service of the protest.

Economic Impact: The costs of filing a protest and providing copies of the protest to the applicant will be borne by the protester. The protester shall also bear the cost of his participation in any hearing that should arise out

of his protest.

K.A.R. 82-3-138 (Permanent regulation). The amendment clarifies the effective date for discovery allowables on development wells, eliminates notice provisions, and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-140 (Permanent regulation). The amendment clarifies who may file an application for tertiary project certification and deletes the requirement that multiple copies be filed. The amendment further references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-141 (Permanent regulation). The amend-

ment establishes a \$500 penalty for failure to properly file an affidavit of recompletion.

Economic Impact: The operator bears any penalty

expense.

K.A.R. 82-3-201 (Permanent regulation). The amendment clarifies that the regulation applies to oil wells.

Economic Impact: None.

K.A.R. 82-3-203 (Permanent regulation). The amendment specifies the number of copies of an exception application to be filed and with whom. The amendment clarifies where notice is to be published.

Economic Impact: None.

K.A.R. 82-3-206 (Permanent regulation). The amendment specifies the current rate of assessment for each barrel of crude oil marketed or used each month.

Economic Impact: None, since the amendment merely specifies the current rate of assessment imposed through

commission order.

K.A.R. 82-3-208 (Permanent regulation). The amendment clarifies the type of gas subject to venting or flaring and corrects self-regulatory language. The amendment further specifies the number of copies of the application to be filed and with whom. The amendment clarifies where notice is to be published. The amendment requires the applicant to include the names and addresses of certain individuals to whom notice of the application was provided.

Economic Impact: The applicant shall bear the costs of filing the application and providing and publishing notice

as required.

K.A.R. 82-3-209 (Permanent regulation). The amendment clarifies the type of gas subject to flaring. The amendment further specifies the number of copies of the application to be filed and with whom. The amendment clarifies where notice is to be published. The amendment requires the applicant to include the names and addresses of certain individuals to whom notice of the application was provided.

Economic Impact: The applicant shall bear the costs of filing the application and providing and publishing notice

as required.

K.A.R. 82-3-300 (Permanent regulation). The amendment deletes the requirement of filing multiple copies with the secretary of the commission and specifies that the application be filed with the Conservation Division. The amendment clarifies the application and notice requirements for assignment of allowables that also involve requests for exception to a basic proration order. This latter amendment requires that persons receiving a copy of the application be informed that there is a 15-day period in which a protest may be filed; that notice of the pending application must also be published in the official county newspaper where the lands affected are located and in the Wichita Eagle newspaper; that protests filed must meet the requirements of K.A.R. 82-3-135b; and that if a valid protest is filed, the matter will be set for hearing for which notice shall be published.

Economic Impact: The applicant shall bear the costs of filing the application and providing and publishing notice

as required.

K.A.R. 82-3-300a (Permanent regulation). This new regulation requires the filing of an application for rein-

statement of cancelled underages when a basic proration order provides for reinstatement. The regulation specifies that the application must include the well location and attribute acreage, the name of the common source of supply, the name and address of any purchaser, the available underage and its date of cancellation, and the applicant's license number. The regulation requires publication of notice of the pending application in the official county newspaper and in the Wichita Eagle newspaper.

Economic Impact: The applicant shall bear the costs of filing the application and publishing the required notice.

K.A.R. 82-3-303 (Permanent regulation). The amendment clarifies technical language defining static wellhead working pressure, the circumstances in which a second multi-point back pressure test may be taken, and the condition under which an exception to the multi-point back pressure procedure may be granted and a slope value of 0.85 assigned.

of 0.85 assigned. Economic Impact: None.

K.A.R. 82-3-304 (Permanent regulation). The amendment allows gas well tests to be witnessed by purchasers or transporters in addition to producers. The amendment further imposes a \$500 penalty for an operator's failure to submit an annual gas test.

Economic Impact: The operator bears any penalty

expense.

K.A.R. 82-3-306 (Permanent regulation). The amendment specifies that the party who owns, maintains, or operates the metering device used to record gas produced shall file a monthly report showing the amount of gas metered. The amendment further clarifies when the report is to be filed.

Economic Impact: The metering party will bear the

expense of reporting gas produced.

K.A.R. 82-3-307 (Permanent regulation). The amendment specifies the current rate of assessment for each 1000 cubic feet of gas sold or marketed each month.

Economic Impact: Each producer bears the cost of the

assessment

K.A.R. 82-3-311 (Permanent regulation). The amendment specifies that notice of hearing is to be published according to K.A.R. 82-3-135 and deletes reference to special orders.

Economic Impact: None.

K.A.R. 82-3-312 (Permanent regulation). The amendment clarifies that the regulation applies to gas wells in fields not subject to a basic proration order, specifies that well tests are to be performed according to K.A.R. 82-3-303, and corrects self-regulatory language.

Economic Impact: None.

K.A.R. 82-3-400 (Permanent regulation). The amendment imposes penalties of \$1000, \$5000, and \$10,000 and well shut-in to persons operating injection or disposal wells without prior commission approval.

Economic Impact: The operator bears any penalty

expense

K.A.R. 82-3-401 (Permanent regulation). The amendment deletes reference to an exception procedure since exceptions may be pursued under K.A.R. 82-3-100. The amendment clarifies the type of log required to be filed

with the application and provides for substitute logs if a log on the well in question is unavailable. The amendment further deletes former notice provisions and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act provisions effective July 1, 1989.

Economic Impact: None.

K.A.R. 82-3-403 (Permanent regulation). The amendment clarifies that notice of commencement and discontinuance of injection or disposal operations is to be given to the Conservation Division and refers the operator to K.A.R. 82-3-111 for plugging and abandonment procedures upon discontinuance. The amendment further imposes a \$100 penalty for an operator's failure to notify of commencement or discontinuance.

Economic Impact: The operator bears any penalty expense.

K.A.R. 82-3-404 (Permanent regulation). The amendment requires that each injection or disposal well be equipped with a pressure observation valve on the tubing and the tubing-casing annulus.

Economic Impact: The operator shall bear the expense of placing a pressure observation valve on each well.

K.A.R. 82-3-405 (Permanent regulation). The amendment specifies that mechanical integrity includes no fluid movement into fresh or usable water. The amendment further imposes a \$1000 penalty for an operator's failure to test a well for mechanical integrity.

Economic Impact: The operator bears any penalty expense.

K.A.R. 82-3-406 (Permanent regulation). The amendment clarifies that applications to amend injection or disposal well orders must be filed with the Conservation Division on a form provided by the division. The amendment deletes former notice provisions and references new regulation K.A.R. 82-3-135a, which centralizes notice requirements for applications filed with the Conservation Division. The centralization of notice requirements assures uniformity of treatment for all application processes and is intended to better implement the Kansas Administrative Procedures Act provisions effective July 1, 1989.

The amendment further specifies that a notice of modification rather than an amendment application is to be filed with the Conservation Division for modifications decreasing injection pressure or rate and for modifications adding or deleting leases producing water for injection. All other modifications to the order shall be treated as amendments for which an application is to be filed.

The amendment further imposes a \$500 penalty for an operator's failure to obtain commission approval of an amendment before resuming operations of the well under the proposed amendment.

Economic Impact: The operator shall bear the expense of providing notice of the application and the cost of any penalty expense. The notice of modification procedure for certain order modifications will save the operator \$50 per such modification filed since these modifications had formerly been handled as applications subject to a processing fee.

K.A.R. 82-3-407 (Permanent regulation). The amendment imposes a \$100 penalty for failure to properly file an annual injection report.

Economic Impact: The operator bears any penalty

expense

K.A.R. 82-3-408 (Permanent regulation). The amendment clarifies that notices of transfer of operating authority from one operator to another must be filed with the Conservation Division. The amendment further establishes a \$100 penalty for an operator's failure to notify the Conservation Division of the transfer.

Economic Impact: The operator bears any penalty expense.

K.A.R. 82-3-410 (Permanent regulation). The amendment specifies the application fees for processing injection and disposal applications. The amendment establishes a fee of \$200 for initial applications for either injection or disposal authority; a \$100 fee for specified amendment applications for either injection or disposal authority; a fee of \$100 for each additional injection well included in the initial injection application unless the additional well is less than 1000 feet deep (the latter is \$50 per well); and a \$50 fee for any other injection or disposal well amendment.

Economic Impact: The applicant bears the cost of the

processing fee.

K.A.R. 82-3-600 (Permanent regulation). The amendment clarifies that use of surface ponds without commission approval is prohibited and establishes a \$500 penalty for unauthorized use. The amendment requires the filing of an application with the Conservation Division and specifies application requirements. Chloride concentration and geohydrology are the criterion for assessing the risk that a particular surface pond poses to water resources. The amendment deletes construction requirements that have been placed in K.A.R. 82-3-601a.

Economic Impact: None.

K.A.R. 82-3-600a (Permanent regulation). This regulation authorizes the director of the Conservation Division to revoke any surface pond permit when fresh or usable water resources are in danger of becoming polluted from use of the surface pond or when the operator of the pond is not in compliance with permit requirements. The regulation further requires the operator to close the surface pond upon revocation of the permit.

Economic Impact: The operator of the surface pond on which the permit has been revoked shall bear the expense

of closing the surface pond.

K.A.R. 82-3-600b (Permanent regulation). This new regulation establishes a reauthorization process for existing surface ponds that are located in recently identified sensitive groundwater areas. The reauthorization involves the filing of an application with the Conservation Division on a form prescribed by the division. One year from the effective date of the regulation is the established reauthorization period. The regulation establishes a \$500 penalty for unreauthorized operation of an existing surface pond after the expiration of the one-year period.

Economic Impact: The operator shall bear the expense

of preparing and filing the application.

K.A.R. 82-3-601a (Permanent regulation). This new regulation specifies the construction requirements for sur-

face ponds located in sensitive groundwater areas. The regulation establishes a minimum freeboard of 30" for all surface ponds except drilling pits and burn pits, which shall have a minimum freeboard of 12".

The regulation requires that reserve pits in sensitive groundwater areas underlain by the Hutchinson salt member of the Wellington formation and emergency pits in sensitive groundwater areas shall be constructed to limit hydraulic conductivity to no more than 1 x 10-7 cm/sec. The regulation lists a number of available options to meet this requirement.

The regulation prohibits the construction of surface ponds deeper than five feet above the water table in the area.

Economic Impact: Based on an estimate of 778 wells drilled per year in sensitive groundwater areas (derived from a five-year statistical average of total wells drilled in Kansas) and an incremental reserve pit cost per well ranging from \$10,152 to \$48,330 depending on the construction option selected, the total annual cost for industry ranges from \$7.9 to \$21.8 million.

Assuming that there are 28,051 producing leases in Kansas, 30 percent of which are located in sensitive groundwater area, and assuming two-thirds of the leases have emergency pits, a total annual industry cost of \$93,505 to \$6 million is estimated. This cost range varies from \$566 for lining emergency pits with plastic liners to \$2100 for fiberglass or steel tanks in lieu of emergency pits to \$11,130 for lining with Gunite liner.

Groundwater monitoring and leak detection costs are difficult to quantify generally since individual aquifer characteristics and monitor well construction criteria vary from location to location. The commission currently has authority to require monitoring and leak detection where groundwater pollution is suspected. Any such installation costs would be borne by the legally responsible party.

The costs described above are for preventive measures against groundwater pollution from oil and gas activities. These costs are generally believed to be significantly less than actual groundwater cleanup costs after pollution has occurred. It is further believed that requiring more stringent construction of surface ponds will encourage development of new and more cost-effective alternatives and technology to ensure groundwater protection.

Enforcement of this regulation is expected to be handled by existing staff. Additional geologists were hired in fiscal year 1989 in anticipation of implementing more stringent construction requirements which have been under study for three years. At this time, no significant economic impact is anticipated with respect to the agency.

K.A.R. 82-3-601b (Permanent regulation). This new regulation provides for an exception to the construction and closure requirements for surface ponds. Exception requests must be made in writing to the director and submitted with the surface pond application. The request must contain supporting data to show why the exception should be granted. An on-site investigation may be conducted to determine the viability of the exception request.

Economic Impact: The applicant bears the expense of preparing and filing an exception request. The commission bears the cost of any onsite investigation, including travel and staff time.

K.A.R. 82-3-602 (Permanent regulation). The amendment clarifies pond closure requirements and restructures the contents of the regulation. The amendment imposes a new requirement that operators of reserve pits in sensitive groundwater areas report, to the appropriate district office, the chloride content of reserve pit fluids and a drilling fluid management plan within 48 hours after drilling operations cease. The drilling fluid management methods actually used shall be reported to the Conservation Division on the affidavit of completion.

Economic Impact: The operator shall bear the expense of reporting the required information to the Conservation Division.

K.A.R. 82-3-603 (Permanent regulation). The amendment requires operators to immediately notify the appropriate district office upon discovery of a spill which has reached flowing surface water. The amendment imposes penalties of \$250, \$500, and \$1000 for an operator's failure to properly notify the district office. The amendment clarifies the cleanup requirements, specifying a time frame within which cleanup is to occur. The amendment further establishes penalties of \$1000, \$2500, and \$5000 for an operator's failure to clean up spills in a timely manner.

Economic Impact: The operator bears the expenses of notification and cleanup of spills and any penalty expense.

K.A.R. 82-3-604 (Permanent regulation). This new regulation incorporates the deleted requirements of K.A.R. 82-3-603 pertaining to emergency pit operation. The regulation requires that operators remove fluids within emergency pits within 48 hours of discovery of the discharge. The regulation further establishes penalties of \$250, \$500, and \$1000 for an operator's failure to timely remove the fluids.

Economic Impact: The operator bears any penalty expense.

K.A.R. 82-3-605 (Permanent regulation). This new regulation specifies that dikes do not require surface pond permits. The regulation requires operators to notify the appropriate district office of any discharge into diked areas within 24 hours of the discharge. The regulation further requires operators to remove fluids from within the diked area within 48 hours after discovery of the discharge. The regulation also establishes penalties of \$250, \$500, and \$1000 for an operator's failure to properly remove fluids within the diked area.

Economic Impact: The operator shall bear the cost of notification and removal of discharged fluids and any penalty expense.

K.A.R. 82-3-606 (Permanent regulation). This new regulation prohibits the dumping or release of chemical substances and other nonexempt waste as listed in K.A.R. 28-31-3 into surface ponds. Examples of nonexempt waste include acids, empty drums, spent solvents, used equipment lubrication oils and hydraulic fluids, sanitary waste, insulation, and miscellaneous solid waste. The regulation establishes penalties of \$1000, \$5000, and \$10,000 for the dumping or release of such substances. Operators and contractors are considered responsible for the actions of their subcontractors.

Economic Impact: The operator bears any penalty expense.

JUDITH McCONNELL Executive Director

STATE CORPORATION COMMISSION

NOTICE OF MOTOR **CARRIER HEARINGS**

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated before the State Corporation Commission, Docking State Office Building, fourth floor, Topeka, unless otherwise noticed.

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, Docking State Office Building, Topeka 66612, (913) 296-3808 or 296-3364.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Pro-

cedure Before the Commission.'

Applications set for December 19, 1989

Application for Abandonment of Certificate of Convenience and Necessity:

B & D Motor Parts, Inc.) Docket No. 91,160 M Box 324 Fort Scott, KS 66701) MC ID No. 101065

Applicant's Attorney: None

Application for Extension of Certificate of Convenience and Necessity:

Clarke Corporation) Docket No. 21,580 M 107 W. Fowler Medicine Lodge, KS 67104) MC ID No. 122270

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

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh and salt water.

Between points and places in Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Trego, Ellis, Russell, Greeley, Wichita, Scott, Lane, Sedgwick and Cowley counties, Kansas.

Application for Certificate of Convenience and Necessity:

Gary D. Evans, dba) Docket No. 169,098 M Seneca Implement Co. Route 1 Seneca, KS 66538) MC ID No. 114850

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

Grain, grain products, dry feed, dry feed ingredients. dry fertilizer, dry fertilizer ingredients, building and construction materials, seed, salt and machinery.

Between points in Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Jackson, Atchison, Pottawato-

mie, Riley, Clay, Cloud, Ottawa, Saline, Dickinson, Geary, Morris, Wabaunsee, Shawnee, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Miami, Franklin, Osage, McPherson, Marion, Chase, Lyon, Linn, Anderson, Coffey, Harvey, Butler, Greenwood, Woodson, Allen, Bourbon, Crawford, Neosho, Wilson, Elk, Sedgwick, Sumner, Cowley, Chautauqua, Cherokee, Labette and Montgomery counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Innes Petroleum, Inc.) Docket No. 145,661 M 375 Morse Drive Phillipsburg, KS 67661) MC ID No. 121199 Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Kent Oil Company, dba) Docket No. 168,476 M Kent's Standard Service 1980 S. Range Colby, KS 67701) MC ID No. 135687

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles.

Between points and places in Thomas, Sherman, Sheridan, Decatur, Rawlins, Cheyenne, Wallace, Logan, Gove, Trego, Ellis, Russell, Graham, Rooks, Barton, Rush, Ness, Lane, Scott, Wichita and Greeley counties, Kansas, on the one hand, and the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Farmers Grain, Fuel) Docket No. 169,104 M & Livestock Company P.O. Box 128 Pawnee Rock, KS 67567 s) MC ID No. 135690

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

Hay, grain, dry feed, dry feed ingredients, salt, seeds, dry fertilizer, building and construction materials. fencing materials, machinery, liquid feed, liquid feed ingredients, liquid fertilizer, gasoline, diesel fuel, gasohol and kerosene.

Between points and places in Chevenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Kearny, Grant, Stevens, Decatur, Sheridan, Gove, Scott, Lane, Finney, Haskell, Gray, Seward, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush. Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Salina, McPherson, Harvey, Sedgwick and Sumner counties.

Garden City, KS 67846

Also.

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

Application for Transfer of Certificate of Convenience and Necessity:

) Docket No. 118,823 M Wilbur Landgraf and Rebecca Landgraf 1609 A St.) MC ID No. 102575 Garden City, KS 67846 TO: W.H. Landgraf, Inc. 1609 A St.

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

Anhydrous ammonia,

From the storage facilities of Chevron Chemical Company, at or near Friend, Kansas, to all points and places in Kansas.

Hay,

Between points and places within Hodgeman, Pawnee, Stafford, Edwards, Gray, Ford, Pratt, Kiowa, Meade, Clark, Comanche and Barber counties; that portion of Finney County east of K-23; that portion of Ness County south of K-96; that portion of Rush County south of K-96; that portion on Reno County south of K-96 and west of U.S. 281; that portion of Reno County south of U.S. 50 and west of K-14; and that portion of Kingman County west of K-14.

Also.

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

Grain, feed and feed ingredients,

Between points and places in Rawlins, Thomas, Hodgeman, Pawnee, Stafford, Hamilton, Kearny, Finney, Edwards, Grav, Ford, Pratt, Seward, Kiowa, Meade, Clark, Comanche and Barber counties; that portion of Greeley County south of K-96; that portion of Wichita County south of K-96; that portion of Scott County south of K-96 and west of U.S. 83; that portion of Ness County south of K-96; that portion of Rush County south of K-96; that portion of Barton County south of K-96 and west of U.S. 281; that portion of Reno County south of U.S. 50 and west of K-14; that portion of Kingman County west of U.S. 14; that portion of Haskell County east of U.S. 83 and north of U.S. 160; that portion of Grant County north of U.S. 160 and that portion of Stanton County north of U.S. 160.

Also,

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

Liquid feed and liquid feed ingredients,

From points in Kansas to points in Wichita, Scott and Haskell counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

) Docket No. 118,823 M W.H. Landgraf, Inc. 1609 A St.) MC ID No. 102575 Garden City, KS 67846

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

Grain, hay, feed, feed ingredients, fertilizer ingredients, fertilizer (except anhydrous ammonia), seeds and salt, Between all points and places in the state of Kansas.

Building and construction materials, fencing materials and machinery,

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

Also.

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

Application for Certificate of Convenience and Necessity:

) Docket No. 169,101 M Bill Page Trucking, Inc. 2222 Santa Fe) MC ID No. 135832 Woodward, OK 73801

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

Livestock, grain, hay, feed, feed ingredients, salt, fertilizer (except anhydrous ammonia), seeds, building and construction materials, fencing materials and machinery,

Between points and places in Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant, Haskell, Stevens, Seward, Gove, Lane, Gray, Meade, Trego, Ness, Hodgeman, Ford, Clark, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Russell, Barton, Stafford, Pratt, Barber, Ellsworth, Rice, Reno, Kingman, Harper, Saline, McPherson, Harvey, Sedgwick and Sumner counties.

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

Application for Certificate of Convenience and Necessity:

) Docket No. 168,475 M Salina Charter Coach, Inc. 857 Pontiac) MC ID No. 135686 Salina, KS 67401

Applicant's Attorney: Erle Francis, 714 Capitol Federal Building, 700 Kansas Ave., Topeka, KS 66603-3881 Passengers and baggage, in charter party service, Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Translease, Inc. P.O. Box 2308

) Docket No. 154,849 M

Garden City, KS 67846

) MC ID No. 128126

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

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

Between points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Wayne Herring Route 2, Box 58

) Docket No. 169,100 M

Ozawkie, KS 66070

) MC ID No. 135689

Applicant's Attorney; None

Grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, livestock, hay and construction materials.

Between all points and places in Marshall, Nemaha, Brown, Doniphan, Riley, Pottawatomie, Jackson, Atchison, Geary, Wabaunsee, Shawnee, Jefferson, Leavenworth, Wyandotte, Morris, Lyon, Coffey, Osage, Douglas, Johnson, Miami, Linn, Franklin and Anderson counties, Kansas.

Application for Certificate of Convenience and Necessity:

James B. Studdard Transfer) Docket No. 169,103 M & Storage Co., Inc.

782 Seneca

Leavenworth, KS 66048) MC ID No. 101240

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

Household goods, as described in ICC Docket Ex Parte number MC-45 entitled "Descriptions in Motor Carrier Certificates,"

Between all points and places in the state of Kansas. Hospital Control (1977)

Application for Extension of Certificate of Convenience and Necessity:

Richard Lofland, dba Pair-A-Dice Transportation 909 E. 24th

) Docket No. 151,501 M

Hutchinson, KS 67504

) MC ID No. 125809

Applicant's Attorney: None

Grain, dry feed, dry feed ingredients, dry fertilizer and dry fertilizer ingredients,

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Frederick Grizzell, dba

) Docket No. 168,474 M

GZ Farm

Route 1, Box 29

Macksville, KS 67557

) MC ID No. 135685

Applicant's Attorney: None

Grain, hay, dry fertilizer, livestock, machinery, dry feed, dry feed ingredients, dry fertilizer ingredients,

Between all points and places in Pawnee, Saline, Barton, Stafford, Edwards, Reno, Sedgwick, Ford, Pratt, McPherson, Rice and Kingman counties, on the one hand, and the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Olathe Limousine Enterprises, Inc.

) Docket No. 169,102 M

1015 Lennox Drive

Olathe, KS 66062) MC ID No. 136036

Applicant's Attorney: John Petersen, 7300 College Blvd., Suite 300, Overland Park, KS 66210

Passengers and their baggage in limousine and automobile service and packages not exceeding 35 pounds,

Between all points and places in Johnson, Wyandotte, Leavenworth, Atchison, Jefferson, Shawnee, Douglas, Miami and Franklin counties, Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Millstead Van Lines, Inc.

) Docket No. 21,302 M

P.O. Box Drawer 878 Bartlesville, OK 74003

) MC ID No. 100089

TO:

Chevalley Moving & Storage of Dewey, Inc., dba Chevalley-Millstead Moving

& Storage, Inc.

323 N. Osage Ave.

Dewey, OK 74029

Applicant's Attorney: None

Household goods.

Between all points and places in the state of Kansas.

ALFONZO A. MAXWELL Administrator Transportation Division

EMERGENCY MEDICAL SERVICES BOARD

PERMANENT ADMINISTRATIVE REGULATIONS

Article 6.—TEMPORARY CERTIFICATION

109-6-1. Temporary certification. (a) Each applicant for temporary certification as an emergency medical technician shall provide the administrator with proof of:

(1) current certification by another state at a compa-

rable level:

(2) successful completion of a course which meets or exceeds the federal DOT emergency medical technician curriculum as existed on October 1, 1987 or;

(3) certification as an emergency medical technician

within the last two years.

(b) Each applicant for temporary certification as a mobile intensive care technician shall provide the administrator with proof of:

(1) current certification by another state at a compa-

rable level:

(2) successful completion of a course which meets or exceeds the federal DOT emergency medical technicianparamedic curriculum as existed on October 1, 1987 and;

(3) successful completion of the written examination for mobile intensive care technician offered by the board.

- (c) Each applicant who meets either of the above requirements may be granted temporary certification by the administrator.
- (d) Upon certification a temporary emergency medical technician is authorized to perform those activities described in K.S.A. 1988 Supp. 65-6120. Upon certification a temporary mobile intensive care technician is authorized to perform those activities described in K.S.A. 1988 Supp. 65-6119. (Authorized by and implementing K.S.A. 1988 Supp. 65-6129; effective, T-88-24, July 15, 1987; amended May 1, 1988; amended Jan, 22, 1990.)

Article 7.—FEES

109-7-1. Schedule of application fees. (a) Application fees shall be paid with each application and are not refundable. This regulation is effective on and after July 1, 1990.

(b) First responder:	
(1) examination application fee	\$10.00
(2) certification application fee	5.00
(3) certification renewal application fee	10.00
(4) replacement card or certificate fee	10.00
(c) Crash injury management technician:	, ,
(1) examination application fee	25.00
(2) certification application	10.00
(3) certification renewal application fee	10.00
(4) replacement card or certificate fee	10.00
(d) Emergency medical technician, emergency	medical
technician-intermediate, emergency medical tecl	nnician-
defibrillator:	
(1) examination application fee	35.00

(2) certification application fee (3) certification renewal application fee

· (4)	replacement card or certificate fee	10.00
(e)	Mobile intensive care technician:	ीं भागभू
(1)	examination application fee	50.00
(2)	certification application fee	15.00
(3)	certification renewal application fee	15.00
(4)	replacement card or certificate fee	10.00
$(\hat{\mathbf{f}})$	Type I, II, II-A, IV-A and V ambulance ser	vice:
(1)	service permit application fee	50.00
(2)	vehicle license application fee	35.00
(3)	replacement permit or license fee	10.00
(Autho	prized by and implementing K.S.A. 1988 Sup	р. 65-

6110; effective July 1, 1990).

BOB McDANELD Administrator

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State of Kansas Activity in Alexand his believed with the **BOARD OF AGRICULTURE**

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PERMANENT ADMINISTRATIVE REGULATIONS

Article 7.—MILK AND DAIRY PRODUCTS

4-7-900. Civil penalty; complaint. (a) Each complaint for the assessment of a civil penalty shall include?

(1) A statement reciting the section of the act author-

izing the assessment of a civil penalty;

(2) a specific reference to each provision of the act or implementing regulation which respondent is alleged to have violated;

(3) a concise statement of the factual basis for each

alleged violation;

(4) the amount of the civil penalty which is proposed

to be assessed; and

(5) the notice of respondent's right to request a hearing on any material fact contained in the complaint or on the appropriateness of the amount of the proposed civil penalty. This notice may be incorporated within the complaint or set forth in a separate document.

(b) Each respondent shall be served a notice of a prehearing conference in accordance with the Kansas administrative procedures act (K.S.A. 77-501 et seq. % (Authorized by K.S.A. 75-1401; implementing L. 1989, Ch.

2, § 1, effective Jan. 22, 1990.)

4-7-901. Answer to the complaint. (a) If a respondent contests any material fact upon which the complaint is based, or contends that the amount of the civil penalty proposed in the complaint is inappropriate or contends that the respondent is entitled to judgment as a matter of law the respondent shall file a written answer to the complaint. This answer shall be filed with the designated hearing officer within 20 days after service of the

(b) Each respondent's answer shall be in writing. The answer shall clearly and directly admit, deny or explain each of the factual allegations contained in the complaint to which the respondent has any knowledge. Where the respondent has no knowledge of a particular factual al-

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15.00

15.00

legation and so states the allegation shall be deemed denied. The answer shall also state any circumstances or arguments which are alleged to constitute grounds of defense, any facts which the respondent disputes and intends to place at issue and whether a hearing is requested.

(c) The respondent's failure to admit, deny or explain any material facts or allegations contained in the complaint

shall constitute an admission of the allegation.

(d) The respondent's failure to answer a complaint shall be deemed to constitute default. (Authorized by K.S.A. 75-1401; implementing L. 1989 Ch. 2, §1, effective Jan. 22, 1990.)

- 4-7-902. Amount of proposed civil penalty. (a) A separate civil penalty shall be assessed for each violation of article 7 of chapter 65 of Kansas statutes annotated and amendments thereto which results from each independent act or failure to act by any dairy manufacturing plant or agent or employee thereof. In determining whether a given violation is independent of and substantially distinguishable from any other violation for the purpose of assessing separate civil penalties consideration shall be given to whether each violation requires an element of proof not required by another violation. Where several violations require the same elements of proof and are not distinguishable, assessment of separate civil penalties shall be within the discretion of the secretary or the secretary's authorized representative.
- (b) For each violation, the proposed civil penalty shall be not less than \$100 nor more than \$300.
- (c) For each second or subsequent occurrence of a violation for which a civil penalty has been assessed within a three-year period the civil penalty assessed for the subsequent violation shall be the maximum amount allowed by law. (Authorized by K.S.A. 75-1401; implementing L. 1989, Ch. 2, §1, effective Jan. 22, 1990.)
- 4-7-903. Criteria to determine dollar amount of proposed civil penalty. In determining the amount of any proposed civil penalty the gravity of the violation shall be considered by the secretary or the secretary's designee. Factors to be considered shall include:
- (a) The potential of the act to injure or endanger the health of any consumer or the general public;

(b) the severity of actual or potential injuries;

- (c) the respondent's history of compliance with state and federal pesticide laws and regulations promulgated thereunder;
- (d) any action taken by respondent to remedy the specific violation or to mitigate any adverse health effects or environmental effects which were the result of the violation; and
- (e) whether or not the violation involved any misrepresentation or fraud. (Authorized by K.S.A. 75-1401; implementing L. 1989, Ch. 2, \$1, effective Jan. 22, 1990.)
- 4-7-904. Informal settlement. (a) The respondent may request a settlement conference. The request may be contained either in respondent's answer to the complaint or presented at the pre-hearing conference. A request for a settlement conference shall not constitute an answer to a complaint. A settlement conference shall not affect the respondent's obligation to file a timely answer to a complaint.
 - (b) Once a settlement is reached, the parties shall re-

duce the settlement to writing and present the proposed written consent agreement to the secretary or the secretary's designee. The consent agreement shall state that for the purpose of the proceeding respondent:

(1) Admits the jurisdictional allegations of the

complaint;

(2) admits the facts stipulated in the consent agreement;

(3) neither admits nor denies specific factual allegations

contained in the complaint; and

- (4) consents to the assessment of a stated civil penalty. The consent agreement shall include any and all terms of the agreement and shall be signed by all parties or their counsel or representatives of record. (Authorized by K.S.A. 75-1401; implementing L. 1989, Ch. 2, § 1, effective Jan. 22, 1990.)
- 4-7-905. Adjusting the amount of the proposed civil penalty. (a) Each respondent shall present all evidence on the issue of adjustment of the proposed civil penalty at the settlement conference. Such evidence may include mitigating factors or new evidence not previously known at the time the complaint was issued.
- (b) Upon presentation by the respondent of new evidence establishing facts and circumstances that were unknown to the secretary or to the secretary's duly authorized agent at the time the complaint was issued and which relate to the gravity of the violation, a new civil penalty may be proposed. When these additional facts establish that respondent did not commit the violations charged the complaint shall be dismissed. When the new evidence reveals additional charges should have been filed, a new complaint proposing appropriate additional civil penalties may be filed.

(c) The burden shall be on the respondent to present evidence of any mitigating factors to support any requested reduction in the amount of the proposed civil penalty. The amount of the civil penalty may be reduced

if the reduction serves the public interest.

(d) The amount of a civil penalty shall not be reduced to less than \$100 per offense. Whether or not a proposed civil penalty is reduced lies within the sole discretion of the secretary or the secretary's duly authorized agent; reductions shall not occur unless evidence of mitigating factors has been presented by respondent. (Authorized by K.S.A. 75-1401; implementing L. 1989, ch. 2, section 1, effective Jan. 22, 1990.)

Article 8.—NOXIOUS WEEDS

- 4-8-27. Adoption by reference. (a) Control practices contained in the "official musk thistle control program" published by the Kansas state board of agriculture on July 24, 1989 is hereby adopted by reference and shall apply to the control and eradication of musk thistle in the state of Kansas.
- (b) Copies of this publication are available from the plant health division of the Kansas state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 2-1315, effective May 1, 1988; amended Jan. 22, 1990.)

SAM BROWNBACK Secretary of Agriculture

DEPARTMENT OF WILDLIFE **AND PARKS**

PERMANENT ADMINISTRATIVE REGULATIONS

Article 1.—GAME BIRDS

23-1-10. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-177 and 32-178; effective, T-81-32, October 8, 1980; effective May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked Jan. 22, 1990.)

Article 3.—FISH: SPORT AND COMMERCIAL

23-3-2. (Effective May 1, 1982; revoked Jan. 22, 1990.)

Article 2.—MOTOR VEHICLE PERMITS

33-2-4. (Authorized by and and implementing K.S.A. 1985 Supp. 74-4509b, amended by L. 1986, Ch. 291, Sec. 1; effective, T-83-39, Nov. 23, 1982; effective May 1, 1983; amended May 1, 1984; amended May 1, 1987; revoked Jan. 22, 1990.)

Article 3.—OTHER FEES AND CHARGES

33-3-3. (Authorized by and implementing K.S.A. 1985 Supp. 74-4510, as amended by L. 1986, Ch. 292, Sec. 1; effective Jan. 1, 1966; amended, E-77-26, May 1, 1976; amended Feb. 15, 1977; amended May 1, 1980; amended, T-83-13, July 1, 1982; amended, T-83-39, Nov. 23, 1982; amended May 1, 1983; amended, T-87-45, Dec. 19, 1986; amended May 1, 1987; revoked Jan. 22, 1990.)

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-2. Motor vehicle permit fees. (a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

One-day temporary motor vehicle permit 2.50 Additional motor vehicle permit 4.50

- (b) A one-day temporary motor vehicle permit shall expire at 10:00 a.m. on the day following the effective date of the one-day temporary motor vehicle permit. (Authorized by and implementing L. 1989, Chapter 118, section 9 and K.S.A. 1988 Supp. 74-4509b as amended by L. 1989, Chapter 118, section 54; effective Jan. 22, 1990.)
- 115-2-3. Other fees and charges. (a) The following permit charges shall be in effect for state parks and for other designated areas for which the permit and service fees and charges are required:

Camping—per camping unit:

	-		· · · · · · · · · · · · · · · · · · ·	
Annual	~~~~i~~	manmit	•	29.50
Alliluai	Camping	Derunt.	·	29.00
O		!	- 11	1 50
Overni	gnt camb	ing bern	nit	1.50

Othities, per night—per unit.	4
Electricity	3.00
Electricity, water and sewer hook-up	4.00
Private boat dock-annual	10.00
Boat dock and watercraft towing	

Hitilitian mor night now unit.

Private cabin sites-annual 100.00 Club and organization cabin sites-annual...... 150.00 Special event permits.....

(b) An overnight camping permit shall be valid only for the state park or other area for which purchased and shall expire at 2:00 p.m. on the day following the effective date of the overnight camping permit. (Authorized by and implementing L. 1989, Chapter 118, section 9 and K.S.A. 1988 Supp. 32-164b as amended by L. 1989, Chapter 118, section 105; effective Jan. 22, 1990.)

Article 3.—SMALL GAME

115-3-2. Rabbits, hares and squirrels; legal equipment, taking methods and possession. (a) Legal hunting equipment for rabbits, hares, and squirrels shall consist of the following:

(1) firearms;

(A) centerfire and rimfire rifles and handguns, except fully automatic rifles and handguns;

(B) shotguns and muzzleloading shotguns not larger than 10 gauge and using only shot;

(C) muzzleloading rifles and pistols;

(D) cap and ball pistols; and

(E) pellet and BB guns;

(2) bow and arrow;

(3) crossbow; (4) falconry; and

(5) projectiles hand-thrown or propelled by a slingshot.

(b) Rabbits may be taken by box traps during established hunting seasons.

(c) The use of dogs shall be permitted while hunting.

(d) The use of horses and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(e) Hunting hours shall be from 1/2 hour before sunrise to sunset.

(f) Any type apparel may be worn while hunting.

- (g) Legally taken rabbits, hares and squirrels may be possessed without limit in time and may be given to another if accompanied by a written notice containing the donor's name and address.
- (h) Other equipment and methods of taking shall be legal as allowed by permit. (Authorized by and implementing L. 1989, Chapter 118, sections 9 and 114; effective, T-115-7-27-89, July 27, 1989; effective September 18, 1989; amended T-____, ____; amended Jan. 22, 1990.)

Article 4.—BIG GAME

115-4-1. Turkey; legal equipment, taking methods, reports, tags and general provisions. (a) Legal hunting equipment for turkey during an archery turkey season shall consist of:

(1) bow and arrow;

- (2) each bow shall not be less than 45 pound pull up to or at full draw; and
- (3) each arrow shall be equipped with a non-barbed broadhead point with all metal cutting edges;

(b) Legal hunting equipment for turkey during a firearms turkey season shall consist of:

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

(2) shotgun and muzzleloading shotgun of not less than 20 gauge; and

(3) only size 2 shot through size 9 shot shall be used with shotguns and muzzleloading shotguns.

(c) Decoys other than live decoys, non-electronic calls and lures shall be legal.

(d) Turkeys shall only be shot while the turkey is on the ground or in flight.

(e) Carcass tag.

(1) each permittee shall have in possession a carcass tag while hunting turkey;

(2) the permittee shall sign and date the tag and attach it to the carcass immediately following the kill and before moving the carcass from the site of the kill;

(3) the carcass tag shall remain attached to the carcass until the turkey is processed for consumption; and

(4) removal of the carcass tag from the permit shall invalidate the permit for hunting

(f) Legally taken turkey may be possessed without limit in time and may be given to another if accompanied by a written notice containing the donor's name and address.

(g) General provisions.

(1) unless otherwise authorized by rules and regulations, an individual shall not submit more than one permit application for a turkey season;

(2) unless otherwise authorized by rules and regulations, an individual shall not obtain more than one permit

for a turkey season:

(3) any applicant unsuccessful in obtaining a permit in a drawing for limited permits shall be eligible to apply for any permits remaining after the drawing or any permits available on an unlimited basis:

(4) a permit shall be non-transferable:

(5) a permit refund shall be granted only if a permittee dies prior to the opening date of the season for which the permit was issued;

- (6) in addition to other penalties prescribed by law, each permit obtained by an individual through false representation, misrepresentation, unauthorized application or in excess of the number of permits authorized by rules and regulations shall be invalid from date of issuance;
 - (7) priorities for receiving turkey permits shall be:
- (A) those individuals not obtaining a permit in the prior vear; and

(B) all other applicants;

(8) any landowner-tenant unsuccessful in a drawing for a turkey hunting permit may apply for a special permit to hunt turkey on the landowner-tenant's own property in those units where such permits are authorized. (Authorized L. 1989, Chapter 118, section 9 and K.S.A. 32-179 as amended by L. 1989, Chapter 118, section 69; implementing L. 1989, Chapter 118, sections 9 and 114 and K.S.A. 32-179 as amended by L. 1989, Chapter 118, section 69; effective Jan. 22, 1990.)

Article 12.—GAME BREEDERS

115-12-1. Game breeders, operational requirements. (a) Each game breeder shall provide a report of activities to the secretary on or before June 30. The report shall include the following information:

(1) name of permittee:

(2) address:

(3) current game breeders permit number;

(4) the number of each species sold; and

(5) other information as required by the secretary.

(b) Each game breeder shall provide a bill of sale to each person purchasing wildlife. The bill of sale shall contain the game breeder's name and permit number and the bill of sale shall state the species and number of wildlife purchased, purchaser's name and address and date of purchase.

(c) In lieu of submitting the report as specified in subsection (a), items 1 through 4, any permittee may submit copies of all bills of sale to the secretary on or before June 30; provided that the copies are legible and that the name, address and permit number of the permittee is identified with the bills of sale. (Authorized by and implementing K.S.A. 1988 Supp. 32-159 as amended by L. 1989, Chapter 118, section 82; effective Jan. 22, 1990.)

> ROBERT L. MEINEN Secretary of Wildlife and Parks

Doc. No. 008592

(Published in the Kansas Register, December 7, 1989.)

NOTICE OF REDEMPTION City of Dodge City, Kansas Industrial Revenue Bonds **Series 1 of 1984** (Hyplains Dressed Beef Project)

Notice is hereby given that \$80,000 principal amount of bonds, as listed below, are called for redemption on January 1, 1990, at the price of 101 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

> **Registered Bonds** Cusip #256335-DQ-0

R139 R159 R162 R163 R165 R167 R170 R171 R179 R173 R176 R178 R181

On January 1, 1990, all bonds designated for redemption will become due and payable upon presentation thereof at the address given below.

On and after January 1, 1990, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601-0178.

> Merchants National Bank of Topeka

(Published in the Kansas Register, December 7, 1989.)

NOTICE OF REDEMPTION
Industrial Revenue Bonds
(The "Mikes" Investment Company)
A General Partnership
Series B, 1982
Dated July 1, 1982
of the
City of Colwich, Kansas

Notice is hereby given that pursuant to Section 4 of Ordinance No. 281 of the city of Colwich, Kansas, all of the outstanding Industrial Revenue Bonds, Series B, 1982 ("Mikes" Investment Company) of the city of Colwich, Kansas, maturing on and after July 1, 1990, will be redeemed and prepaid on January 1, 1990 (the redemption date), prior to their respective maturities. The bonds being called for redemption and payment are numbered, mature and bear interest as follows:

Bond Numbers		
46-58	July 1, 1990	13.25%
59-73	July 1, 1991	13.50%
74-90	July 1, 1992	13.75%
91-133	July 1, 1993	13.875%

The principal amount of the above described bonds shall become due and payable on January 1, 1990, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium of 3 percent of the principal amount of the bonds so called for redemption and payment.

On January 1, 1990, the bonds described above will be due and payable at the principal office of BANK IV Wichita, National Association, Wichita, Kansas (formerly the Fourth National Bank and Trust Company, Wichita), 100 N. Broadway, Wichita, KS 67202, and from and after January 1, 1990, all interest on the bonds will cease to accrue. All coupons maturing subsequent to January 1, 1990, must be attached and surrendered with said bonds.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the bonds who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated November 20, 1989.

BANK IV Wichita, National Association (formerly the Fourth National Bank and Trust Company, Wichita)

Doc. No. 008601

(Published in the Kansas Register, December 7, 1989.)

NOTICE OF REDEMPTION Shawnee County, Kansas Single Family Mortgage Revenue Bonds 1981 Series A

Notice is hereby given that \$870,000 principal amount of bonds, as listed below, are called for redemption on January 1, 1990, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

				Serial	Bonds			
			Cı	ısip #82	20624-AY	-0	1000	
13	39	285	352	420	473	587	590	595
90)2	940	947	1023	1156	1263	1275	1329
134	15	/ 1456	1498	1503	1522	1605	1685	1901
201	3	2092	2112	2146	2168	2212	2215	2262
250)6	2523	2585	2587	2601	2738	2773	2812
282	21	2825	2847	3070	3161	3262	3302	3331
335	68	3376	3379	3381	3435	3463	3529	3579
361	9	3639	3640	3690	3805	3806	3843	3863
390	06	3909	3960	4090	4120	4126	4136	4237
461	4	4711	4850	4916				1 / 1
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Registered Bonds Cusip #820624-AY-0

R155 R162 R163 R167 R81 R112 R124 R66 R123
Please present registered bonds to Merchants National Bank of Topeka only.

On January 1, 1990, all bonds designated for redemption will become due and payable upon presentation thereof at the addresses given below.

On and after January 1, 1990, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following addresses:

The Merchants National Bank of Topeka Attn: Corporate Trust P.O. Box 178 Topeka, KS 66601-0178 or

By Mail
Receive and Deliver
Department
20 Exchange Place
17th Floor
CITICORP, NAIB
P.O. Box 1154
Wall Street Station
New York, NY 10268

By Hand
CITICORP, NAIB
Municipal Securities
Processing
65 Beaver St., 17th Floor
New York, NY 10005

Merchants National Bank of Topeka

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 1989 Index Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF

	ADMINISTRA	ION
Reg. No.	Action	Register
1-2-1	Revoked	V. 8, p. 1207
1-2-1	Amended	V. 8, p. 1472
1-5-9	Amended	V. 8, p. 1207
1-5-9	Amended	V. 8, p. 1472
1-5-10	Amended	V. 8, p. 1207
1-5-10	Amended	V. 8, p. 1472
1-5-11	Amended	V. 8, p. 130
1-5-11	Amended	V. 8, p. 1473
1-5-13	Amended	V. 8, p. 130
1-5-15	Amended	V. 8, p. 130
1-5-19b	Amended	V. 8, p. 1208
1-5-19b	Amended	V. 8, p. 1473
1-5-19c	Amended	V. 8, p. 1208
1-5-19c	Amended	V. 8, p. 1473
1-5-24	Amended -	V. 8, p. 1209
1-5-24	Amended	V. 8, p. 1474
1-5-29	New	V. 8, p. 1210
1-5-29	New	V. 8, p. 1475
1-6-24	Amended	V. 8, p. 131
1-6-31	New	V. 8, p. 131
1-7-10	Amended	V. 8, p. 1210
1-7-10	Amended	V. 8, p. 1475
1-62-1	New	V. 8, p. 1004

AGENCY 4: BOARD OF AGRICULTURE

Action	Register
Amended	V. 8, p. 1004
Amended	V. 8, p. 1070
Revoked	V. 8, p. 1004
Revoked	V. 8, p. 1087
New	V. 8, p. 1087
New	V. 8, p. 1395
Amended	V. 8, p. 1005
Amended	V. 8, p. 1070
New	V. 8, p. 132
	Amended Amended Revoked Revoked New New Amended Amended

AGENCY 5: BOARD OF AGRICULTURE-DIVISION OF WATER RESOURCES

Reg. No.	Action	. 1	Register
5-23-3	Amended		V. 8, p. 1088
5-23-4	Amended		V. 8, p. 1089
5-23-9	Revoked		V. 8, p. 1089

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-34-1	New	N. 8, p. 1139
7-34-1	New	V. 8, p. 1183
7-35-1	New	V. 8, p. 1556
7-35-2	New	V. 8, p. 1556

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action		Register		
9-18-1	New		V. 8, p. 1138		
9-18-1	New		V. 8, p. 1183		

AGENCY 14: DEPARTMENT OF REVENUE-DIVISION OF ALCOHOLIC

	DEVERAGE	CONTROL			
Reg. No.	Action		R	egiste	r ,
14-17-6	New	• /	V.	8, p.	750 .

AGENCY 16: ATTORNEY GENERAL Reg. No. Action

10-1-1	
through	-
16-7-9	

V. 8, p. 1326, 1327

		7	 		1	
6-	7-1	•				

through

Reg. No.

23-14-1

23-17-1

23-17-2

23-17-3

23-18-1

23-18-3

23-18-4

16-7-9

New	V. 8, p. 1447, 14
AGENCY 17: STA	TE BANKING
DEPART	MENT

Register

17-19-4 New V. 8,	
through	·
17-19-1	

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-1	Amended	V. 8, p. 1090
22-1-2	Amended	V. 8, p. 1090
22-3-1	Amended	V. 8, p. 1090
22-3-2	Néw	V. 8, p. 1090
22-4-2	New	V. 8, p. 1495
22-4-3	New	V. 8, p. 1495
22-5-6	New	V. 8, p. 1090
22-6-17	New	V. 8, p. 1090
22-8-1	Amended	V. 8, p. 1091
22-10-3	Amended	V. 8, p. 1091
22-10-12	Amended	V. 8, p. 1092
.22-10-17	New .	V. 8, p. 1092
22-13-35	Amended	V. 8, p. 1092

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-2-3	Revoked	V. 8, p. 1525
23-3-8	Revoked	V. 8, p. 1629
23-3-10	Revoked	V. 8, p. 1629
23-3-11	Revoked	V. 8, p. 1629
23-3-12	Revoked	V. 8, p. 1629
23-3-14	Revoked	V. 8, p. 1629
23-3-15	Revoked	V. 8, p. 1629
23-8-1	Revoked	V. 8, p. 1525
23-8-2	Revoked	V. 8, p. 1525
23-8-4	Revoked	V. 8, p. 1356
23-8-18	Revoked	V. 8, p. 1525
23-8-19	Revoked	V. 8, p. 1525
23-8-21	Revoked	V. 8, p. 1525
23-8-25	Revoked	V. 8, p. 1525
23-8-33	Revoked	V. 8, p. 1525
23-8-36	Revoked	V. 8, p. 1525
23-9-2	Revoked	V. 8, p. 1525
23-9-10	Revoked	V. 8, p. 1525
23-9-11	Revoked	V. 8, p. 1525
23-11-1	Revoked	V. 8, p. 1356

AGENCY 25: GRAIN INSPECTION DEPARTMENT

V. 8, p. 1356

V. 8, p. 1356

V. 8, p. 1356

V. 8, p. 1356

V. 8, p. 1525

8, p. 1629

8, p. 1629

Revoked

Revoked

Revoked

Revoked

Revoked

Revoked

Revoked

neg. No.	Action		Kegister		
25-4-1	Amended	7	Vol. 8, p. 12	90	
AGENCY	26: DEPART	MENT	ON AGING	2	
Reg. No.	Action		Register		

	i	- : .
	,	
New		V. 8, p. 1557
		. •
	4.5	1 5
New	V. 8,	p. 1557, 1558
	New	New

AGENCY 28: DEPARTMENT OF HEALTH

•	AND ENVIRON	MENI
Reg. No.	Action	Register
28-4-400	Amended	V. 8, p. 1632
28-4-401	Amended	V. 8, p. 1632
28-4-403	Amended	V. 8, p. 1632
28-4-405	Amended	V. 8, p. 1633
28-4-405a	Amended	V. 8, p. 1634
28-4-405b	Amended	V. 8, p. 1635
28-4-406	Amended	V. 8, p. 1635
28-4-407	Amended	V. 8, p. 1636
28-4-408	Amended	
28-4-410	Amended	V. 8, p. 1636
28-4-411	Amended	V. 8, p. 1637
28-4-412	Revoked	
28-4-413	Amended	V. 8, p. 1637

tnrougn		
28-16-138	New	V. 8. p. 517-520
28-16-137	Amended	
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291
	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
	Amended	V 8, p. 1294
28-19-17a	Amended	V. 8, p. 1296
28-19-17b	Amended	V. 8, p. 1296
28-19-17c	Amended	V. 8, p. 1297
28-19-17g	Amended	V. 8, p. 1298
28-19-17i	Amended	V. 8, p. 1298
28-19-20	Amended	V. 8, p. 1298
28-19-21	Amended	V. 8, p. 1298
28-19-56	Amended	V. 8, p. 1298 V. 8, p. 1211
28-33-11	New	
28-33-12	New	V. 8, p. 1212 V. 8, p. 200
28-39-77	Amended	1. 0, p. 200
28-39-87	Amended	V. 8, p. 871
28-39-200	Revoked	V. 8, p. 201
28-39-202	•	
through		
28-39-218	Revoked	V. 8, p. 201
28-39-225	Amended	V. 8, p. 201

28-16-110

28-39-226

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

V. 8, p. 203

. Amended

Reg. No.	Action	Register
30-4-50	Amended	V. 8, p. 1180
30-4-54	Amended	V. 8, p. 1180
30-4-56	Revoked	V. 8, p. 714
30-4-57	Amended	V. 8, p. 1180
30-4-58	Amended	V. 8, p. 1180
30-4-62	Amended	V. 8, p. 1180
30-4-63	Amended	V. 8, p. 1661

30-4-64 Amended V. 8, p. 1661 V. 8, p. 714 30-4-70 Amended 30-4-73 Amended V. 8, p. 1181 30-4-74 V. 8, p. 715 Amended 30-4-75 V. 8, p. 715 Amended 30-4-85a V. 8, p. 1181 Amended 30-4-90 Amended V. 8, p. 1182 30-4-100 Amended V. 8, p. 715 V. 8, p. 715 30-4-101 Amended V. 8, p. 715 30-4-102 Amended V. 8, p. 1182 30-4-110 Amended 30-4-111 Amended V. 8, p. 1662 30-4-112 V. 8, p. 1662 Amended V. 8, p. 1182 30-4-113 Amended 30-4-120 Amended V. 8, p. 1182

30-4-130 Amended V. 8, p. 1662 30-4-140 Amended V. 8, p. 715 V. 8, p. 1662 30-5-58 Amended 30-5-59 V. 8, p. 1182 Amended V. 8, p. 717 30-5-60 Amended 30-5-70 Amended V. 8, p. 717 30-5-76 V. 8, p. 717 New 30-5-81 Amended V. 8, p. 1205 30-5-81 V. 8, p. 1470 Amended

V. 8, p. 718 30-5-81a Amended V. 8, p. 718 30-5-81b Amended 30-5-81d Revoked V. 8, p. 718 30-5-81q Revoked V. 8, p. 718 V.~8, p. 30-5-81r Revoked 718 30-5-81s Revoked V. 8, p. 718 30-5-81t Amended V. 8, p. 718

30-5-81u V. 8, p. 718 New 30-5-81v V. 8, p. 718 New 30-5-82 8, p. 719 Amended V. 8, p. 1662 30-5-84 Amended 30-5-84a Revoked 8, p. 1662 30-5-88 Amended 8, p. 1206 30-5-88 Amended 8, p. 1471 30-5-89 Amended V 8, p. 1662 30-5-94 **Amended** V. 8, p. 719 V. 8, p. 719 30-5-95 Amended 30-5-100 Amended V. 8, p. 1182

30-5-108 Amended V. 8, p. 719 V. 8, p. 719 30-5-110 Amended 30-5-113 Amended V. 8, p. 1662 30-5-115 V. 8, p. 719 New 30-5-115a V. 8, p. 719 New 30-5-116 V. 8, p. 719

New

00 F 110 N	10 m m	AND THE PROPERTY OF THE PROPER
30-5-116a New V. 8, p. 720	40-7-7 Amended V. 8, p. 455	82-3-311 Amended V. 8, p. 431
30-5-169 Amended V. 8, p. 720		
		82-3-400 Amended V. 8, p. 432
30-6-35 Amended V. 8, p. 720	40-7-20 Revoked V. 8, p. 455	82-3-401 Amended V. 8, p. 432
30-6-53 Amended V. 8, p. 720	40-7-20a New V. 8, p. 455	82-3-402 Amended V. 8, p. 434
30-6-55 Amended V. 8, p. 1662	40-7-21 Amended V. 8, p. 457	82-3-405 Amended V. 8, p. 434
30-6-56 Amended V. 8, p. 720	40-7-21 Amended V. 8, p. 516	
	40-7-21 Amended V. 6, p. 510	82-3-407 Amended V. 8, p. 435
	ACENOV AA DEDAREMENT OF A	82-3-408 Amended V. 8, p. 435
30-6-58 Revoked V. 8, p. 1182	AGENCY 44: DEPARTMENT OF	82-3-409 Amended V. 8, p. 435
30-6-63 Amended V. 8, p. 1182	CORRECTIONS	82-11-1
30-6-65 Amended V. 8, p. 1662	Reg. No. Action Register	
	· · · · · · · · · · · · · · · · ·	through
30-6-73 Amended V. 8, p. 1182		82-11-7 Revoked V. 8, p. 517
30-6-74 Amended V. 8, p. 721	44-11-121 Amended V. 8, p. 451	82-11-1
30-6-77 Amended V. 8, p. 721	44-11-123 Amended V. 8, p. 451	through
30-6-86 Amended V. 8, p. 721	S. C.	
	AGENCY 51: DEPARTMENT OF HUMAN	82-11-9 New V. 8, p. 377-383
30-6-103 Amended V. 8, p. 1662	RESOURCES—DIVISION OF	
30-6-106 Amended V. 8, p. 1663		
30-6-109 Amended V. 8, p. 721	WORKERS' COMPENSATION	
	Reg. No. Action Register	AGENCY 85: ABSTRACTERS' BOARD
	51-24-4 Amended V. 8, p. 1493	
30-6-111 Amended V. 8, p. 1663	51-24-5 Amended V. 8, p. 1493	OF EXAMINERS
30-6-112 Amended V. 8, p. 1663	51-24-5 Amended V. 6, p. 1436	Reg. No. Action Register
30-6-113 Amended V. 8, p. 1183	· · · · · · · · · · · · · · · · · · ·	85-4-1 Amended V. 8, p. 1448
30-7-26	ACENCY 63: BOARD OF MORTUARY ARTS	85-6-1 Amended V. 8, p. 1448
	Reg. No. Action Register	
through		85-7-1 Amended V. 8, p. 1448
30-7-63 Revoked V. 8, p. 721	63-1-3 Amended V. 8, p. 712	······································
30-7-64	63-1-4 Amended V. 8, p. 712	
through	63-1-6 Amended V. 8, p. 712	
	63-1-12 Amended V. 8, p. 713	AGENCY 91: DEPARTMENT OF
30-7-78 New V. 8, p. 721-724		
30-7-68 Amended V. 8, p. 1663	63-6-3 Amended V. 8, p. 713	EDUCATION
30-9-13 New V. 8, p. 1663	63-6-6 Amended V. 8, p. 714	Reg. No. Action Register
30-9-18 (See 19 2.18)	63-6-7 Revoked V. 8, p. 714	91-1-27b Amended V. 8, p. 94
	63-6-8 Revoked V. 8, p. 714	91-1-32 Amended V. 8, p. 94
through Articles Articles	00-0-0 nevoked v. o, p. 714	
30-9-22 New V. 8, p. 1663, 1664	ACENON OF BOARD OF BUILDING	91-1-32a Revoked V. 8, p. 94
30-10-1b Amended V. 8, p. 1664	AGENCY 68: BOARD OF PHARMACY	91-1-33 Amended V, 8, p. 94
	Reg. No. Action Register	91-1-38 Revoked V. 8, p. 95
30-10-2 Amended V. 8, p. 1664	68-1-2 Amended V. 8, p. 252	
30-10-3 Amended V. 8, p. 1664		
30-10-4 Amended V. 8, p. 1664		91-1-60 Amended V. 8, p. 95,
30-10-11 Amended V. 8, p. 1664	68-7-11 Amended V. 8, p. 252	91-1-79 Amended V. 8, p. 95
	68-7-12 Amended V. 8, p. 253	91-1-85 Amended V. 8, p. 95
30-10-15a Amended V. 8, p. 1664	68-9-1 Amended V. 8, p. 253	
30-10-15b Amended V. 8, p. 1664		
30-10-17 Amended V. 8, p. 1665		91-1-107a Amended V. 8, p. 96
	68-20-16 Amended V. 8, p. 255	91-1-128a Amended V. 8, p. 98
	•	91-1-129a Amended V. 8, p. 98
30-10-19 Amended V. 8, p. 1665	AGENCY 70: BOARD OF VETERINARY	
30-10-21 Amended V. 8, p. 1665	MEDICAL EXAMINERS	91-1-131 Amended V. 8, p. 99
30-10-25 Amended V. 8, p. 1665		91-1-132a Amended V. 8, p. 100
	Reg. No. Action Register	91-1-149 New V. 8, p. 101
30-10-28 Amended V. 8, p. 1665	70-5-1 Amended V. 8, p. 750	
30-10-29 Amended V. 8, p. 1665		
	ACTIVITY WAS A DESCRIPTION OF THE PARTY OF T	91-16-30 New V. 8, p. 423
30-10-30 New V 8 n 1665	AURNEY 71: KANSAS DENTAE ROARD	
30-10-30 New V. 8, p. 1665	AGENCY 71: KANSAS DENTAL BOARD	91-19-1 Amended V. 8, p. 101
30-22-31 Amended V. 8, p. 1665	Reg. No. Action Register	91-19-1 Amended V. 8, p. 101
		91-19-2 Amended V. 8, p. 101
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 103
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 103 91-31-11 Revoked V. 8, p. 1362
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 ACENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action 74-5-202 Amended V. 8, p. 493	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 103 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 104
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 1062
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-6-2 Amended V. 8, p. 1069	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-13h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 ACENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1361 91-31-17 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-14 Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 V. 8, p. 493 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h Amended V. 8, p. 1062 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-4-5 Revoked V. 8, p. 1525 33-4-7 through 33-4-10 Revoked V. 8, p. 1525	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-5 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-14h Amended V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106 91-33-9 Revoked V. 8, p. 1364
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-14h Amended V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106 91-33-9 Revoked V. 8, p. 1364
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h New V. 8, p. 1362 91-31-14 New V. 8, p. 105 91-31-14a Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1363 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-6 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Register	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162 AGENCY 40: KANSAS INSURANCE DEPARTMENT	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2. Amended V. 8, p. 1704 V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-5 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 106 91-34-7 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-4-5 Revoked V. 8, p. 1525 33-4-5 Revoked V. 8, p. 1525 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162 AGENCY 40: KANSAS INSURANCE DEPARTMENT Reg. No. Action Register	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 106
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2. Amended V. 8, p. 1704 V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-14h New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 1363 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked V. 8, p. 1525 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162 AGENCY 40: KANSAS INSURANCE DEPARTMENT Reg. No. Action Register 40-1-28 Amended V. 8, p. 452 40-1-34 Amended V. 8, p. 798	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 426	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-5 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 106 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 106 91-34-7 Amended V. 8, p. 106
30-22-31 Amended V. 8, p. 1665 30-22-32 Amended V. 8, p. 1666 30-46-10 Amended V. 8, p. 1666 30-46-17 Amended V. 8, p. 1666 AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS Reg. No. Action Register 33-1-4 through 33-1-17 Revoked V. 8, p. 1525 33-1-19 Revoked V. 8, p. 1525 33-4-5 Revoked 33-4-7 through 33-4-7 through 33-4-10 Revoked V. 8, p. 1525 AGENCY 36: DEPARTMENT OF TRANSPORTATION Reg. No. Action Register 36-16-1 Amended V. 8, p. 1162 AGENCY 40: KANSAS INSURANCE DEPARTMENT Reg. No. Action Register 40-1-28 Amended V. 8, p. 452 40-1-34 Amended V. 8, p. 798	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 ACENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425 82-3-109 Amended V. 8, p. 42	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-13 Amended V. 8, p. 1362 91-31-14 Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 ACENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 42	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14h New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6 Revoked V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-6-2 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425	91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1364 91-33-8 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 4	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14h New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6 Revoked V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425 82-3-109 Amended V. 8, p. 42	91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h New V. 8, p. 104 91-31-14h New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 751 92-9-6a New V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-5-204 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8,	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-3 Amended V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-5 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-7 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg, No. Action Register 92-9-6a New V. 8, p. 751 92-9-6a New V. 8, p. 751 92-9-6a New V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425 <td>91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h New V. 8, p. 104 91-31-14h New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 751 92-9-6a New V. 8, p. 751</td>	91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h New V. 8, p. 104 91-31-14h New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 751 92-9-6a New V. 8, p. 751
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 493 74-5-204 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8,	91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a Revoked V. 8, p. 751 92-9-6a New V. 8, p. 1324, 1325
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 </td <td>91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-14h New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE</td>	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-14h New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended	91-19-2 Amended V. 8, p. 101 91-30-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 1362 91-31-14h Amended V. 8, p. 1362 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-6 Revoked V. 8, p. 1364 91-34-7 Amended V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a Revoked V. 8, p. 751 92-9-6a New V. 8, p. 1324, 1325
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-3-2 Amended V. 8, p. 1704 81-5-6 Amended V. 8, p. 1704 82-3-105 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 4	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4a New V. 8, p. 1362 91-31-7 Amended V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 103 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-5 Amended V. 8, p. 106 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1706 Reg. No. Action Register 81-3-2 Amended V. 8,	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 1364 91-33-4 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 163 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 ACENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended <t< td=""><td>91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE Reg. No. Action Register 92-56-1 through</td></t<>	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE Reg. No. Action Register 92-56-1 through
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425 </td <td>91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 1364 91-33-4 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365</td>	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-1 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 1362 91-31-12 Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 106 91-33-3 Amended V. 8, p. 1364 91-33-4 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1365
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 81-3-2 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 42	91-19-2 Amended V. 8, p. 101 91-19-6 Amended V. 8, p. 102 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-17 Amended V. 8, p. 1362 91-31-18 Revoked V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12h Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-6 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V.
30-22-31	Reg. No. Action Register 71-2-7 Amended V. 8, p. 161, 162 71-2-9 Amended V. 8, p. 162 71-2-11 Amended V. 8, p. 163 71-2-12 Amended V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 71-2-13 Revoked V. 8, p. 163 AGENCY 74: BOARD OF ACCOUNTANCY Reg. No. Action Register 74-5-202 Amended V. 8, p. 493 74-5-203 Amended V. 8, p. 1069 74-5-203 Amended V. 8, p. 1069 74-12-1 Amended V. 8, p. 1590 AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER Reg. No. Action Register 81-3-2 Amended V. 8, p. 1704 AGENCY 82: STATE CORPORATION COMMISSION Reg. No. Action Register 82-3-105 Amended V. 8, p. 425 82-3-106 Amended V. 8, p. 425 82-3-107 Amended V. 8, p. 425 </td <td>91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE Reg. No. Action Register 92-56-1 through</td>	91-19-2 Amended V. 8, p. 101 91-31-1 Amended V. 8, p. 102 91-31-2 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 102 91-31-3 Amended V. 8, p. 1361 91-31-4 New V. 8, p. 1362 91-31-11 Revoked V. 8, p. 1362 91-31-12a Amended V. 8, p. 1362 91-31-12b Amended V. 8, p. 104 91-31-12h Amended V. 8, p. 104 91-31-14 New V. 8, p. 104 91-31-14 New V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-31-14 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-1 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 105 91-33-3 Amended V. 8, p. 1363 91-33-5 Amended V. 8, p. 1363 91-33-8 Amended V. 8, p. 1364 91-33-9 Revoked V. 8, p. 1364 91-34-1 Amended V. 8, p. 106 91-34-2 Amended V. 8, p. 106 91-34-3 Amended V. 8, p. 1364 91-34-1 Amended V. 8, p. 1364 91-34-3 Amended V. 8, p. 1364 91-34-6 Revoked V. 8, p. 1364 91-34-13 Amended V. 8, p. 1365 AGENCY 92: DEPARTMENT OF REVENUE Reg. No. Action Register 92-9-6a New V. 8, p. 1324, 1325 AGENCY 98: KANSAS WATER OFFICE Reg. No. Action Register 92-56-1 through

		AGRICULTURE— AND MEASURES	AGE	NCY 110: DEF	ARTMENT OF RCE	111-4-78 through		
Reg. No.	Action	Register	Reg. No.	Action	Register	111-4-82	Revoked .	V. 8, p. 13
99-25-1	Amended	V. 8, p. 1005	110-3-1			. 111-4-82a	Reyoked	V. 8, p. 13
99-25-3	Amended	V. 8, p. 1005	through			111-4-83	1.0	
99-31-1	Amended	V. 8, p. 132	110-3-11	New	V. 8, p. 28-30	through		
		-				111-4-87	Revoked	V. 8, p. 13
AGENCY		HEALING ARTS			ANSAS LOTTERY	111-4-88		
Reg. No.	Action	Register	Reg. No.	Action	Register	through		** 0
100-11-1	Amended	V. 8, p. 654	111-1-2	Amended	V. 7, p. 1190	111-4-91	Revoked	V. 8, p. 210
100-11-1	Amended	V. 8, p. 1069	111-1-5	Amended	V. 8, p. 586	111-4-92		
100-38-1	Amended	V. 8, p. 1558	111-2-1	Amended	V. 7, p. 1995	through		
100-49-4	Amended	V. 8, p. 654	111-2-5	Revoked	V. 8, p. 1085	111-4-95	Revoked	V. 8, p. 299
100-49-4	Amended	V. 8, p. 1069	111-2-6	New	V. 8, p. 134	111-4-96		
100-54-4	Amended	V. 8, p. 1558	111-2-7	Amended	V. 8, p. 586	through		. N
100-55-4	Amended	V. 8, p. 1558	111-2-8			111-4-114	New	V. 7, p. 1606-1610
100-60-1	Amended	V. 8, p. 1558	through			111-4-96		
100-60-15	New	·V. 8, p. 1558	111-2-12	Revoked	V. 8, p. 1666	through	n 1 1	17 0 1007
ACENC	W 100 DELLANTO	DAI SCIENCES	111-2-13	New	V. 8, p. 1666	111-4-99	Revoked	V. 8, p. 1667
AGENC	CY 102: BEHAVIO REGULATORY		111-3-1	Amended	V. 7, p. 1061	. 111-4-99a	Revoked	V. 8, p. 1667
D N.	Action	Register	111-3-3	Revoked	V. 7, p. 1062	111-4-99b	Revoked	V. 8, p. 1667
Reg. No.	Amended	V. 8, p. 906	111-3-4	Revoked	V. 7, p. 1062	111-4-100	Amended	V. 8, p. 1396
102-1-7 102-1-15	Amended	V. 8, p. 906	111-3-7	Revoked	V. 7, p. 1714	111-4-101	Amended \ Amended	V. 8, p. 1328
102-1-13 102-2-1a	Amended	V. 8, p. 204	111-3-9	Amended	V. 8, p. 1085	111-4-102		V. 8, p. 1396 V. 8, p. 1396
102-2-14	Amended	V. 8, p. 1470	111-3-10			111-4-104	Amended	V. 8, p. 1396
102-2-3	Amended	V. 8, p. 1591	through		V 7 - 201 206	111-4-105	Amended	
102-2-3	New	V. 8, p. 1526	111-3-31	New	V. 7, p. 201-206	111-4-107	Amended	V. 8, p. 1397
102-3-1	New	✓ V. 8, p. 1591	111-3-10	Revoked	V. 7, p. 1062	111-4-115 through	. •	o in in
102-3-1	140 W.	, ,, o, p, 1001	111-3-11	Amended	V. 8, p. 299	through	Revoked	V. 8, p. 1667
through	No. 2		111-3-12	New	.V. 8, p. 587	111-4-118	Revoked Revoked	V. 8, p. 1667
102-3-13	New	V. 8, p. 1526-1531	111-3-13	Amended Amended	V. 7, p. 1062 V. 8, p. 587	111-4-118a 111-4-119	MENUKEU	4. 0. h. 1001
102-3-13	11011	o. p. 1020 1001	111-3-14		V. 8, p. 1085	through		
through			111-3-14a	Amended		111-4-125	Revoked	V. 8, p. 1667
102-3-13	New	V. 8, p. 1591-1596	111-3-16	Amended	V. 7, p. 1309	111-4-126	Hevoked	v. o, p. 1001
102-4-1	New	V. 8, p. 204	111-3-17 111-3-19	Revoked	V. 7, p. 1714	through		
102-4-1	New	V. 8, p. 335	through			111-4-129	Revoked	V. 8, p. 1667, 1668
102-4-3	1,71		111-3-22	Amended	V. 7, p. 1309, 1310	111-4-120	ne voneu	7. 0, p. 1007, 1000
through		,*	111-3-20	Amended	V. 8, p. 1085	through		
102-4-11	New	V. 8, p. 205-209	111-3-21	Amended	V. 7, p. 1606	111-4-137	New	V. 8, p. 591, 592
102-4-3			111-3-22	Amended	V. 8, p. 1085	111-4-137	Amended	V. 8, p. 1086
through		v.	111-3-22a	New	V. 8, p. 589	111-4-138		,
102-4-11	New	V. 8, p. 335-339	111-3-25	New	V. 7, p. 1310	through		
A OFFI	CY 105: BOARD	OF INDICENTS'	111-3-27	New	V. 7, p. 1310	111-4-152	Revoked	V. 8, p. 1668
AGEN	DEFENSE SE		111-3-30	Revoked	V. 7, p. 1310	111-4-153		
Dan No	Action	Register	111-3-31	Amended	V. 8, p. 209	through		
Reg. No.	Amended	V. 8, p. 1366	111-3-32	New	V. 7, p. 931	111-4-160	New	V. 8, p. 970, 971
105-3-2	Amended	V. 8, p. 1366	111-3-33	New	V. 7, p. 1434	111-4-160	Amended	V. 8, p. 1329
105-5-6 105-5-7	Amended	V. 8, p. 1367	111-4-1	Amended	V. 8, p. 134	111-4-161		
105-5-8	Amended	V. 8, p. 1367	111-4-2	Amended	V. 7, p. 1063	through		
105-7-5	Amended	V. 8, p. 1367	111-4-4	Amended	V. 7, p. 1063	111-4-176	Revoked	V. 8, p. 1668, 1669
105-8-4	Amended	V. 8, p. 1367	111-4-6	Amended	V. 7, p. 1434	111-4-177	٠.	· · · · · · · · · · · · · · · · · · ·
105-10-1	Amended	V. 8, p. 1070	111-4-7	Amended	V. 7, p. 1945	through		
105-10-1	Amended	V. 8, p. 1367	111-4-8	Amended	V. 7, p. 1064	111-4-180	New	V. 8, p. 1086, 1087
100-10-1	· iniciaco	, s, p. 2001	111-4-12	Amended	V. 7, p. 1190	111-4-181		manager of the second
AGEN	CY 109: EMERG	ENCY MEDICAL	111-4-16	Revoked	V. 8, p. 209	through		12.0
	SERVICES B	OARD	111-4-19	Revoked	V. 7, p. 206	111-4-184	, New	V. 8, p. 1329
Reg. No.	Action	Register	11,1-4-22			111-4-185		
109-1-1	Amended	V. 8, p. 873	through	n 1 1	N 5 200 205	through	Mana	V 0 1E10 1E00
109-2-1	Amended	V. 8, p. 874	111-4-40	Revoked	V. 7, p. 206, 207	111-4-196	New .	V. 8, p. 1518-1520
109-2-2	Amended	V. 8, p. 874	111-4-41	Revoked	V. 7, p. 1435	111-5-1 through		
109-2-4	Amended	V. 8, p. 874	111-4-42	Revoked	V. 7, p. 1435	through 111-5-23	New	V. 7, p. 209-213
109-2-5	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		111-4-43	Revoked	V. 7, p. 207	111-5-25	Hew	v. 1, p. 200-210
through			111-4-44 111-4-46	Revoked	V. 7. P. 1435	through		
109-2-9	Amended	V. 8, p. 874-877				111-5-15	Amended	V. 8, p. 210, 211
109-2-10	Revoked	V. 8, p. 877	through	Revoked	V. 7, p. 207	111-5-17	Amended	V. 8, p. 211
109-2-11	Amended	V. 8, p. 877	111-4-64 111-4-66	JIEVOKEG	v. r, p. 201	111-5-19	Amended	V. 8, p. 212
109-2-12	Amended	V. 8, p. 878	through			111-5-20	Revoked	V. 8, p. 212
109-3-1	New	V. 8, p. 879	111-4-77	New	V. 7, p. 207-209	111-5-21	Amended	V. 8, p. 1330
109-4-1	Amended	V. 8, p. 879	111-4-66	Amended	V. 8, p. 1086	111-6-1		···· . <u>*</u>
109-4-2 109-4-3	Amended Amended	V. 8, p. 880 V. 8, p. 880	111-4-67	Amended	V. 8, p. 590	through		
	Amended	V. 8, p. 881	111-4-68	Amended	V. 7, p. 931	111-6-15	New	V. 7, p. 213-217
109-5-1 109-5-2	Amended	V. 8, p. 881	111-4-69	Amended	V. 7, p. 931	111-6-1	Amended	V. 8, p. 212
109-5-2	Amended	V. 8, p. 881	111-4-70	Amended	V. 8, p. 134	111-6-12	Amended	V. 8, p. 212
109-8-1	New	V. 8, p. 882	111-4-71	Amended	V. 8, p. 590	111-6-13	Amended	V. 8, p. 299
109-8-1	New	V. 8, p. 882	111-4-71a	Amended	V. 7, p. 1435	111-6-16	Revoked	V. 8, p. 212
109-9-2	New	V. 8, p. 882	111-4-71b	New	V. 8, p. 333	111-6-17	New	V. 7, p. 1191
109-9-4	New	V. 8, p. 882	111-4-72	Amended	V. 8, p. 134	111-7-1		
109-10-1	New	V. 8, p. 883	111-4-73	Amended	V. 8, p. 590	through		
109-11-1		-, F	111-4-73a	Revoked	V. 8, p. 134	111-7-10	New	V. 7, p. 1192, 1193
through		· · · · · · · · · · · · · · · · · · ·	111-4-74	Amended	V. 7, p. 931	111-7-1	Amended	V. 8, p. 212
109-11-8	New	V. 8, p. 883-885	111-4-75	Amended	V. 8, p. 752	111-7-3	Amended	V. 8, p. 1669
109-12-1	New	V. 8, p. 885	111-4-77a	Amended	V. 8, p. 590	111-7-4	Amended	V. 7, p. 1610 V. 7, p. 1610
109-12-2	New	V. 8, p. 886	111-4-77b	` New	V. 8, p. 590	111-7-5 111-7-11	Amended New	V. 7, p. 1610 V. 7, p. 1224
A 1.5		•	graduation and the second			111-1-11	14CW	* 1, p. 1224

111-7-12			110.00	N1	17 0 FOR	115 10 1	23.3	Control of the Control
			112-8-9	New	V. 8, p. 725	115-18-1		
through			112-9-2			through		
111-7-32	New	V. 7, p. 1194-1196	through			115-18-5	Mou. V	P - 1050 3050
	.1011	v. 1. p. 1154-1150						8, p. 1359, 1360
111-7-12			112-9-38	New	V. 8, p. 726-737	115-18-7	New	V. 8, p. 1361
through			112-9-39			115-30-1	New	
	D 1 1	17 = 1400 1400				110-00-1	MEM	V. 8, p. 1361
111-7-27	Revoked	V. 7, p. 1436, 1437	through					· Section
111-7-28	Amended	V. 8, p. 1330	112-9-41	New	V. 8, p. 1214-1216	AGEN	CY 116: STATE FAI	IR BOARD
				New	v. o, p. 1214-1210	Reg. No.	Action	A A A CONTRACTOR OF THE PARTY O
111-7-32a	Revoked	V. 8, p. 1330	112-9-39					Register
111-7-32b	Revoked	V. 8, p. 1330	through			116-1-1	New	V. 8, p. 1191
		p. 1000				116-1-1	New	
111-7-33			112-9-41	New	V. 8, p. 1289			V. 8, p. 1326
through		· · · · · · · · · · · · · · · · · · ·	112-10-2			116-1-2	New	V. 8, p. 1191
	Man	V 7 - 1107 1100				116-1-2	New	V. 8, p. 1326
111-7-43	New	V. 7. p. 1197, 1198	through					
111-7-33	Revoked	V. 7, p. 1437	112-10-12	New	V. 8, p. 598	116-2-1	New	V. 8, p. 1191
111-7-33a	New				v. o, p. ooo	116-2-1	New	V. 8, p. 1326
		V. 8, p. 300	112-10-2				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	v. o, p. 1020
111-7-34a	Revoked	V. 8, p. 1330	through					4 4 4 7
111-7-37a	Revoked	V. 8, p. 1330		NT	17 0 505 540			10 To 24 St
			112-10-12	New	V. 8, p. 737-740			- · · .
111-7-43	Revoked	V. 8, p. 212	112-10-32					
111-8-1	New	V. 7, p. 1633	the state of the s			The second of		
			through					
111-8-2	New	V. 7, p. 1633	112-10-37	New	V. 8, p. 1246-1248	the second second second	from the particular and the second	. 6
111-8-3	Amended	V. 8, p. 752	112-10-32					and the second second
111-8-4	New	V. 7, p. 1714	through					and the second
111-8-4a	New	V. 7, p. 1995	112-10-37	Amended	V. 8, p. 1289			
111-8-5				imended	v. o, p. 1200			4 7
			112-11-1					
through			through		•			2.00*
111-8-13	New	V. 7, p. 1634	112-11-19	Now	1/ 0 - EQ4 FOE			
		7. 7, p. 1004		New	V. 8, p. 594, 595			
111-9-1			112-11-1					
through			through					* *
	N	V 7 1514 1510				*		
111-9-12	New	V. 7, p. 1714-1716	112-11-19	New	V. 8, p. 648-653			1, 10
111-9-13			112-11-20	New	V. 8, p. 904	•	***	1 A - 4 A
through		The second secon						No. 1
			112-11-21	New	V. 8, p. 595			5 (54.3)
111-9-18	New	V. 8, p. 300, 301	112-11-21	New	V. 8, p. 653			1 2
111-10-1		, •		1464	7. 0, p. 000	- *		4 L F 3
_			112-12-2					and the second
through			through					
111-10-9	New	V. 8, p. 136-138	112-12-13	Morre	V 9 - 1007			to the second of the second
				New	V. 8, p. 1007	for March 19	J. J. 1985	
111-10-7	Amended	V. 8, p. 301	112-12-2			2.5 % (2.4)		
		-	through				. "	
ACI	ENCY 112: KAN	ISAS RACING				- S		14 Sec. 14 Sec. 14
			112-12-13	New	V. 8, p. 1123-1126			54 (188)
	COMMIS	SION	112-13-2	New	V. 8, p. 596		•	
Reg. No.	Action	Register						91 (A) (#1
112-4-1			112-13-2	New	V. 8, p. 267	11. 15. 14. 14. 14. 14. 14. 14. 14. 14. 14. 14	2 Agr	1 × j × 1* /E
	,	,	112-13-3	New	V. 8, p. 598			4.2
through		- *	112-13-3	New				4.37
119-4-14	New	V 8 n 955 957		New	V. 8, p. 740			
112-4-14	New	V. 8, p. 255-257	112-14-2	New	v. o, p. 740	Torks 1		
112-4-14 112-4-1	New Amended	V. 8, p. 255-257 V. 8, p. 1244	112-14-2	New	v. o, p. 740	6-60 G	3	
112-4-1	Amended	V. 8, p. 1244	112-14-2 through		· · · · · · · · · · · · · · · · · · ·			
112-4-1 112-4-1	Amended Amended	V. 8, p. 1244 V. 8, p. 1288	112-14-2	New	V. 8, p. 1162-1164	Edward Land		e programa. E programa
112-4-1	Amended	V. 8, p. 1244	112-14-2 through 112-14-10		· · · · · · · · · · · · · · · · · · ·			
112-4-1 112-4-1 112-4-3	Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245	112-14-2 through 112-14-10 112-14-2		· · · · · · · · · · · · · · · · · · ·		() () (전환 중 1) Harly 44 ((화환 전기 19년 2년)	i memberatan Kanada
112-4-1 112-4-1 112-4-3 112-4-3	Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288	112-14-2 through 112-14-10		· · · · · · · · · · · · · · · · · · ·			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4	Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245	112-14-2 through 112-14-10 112-14-2 through	New	V. 8, p. 1162-1164			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4	Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245	112-14-2 through 112-14-10 112-14-2		· · · · · · · · · · · · · · · · · · ·			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4	Amended Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10	New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185			The many for the second
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5	Amended Amended Amended Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10	New New	V. 8, p. 1162-1164			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4	Amended Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10	New New ENCY 115: DEI	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5	Amended Amended Amended Amended Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10	New New CNCY 115: DEI WILDLIFE A	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-5	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No.	New New CNCY 115: DEI WILDLIFE AL Action	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register			Company (Company Company Compa
112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8	Amended Amended Amended Amended Amended Amended Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10	New New CNCY 115: DEI WILDLIFE A	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS			Construction of the constr
112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1	New New NCY 115: DEI WILDLIFE A Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629			Control of the contro
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-8	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1	New New NCY 115: DEI WILDLIFE AI Action New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520			
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1	New New NCY 115: DEI WILDLIFE A Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160			CONTROL OF THE CONTRO
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-8	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1	New New CNCY 115: DEI WILDLIFE Al Action New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1	New New ENCY 115: DEI WILDLIFE AI Action New New New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1160	HETTERNET THE SECTION OF THE	TRANSPORT	
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14a	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1	New New ENCY 115: DEI WILDLIFE AI Action New New New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1160	HETTERNET THE SECTION OF THE		
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1249 V. 8, p. 1249 V. 8, p. 1214	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2	New New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1160 V. 8, p. 1185	HETTERNET THE SECTION OF THE	CARRELL STATE STAT	
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14a 112-4-14a	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1228 V. 8, p. 1246 V. 8, p. 1228 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2	New New CNCY 115: DEI WILDLIFE Al Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356	HETTERNET THE SECTION OF THE		
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14 112-4-14a 112-4-14a 112-4-15	Amended New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1228 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1289 V. 8, p. 1289 V. 8, p. 724	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8	New New ENCY 115: DEI WILDLIFE AI Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1477	HETTERNET THE SECTION OF THE	Caparan Canada (Caparan Caparan Capara	
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14a 112-4-14a	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1228 V. 8, p. 1246 V. 8, p. 1228 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2	New New ENCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1477	HETTERNET THE SECTION OF THE		A STATE OF THE STA
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-16	Amended New New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 724 V. 8, p. 258	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357		CARRELL STATE OF THE STATE OF T	
112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17	Amended New New New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 724 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-8 115-4-8 115-4-10	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477	HETTERNET THE SECTION OF THE		A Section of Control o
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18	Amended New New New New New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357		CARRELL STATE OF THE STATE OF T	
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18	Amended New New New New New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10	New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630			A second
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-18 112-4-19	Amended New New New New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 258	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-1	New New ENCY 115: DEI WILDLIFE AI Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630			A Section of the sect
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-16 112-4-16 112-4-17 112-4-18 112-4-19	Amended New New New New New New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10	New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630			A Section of the sect
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-16 112-4-16 112-4-17 112-4-18 112-4-19	Amended New New New New New New New New Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1259	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2	New New ENCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631			
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-19 112-4-19 112-4-19 112-4-20	Amended New New New New New New New Amended Amended Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1244 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1259 V. 8, p. 1214 V. 8, p. 1259 V. 8, p. 1214 V. 8, p. 1214 V. 8, p. 1214 V. 8, p. 1214 V. 8, p. 12189 V. 8, p. 1229 V. 8, p. 1214 V. 8, p. 12189 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-4 115-7-5	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1185 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631			A second of the
112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1259	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2	New New ENCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631			
112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14a 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1259 V. 8, p. 1214 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-3-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-10 115-7-1 115-7-1 115-7-1 115-7-5 115-8-1	New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521		Company of the compan	A second
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-5 115-8-1 115-8-3	New New NCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-16 112-4-17 112-4-18 112-4-19 112-4-19 112-4-20 112-4-22 112-4-22	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1240 V. 8, p. 1258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 258 V. 8, p. 1259 V. 8, p. 1240 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-2 115-7-3 115-8-1 115-8-3 115-8-4	New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521			A Section of the sect
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14a 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-2 through 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-5 115-8-1 115-8-3	New New New Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-22 112-5-1	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-2 115-7-4 115-7-5 115-8-1 115-8-3 115-8-4 through	New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-19 112-4-20 112-4-20 112-4-20 112-4-22 112-5-1 through	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-1 115-7-2 115-7-4 115-7-5 115-8-1 115-8-3 115-8-4 through	New New New New New New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161			A STATE OF THE STA
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-22 112-5-1 through	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-2 115-7-2 115-7-4 115-7-5 115-8-1 115-8-3 115-8-4 through 115-8-16 115-8-18	New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161			
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14a 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-22 112-5-1 through	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-1 115-7-1 115-7-2 115-7-4 115-7-5 115-8-1 115-8-3 115-8-4 through 115-8-16 115-8-18	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 137 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161 V. 8, p. 1521-1523 V. 8, p. 1523			
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-5-1 through 112-5-9 112-6-1	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-5 115-8-1 115-8-3 115-8-1 115-8-16 115-8-16 115-8-18	New New New New New New New New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161			A Company of the Comp
112-4-1 112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-19 112-4-20	Amended New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-1 115-7-1 115-7-2 115-7-4 115-7-5 115-8-1 115-8-3 115-8-4 through 115-8-16 115-8-18	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161 V. 8, p. 1521-1523 V. 8, p. 1523			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-19 112-4-20	Amended New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-2 115-7-2 115-7-4 115-7-5 115-8-3 115-8-3 115-8-3 115-8-16 115-8-16 115-8-10 115-8-10 115-8-10	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161 V. 8, p. 1521-1523 V. 8, p. 1523			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-6-1 through 112-5-9 112-6-1 through	Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1288 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-5 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-16 115-8-16 115-8-10 115-9-1 through	New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161 V. 8, p. 1521-1523 V. 8, p. 1523 V. 8, p. 1523			A Company of the Comp
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20	Amended New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-2 115-7-2 115-7-3 115-8-3 115-8-3 115-8-3 115-8-3 115-8-16 115-8-18 115-8-20 115-9-1	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1161 V. 8, p. 1521-1523 V. 8, p. 1523			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-6-1 through 112-5-9 112-6-1 through	Amended New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-2 115-7-1 115-7-2 115-7-5 115-8-1 115-8-3 115-8-4 through 115-8-16 115-8-18 115-8-20 115-9-4	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1377 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523			A Company of the Comp
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-5-1 through 112-5-9 112-6-1 through	Amended New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1258-260 V. 8, p. 258-260	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-3 115-8-1 115-8-3 115-8-1 115-8-3 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1	New New ENCY 115: DEI WILDLIFE AI Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1477 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1524			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20	Amended New New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1249 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-2 115-7-4 115-7-5 115-8-1 115-8-1 115-8-3 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-10 115-8-1 115-8-10 115-8-1 115-8-1 115-8-10 115-8-1 115-8-10 115-8-1	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1524 V. 8, p. 1511			
112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-8 112-4-8 112-4-10 112-4-10 112-4-11 112-4-11 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-5-1 through 112-5-9 112-6-1 through	Amended New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1258-260 V. 8, p. 258-260	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-10 115-4-10 115-7-1 115-7-2 115-7-3 115-8-1 115-8-3 115-8-1 115-8-3 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1	New New ENCY 115: DEI WILDLIFE AI Action New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1524 V. 8, p. 1511			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-4 112-4-5 112-4-5 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-11 112-4-14 112-4-14 112-4-15 112-4-16 112-4-17 112-4-18 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-5-1 through 112-5-9 112-6-1 through 112-6-8 112-7-2 through 112-7-2 112-7-2	Amended New New New New New Amended	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1248 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1258-260 V. 8, p. 258-260	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-4-10 115-7-2 115-7-2 115-7-3 115-8-1 115-8-3 115-8-3 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-1 115-8-16 115-8-1 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-8-16 115-9-1 115-9-1	New	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1520 V. 8, p. 1520 V. 8, p. 1160 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1357 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1524 V. 8, p. 1161			
112-4-1 112-4-1 112-4-3 112-4-3 112-4-3 112-4-4 112-4-5 112-4-8 112-4-8 112-4-8 112-4-10 112-4-11 112-4-11 112-4-11 112-4-14 112-4-14 112-4-14 112-4-15 112-4-19 112-4-19 112-4-20 112-4-20 112-4-20 112-4-20 112-4-20 112-6-8 112-7-2 through 112-6-8 112-7-2 through	Amended New New New New New Amended New	V. 8, p. 1244 V. 8, p. 1288 V. 8, p. 1288 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1245 V. 8, p. 1246 V. 8, p. 1248 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 258 V. 8, p. 1214 V. 8, p. 1289 V. 8, p. 1246 V. 8, p. 1289 V. 8, p. 1260 V. 8, p. 258-260 V. 8, p. 261-263 V. 8, p. 593, 594	112-14-2 through 112-14-10 112-14-10 112-14-10 AGE Reg. No. 115-1-1 115-2-1 115-3-1 115-3-2 115-3-2 115-3-2 115-4-8 115-4-8 115-4-10 115-7-1 115-7-2 115-7-1 115-7-2 115-7-5 115-8-1 115-8-3 115-8-3 115-8-4 115-8-10 115-8-11 115-8-11 115-8-11 115-8-11 115-8-11 115-8-11 115-8-11 115-8-16 115-8-16 115-8-16 115-9-1 115-9-1 115-9-6 115-9-6 115-9-6	New New CNCY 115: DEI WILDLIFE AI Action New New New New New New New Ne	V. 8, p. 1162-1164 V. 8, p. 1184, 1185 PARTMENT OF ND PARKS Register V. 8, p. 1629 V. 8, p. 1520 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 1356 V. 8, p. 137 V. 8, p. 1477 V. 8, p. 1630 V. 8, p. 1630 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1631 V. 8, p. 1521 V. 8, p. 1521 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1523 V. 8, p. 1524 V. 8, p. 1185 V. 8, p. 1185 V. 8, p. 1524			
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