

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

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State of Kansas

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 89-121

ESTABLISHING THE GOVERNOR'S COMMISSION ON HEALTH CARE

WHEREAS, the availability of quality health care for all Kansans is of major importance to the welfare of the citizens of our State;

WHEREAS, the field of health care has been beset with numerous financial pressures from new procedures, new equipment, new diagnostic techniques, new medications, new diseases, new treatments and a constant evolution of medical concepts;

WHEREAS, rising health care costs and the inability to participate in insurance and other traditional financing mechanisms have barred an increasing number of medically indigent Kansans from ready access to necessary medical care and have made a growing number of employed Kansans unable to overcome the financial consequences of illness or injury;

WHEREAS, increased health care costs have contributed to the lack of availability of health care, particularly in rural areas; and

WHEREAS, the costs, financing, and availability of health care affects all segments of our society.

NOW, THEREFORE, I, Mike Hayden, Governor of the State of Kansas, do hereby establish the Governor's Commission on Health Care in order to initiate discussion of a health care structure that better meets the needs of Kansas citizens and businesses.

The Commission is hereby charged with the responsibility of conducting a comprehensive study of all facets of the Kansas health care system with particular emphasis on availability of affordable health care. The study shall

include consideration of the mechanisms currently available and the extent to which they are accessible to finance the costs of health care including but not limited to insurance, prepaid medical and hospital service plans, health maintenance organizations, preferred providers arrangements and government sponsored programs.

The study shall identify inefficiencies and inequities in the current Kansas health care system and recommend any changes or innovations necessary to ensure that essential health care services are accessible to Kansas citizens who need them. To the extent the recommendations cannot fully achieve this goal because of national or other external influences, the Commission shall identify the obstacles and recommend an appropriate course of action to confront them.

A report on the study including its conclusions and recommendations shall be submitted to the Governor on or before December 1, 1990.

Membership on the Commission shall represent a broad cross section of the Kansas citizenry, Kansas health care providers and health care financiers. Members of the Commission shall serve without compensation. Appointments to the Commission shall take effect by official certificate of appointment signed by the Governor and filed with the Secretary of State. The Governor shall designate the chair and vice-chair of the Commission from among its members.

This document shall be filed with the Secretary of State as Executive Order No. 89-121.

Dated December 12, 1989.

MIKE HAYDEN
Governor

Attest: BILL GRAVES
Secretary of State

Doc. No. 008641

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



Phone: (913) 296-3489

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE OF MEETING

The State Conservation Commission will meet at 8:30 a.m. Friday, January 5, at the State Conservation Commission, Conference Room 300A, 109 W. 9th, Topeka.

A copy of the agenda may be obtained by contacting Donna Uphaus, 109 S.W. 9th, Room 300, Topeka 66612, (913) 296-3600.

KENNETH F. KERN
Executive Director

Doc. No. 008630

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 16,742 cubic yard detention dam, Site 18 in Woodson County, will be received by the Cedar Creek Watershed Joint District No. 97 at the law office of Thomas L. Wilson, 120 W. Rutledge, Yates Center 66783, until 9 a.m. on January 5 and then will be opened. A copy of the invitation for bids and the plans and specifications can be obtained from Thomas L. Wilson, (316) 625-2183.

KENNETH F. KERN
Executive Director

Doc. No. 008645

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 December 1-15:

Advisory Council on Aging

Herbert Doubek, 2408 Fairway Court, Belleville 66935. Term expires November 30, 1992. Succeeds Charles Barnes.

Lu Janzen, 310 Willow Road, Hillsboro 67063. Term expires November 30, 1992. Reappointment.

Paul Rodriguez, 1602 E. Fair, Garden City 67846. Term expires November 30, 1992. Succeeds Marjorie Jantz.

Emily Taylor, 533 Rockfence Plaza, Lawrence 66044. Term expires October 31, 1990. Reappointment.

Roberta Thuston, 223 N. Washington, Chanute 66720. Term expires November 30, 1992. Succeeds Hattie Norman.

Jean Wesley, 217 E. 1st, Hutchinson 67501. Term expires November 30, 1992. Succeeds John Grace.

Kansas Grain Sorghum Commission

Galen Diehl, Leoti 67861. Term expires September 30, 1993. Succeeds Robert Mulch.

Gregory Shelor, P.O. Box 56, Minneola 67865. Term expires September 30, 1993. Reappointment.

Milk Advisory Committee

Jack Beezley, Route 2, Girard 66743. Term expires October 31, 1992. Succeeds George Pretz.

BILL GRAVES
Secretary of State

State of Kansas
BOARD OF ACCOUNTANCY

NOTICE OF MEETING AND HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

The Board of Accountancy will conduct a regular meeting at 9 a.m. Wednesday, January 24, in Conference Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Persons interested in agenda items or in appearing before the board should contact the board secretary at Suite 907 of the Landon Building.

Additionally, the board will conduct a hearing at 10 a.m. on that date at the same location for the purpose of amending K.A.R. 74-5-406 (firm name) and adopting two new administrative regulations governing the practice of public accountancy in Kansas by out-of-state CPAs: 74-13-1 (eligibility) and 74-13-2 (definition of incident to regular practice in another state).

Adoption of these three regulations will not have any measurable fiscal impact on any governmental agencies or units, the general public, or the CPAs being regulated by the board. The amendment of 74-5-406 merely puts into regulation a present policy of the board. Adoption of the two new regulations merely sets out guidelines to implement a new law passed by the 1989 Kansas Legislature that took effect July 1.

This notice constitutes a 30-day public written comment period. Anyone wishing to comment about or to receive a copy of the proposed regulations may do so by writing the board office at Suite 907, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. Anyone wishing to make public comments at the hearing should contact the board office so ample time may be allocated for such comments.

GLENDIA SHERMAN
Board Secretary

Doc. No. 008625

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-141

Census—Census Data for Reapportionment of Senatorial and Representative Districts—Definitions. Bill Graves, Secretary of State, Topeka, December 6, 1989.

The purpose of L. 1989, ch. 257 is to facilitate adjustment of census figures supplied by the Federal Census Bureau. Pursuant to Art. 10, § 1 of the Kansas Constitution, those census figures are to be adjusted to more accurately reflect the residence of students "attending" colleges or universities. Because individuals enrolled in off-campus courses are not "attending" a college or university they are not required to complete the census data cards distributed pursuant to L. 1989, ch. 257, § 3. Cited herein: L. 1989, ch. 257; Kan. Const., Art. 10, § 1. RDS

Opinion No. 89-142

Counties and County Officers—County Commissioners; Powers and Duties—Authority to Terminate Employment of Deputy County Appraiser. Gayle Mollenkamp, State Representative, 118th District, Russell Springs, December 6, 1989.

Absent a contractual interest or protected constitutional right, the board of county commissioners may terminate employment of a deputy county appraiser. Such a termination decision should not arbitrarily or capriciously restrict the ability of the county appraiser to perform mandatory duties. Cited herein: K.S.A. 19-212; 19-243; 19-425; 19-426; 19-431; 19-436; 28-824. TMN

Opinion No. 89-143

Counties and County Officers—Law Enforcement in Certain Counties—Death, Disability and Retirement Benefits for Agency Officers; Officers Transferring from Police or Sheriff's Department, Rights.

Cities of the First Class; Government by Mayor and Council and General Laws—Fire and Police Department Retirement Systems—Payments Upon Retirement or Discharge from Police or Fire Department. Marshall Crowther, Executive Secretary, Kansas Public Employees Retirement System, Topeka, December 6, 1989.

A vested right in a pension plan derives from the fact that an employee participating in such a plan is not fully compensated upon receiving salary payment because, in addition, the employee has then earned certain pension benefits, the payment of which is to be made at a future date. A vested right will normally be lost upon legal termination of employment. However, police officers of the Manhattan Police Department were given the opportunity to preserve their vested right in the local pension retirement plan by leaving their contributions with the local plan. Those officers choosing to preserve their vested right would then be entitled to receive the pension benefits as the benefits existed on the date that the Manhattan Police Department was abolished. Compensation received because of service with the Riley County Law

Enforcement Department would not affect the vested right as the officers were no longer receiving compensation from the Manhattan Police Department or making contributions to the local pension retirement plan. Cited herein: K.S.A. 13-14a01, 13-14a08, 19-4424, 19-4429, 19-4434, 19-4440, 19-4441, 74-4951.

Opinion No. 89-144

Taxation—Property Valuation, Equalizing Assessments, Appraisers and Assessment of Property; Statewide Reappraisal—Statewide Reappraisal of Real Property; Methods of Establishing Values; CRP Land. Curtis E. Campbell, Gray County Attorney, Cimarron, December 6, 1989.

The provision of K.S.A. 1988 Supp. 79-1476, which requires land subject to the federal conservation reserve program to be valued on the basis of the agricultural income or productivity attributable to the inherent capabilities of the land in its usage immediately prior to being subject to the program, is not in violation of the uniformity in assessment requirement of article 11, section 1 of the Kansas Constitution. Cited herein: K.S.A. 1988 Supp. 79-1476; Kan. Const., Art. 11, §§ 1, 12; U.S. Const., Amend. 14th. JLM

Opinion No. 89-145

Constitution of the State of Kansas—Finance and Taxation—System of Taxation; Classification. Representative Al Ramirez, 40th District, Bonner Springs, December 7, 1989.

In considering possible alternatives for providing property tax relief, the Legislature may not postpone or alter procedures required by article 11, section 1 of the Kansas Constitution. The Legislature may limit local units of government in the total amount of property tax moneys they collect, or adjust payment schedules, with the possible repercussion of private lawsuits based on the local units' inability to meet contractual or other obligations. Cited herein: K.S.A. 1988 Supp. 79-1476 *et seq.*; Kan. Const., Art. 11, § 1. JLM

Opinion No. 89-146

Taxation—Homestead Property Tax Refunds—Extending the Deadline for Payment of Property Taxes; Equal Protection. Representative Dale M. Sprague, 73rd District, McPherson, December 7, 1989.

Classifying taxpayers on the basis of eligibility under "residential circuit breaker guidelines" for purposes of determining when property tax payments must be made does not violate the Equal Protection Clause of the United States Constitution or article 11, section 1 of the Kansas Constitution. Cited herein: K.S.A. 79-4501 *et seq.*; L. 1989, ch. 303, § 5; Kan. Const., Art. 11, § 1, U.S. Const., Amend. XIV.

ROBERT T. STEPHAN
Attorney General

Doc. No. 008655

State of Kansas

DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, 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.

Wednesday, January 3, 1990

#A-6084A, #A-6085A, #A-6088A

Department of Human Resources—DOMESTIC
WATER PIPING REPLACEMENT

#27516

Statewide—FEBRUARY (1990) MEAT PRODUCTS

#27943

Department of Transportation—CEMENT

#82231

University of Kansas—MICRO VAX 3800
EXPANSION PARTS

#82232

University of Kansas—MICRO VAX 3800
PERIPHERALS

#82239

Kansas State University—DIAGNOSTIC
LABORATORY EQUIPMENT

#82240

Kansas State School for the Deaf—CARPET
EXTRACTOR SHAMPOOER

#82241

University of Kansas Medical Center—FURNISH
ALL LABOR AND MATERIALS FOR
REPLACEMENT OF DEAERATOR

#82242

Kansas State Industrial Reformatory—STEEL

#82243

Department of Transportation—UTILITY VEHICLE,
various locations

#82258

Kansas Highway Patrol—ENGINE OIL

#82262

University of Kansas Medical Center—FURNISH
AND INSTALL A BLOOD HANDLING SYSTEM

Thursday, January 4, 1990

#A-6313

Department of Transportation—PREFABRICATED
METAL STORAGE BUILDING, Wichita

#26467

Secretary of State—KANSAS STATE FLAGS

#27501

Statewide—CONTINUOUS PRESSURE SENSITIVE
DP LABELS

#27528

University of Kansas—READY-MIXED CONCRETE
AND CEMENT MATERIALS

#27737

Statewide—MICROFILM SUPPLIES

#28171

Statewide—CORDLESS TELEPHONES

#82272

Department of Wildlife and Parks—CORRUGATED
METAL PIPE AND ACCESSORIES, Cheyenne
Bottoms

#82273

Department of Wildlife and Parks—SEWAGE
PUMPS, Perry State Park

#82274

Department of Wildlife and Parks—IRRIGATION
MATERIALS, El Dorado

#82275

Department of Administration, Division of
Information Systems and Communications—REPAIR
GENERATOR

#82276

Kansas State University—GRAIN

#82277

Kansas Bureau of Investigation—BLACK AND
WHITE FILM PROCESSOR

#82289

Kansas State University—MAILING EQUIPMENT

Friday, January 5, 1990

#A-6179

Topeka State Hospital—REROOF ERICKSON 2, 4,
AND 5

#A-6223

Youth Center at Atchison—REPAIR AND
REMODEL MAINTENANCE BUILDING

#A-6298, #A-6302

Department of Transportation—REROOF AREA
OFFICE AND SHOP BUILDING, REROOF SUB-
AREA SHOP AND MATERIALS OFFICE
BUILDING, Wichita

#27324 (SUPP)

University of Kansas Medical Center—FEEDING
FORMULA

#82290

University of Kansas Medical Center—SCRUBS

Monday, January 8, 1990

#27514

University of Kansas, University of Kansas Medical
Center, Wichita State University and Kansas State
University—RADIOCHEMICALS

Tuesday, January 9, 1990

#A-6119A

Kansas State Fair—GRANDSTAND RENOVATION,
PHASE IV

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 008649

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

**NOTICE OF COMMENCEMENT
 OF NEGOTIATIONS
 FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for a contract for engineering services for a plan for decommissioning the nuclear reactor located in Burt Hall on the Lawrence campus of the University of Kansas.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 5.

EDWARD A. MARTIN, AIA
 Director, Division of
 Architectural Services

Doc. No. 008653

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

**NOTICE OF COMMENCEMENT
 OF NEGOTIATIONS
 FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for engineering services for Kansas State University.

According to recent engineering studies, extensive damage to the existing tunnel piping support system and the resulting damage to the piping requires total replacement of both piping and supports, including guides, expansion joints and anchors for approximately 2000 lineal feet of tunnel 225-pound steam piping.

The design requirements include consideration of a consultant recommendation to eventually convert to a single 150-pound steam distribution system in lieu of the three high and low pressure systems currently installed. Reuse of existing serviceable materials will be an important consideration of the intended construction documentation. Total project cost is estimated to be approximately \$600,000.

Questions relating to existing conditions or recently-completed consultant's reports may be addressed to Lee McQueen, P.E., Kansas State University Facilities Management, Dykstra Hall, (913) 532-6373.

Any other questions or expressions of interest should be directed to Norm Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 5. An SF 255 form should be submitted with letters of interest.

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

Doc. No. 008639

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 architectural services for the Kansas Department of Commerce, Main Street Program.

Services shall include consultant services in Peabody, Wamego and Oberlin. Desired services shall include limited design consultation with property owners, schematic design, and preliminary cost estimates for building and storefront renovation. No construction documents shall be prepared. Total funds available for the project are \$20,000.

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 January 5.

EDWARD A. MARTIN, AIA
 Director, Division of
 Architectural Services

Doc. No. 008652

State of Kansas
DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

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

DISTRICT ONE—Northeast

Atchison—59-3 K-2820-01—U.S. 59, Missouri River bridge 13 at Atchison, bridge repair. (Federal Funds)

Brown/Nemaha—75-106 K-3259-01—U.S. 75, from the north city limits of Sabetha in Brown County north to the Kansas-Nebraska state line in Nemaha County, 6.1 miles, recycling. (State Funds)

Lyon—99-56 K-3732-01—K-99, from the junction of K-170 north to the junction of U.S. 56, 9.1 miles, overlay. (State Funds)

Marshall—58 K-3922-01—U.S. 77, from the west city limits of Marysville west and north to the Kansas-Nebraska state line and K-233, from the junction of U.S. 77 east to the west city limits of Oketo in Marshall County, 15.3 miles, recycling. (State Funds)

Marshall—77-58 K-3729-01—U.S. 77, from the Riley-Marshall county line north to the south city limits of Waterville, 8.5 miles, recycling. (State Funds)

Marshall—58 C-2318-01—County road, 5.5 miles south and 4.0 miles west of Winifred, then south, 0.1 mile, bridge replacement. (Federal Funds)

Marshall—58 C-2319-01—County road, 7.5 miles south of Bremen, then south, 0.1 mile, bridge replacement. (Federal Funds)

Osage—75-70 K-3845-01—U.S. 75, from the two lane/four lane divided north to the Osage-Shawnee county line (4 lanes), 6.5 miles, overlay. (State Funds)

Osage—31-70 K-3720-01—K-31, from old U.S. 75 and FAS 2075, southeast to the west junction of I-35, 6.8 miles, recycling. (State Funds)

Pottawatomie—63-75 K-3724-01—K-63, from the north junction of K-16 north to Pottawatomie-Nemaha county line, 8.0 miles, overlay. (State Funds)

Riley—81 K-3921-01—K-18, from the junction of K-114 east 6.8 miles and K-114, from the east city limits of Ogden east 0.3 mile to the end of K-114 in Riley County, 7.1 miles, overlay. (State Funds)

Shawnee—75-89 K-3846-01—U.S. 75, from the Osage-Shawnee county line north to the junction of U.S. 75A (4 lanes), 2.5 miles, overlay. (State Funds)

Shawnee—470-89 K-2454-01—I-470, from Wanamaker Road southeast to 37th Street, 4.2 miles, pavement reconstruction. (Federal Funds)

Wabaunsee—99 K-3920-01—K-99, from the west junction of K-4 north to the south city limits of Alma; from the junction of I-70 north 8.12 miles; from the K-4 junction of K-177 east to the junction of K-99; and K-180 from the junction of K-4/K-99 north to the south city limits of Alta Vista in Wabaunsee County, 41.0 miles, overlay. (State Funds)

DISTRICT TWO—Northcentral

Clay—9-14 K-3159-01—K-9, Center Street to Washington Street in Clifton, 0.4 mile, grading and surfacing. (Federal Funds)

Cloud—81-15 K-3160-01—U.S. 81, from approximately the south city limits of Concordia north 0.2 mile, grading and surfacing. (Federal Funds)

Mitchell—62 C-2601-J1—County road, 5.8 miles east of Hunter, then east, 4.0 miles, surfacing. (Federal Funds)

Morris/Wabaunsee—57-106 K-3925-01—K-57, from the north city limits of Council Grove in Morris County north to the east junction of K-4 in Wabaunsee County, 12.0 miles, overlay. (State Funds)

DISTRICT THREE—Northwest

Decatur—83-20 K-2615-02—U.S. 83, from the Sheridan-Decatur county line north 9.0 miles, seeding. (Federal Funds)

Graham—18-33 K-3947-01—K-18, Sand Creek bridge 31, 4.0 miles southeast of U.S. 24, bridge repair. (State Funds)

Phillips—74 C-2588-01—County road, 2.8 miles north and 5.8 miles east of Long Island, then north, 0.3 mile, grading and bridge. (Federal Funds)

Sheridan—83-90 K-2614-03—U.S. 83, from the junction of K-23 north to the Sheridan-Decatur county line, 1.0 mile, seeding. (Federal Funds)

DISTRICT FOUR—Southeast

Coffey/Osage/Franklin/Miami—35-106 K-3993-01—I-35, from the Lyon-Coffey county line northeast to the Miami-Johnson county line, 47.3 miles, signing. (State Funds)

Crawford—57-19 K-3873-01—K-57, from the Neosho-Crawford county line east to the west city limits of Girard, 12.5 miles, recycling. (State Funds)

Greenwood/Wilson—96-106 K-3919-01—K-96, from the east junction of K-99 in Greenwood County east to the north junction of K-39 in Wilson County, 22.3 miles, recycling. (State Funds)

Greenwood/Woodson—54-106 K-3918-01—U.S. 54, from the east junction of K-99 in Greenwood County east to the west city limits of Yates Center in Woodson County, 24.7 miles, recycling. (State Funds)

Labette/Cherokee—166-106 K-3774-01—U.S. 166, from the east city limits of Chetopa in Labette County east to the west city limits of Baxter Springs in Cherokee County, 18.9 miles, recycling. (State Funds)

DISTRICT FIVE—Southcentral

Barber—281-4 K-3483-01—U.S. 281, approximately 1½ mile east of Hardtner, 0.2 mile, grading and surfacing. (State Funds)

Barber—4 C-2201-01—County road, 2.2 miles west and 1.8 mile north of Hardtner, then north, 0.3 mile, bridge replacement. (Federal Funds)

Barton—4-5 K-3137-01—K-4, Blood Creek bridge 33, 9.3 miles east of the Rush-Barton county line, bridge replacement. (Federal Funds)

Butler—54-8 K-3879-01—U.S. 54, 0.6 mile north of K-96 then north 7.7 miles, overlay. (State Funds)

Butler—77-8 K-3785-01—U.S. 77, from the Cloud-Butler county line north to the south city limits of Augusta, 13.9 miles, bituminous seal. (State Funds)

Butler—77-8 K-4020-01—U.S. 77, from the north city limits of El Dorado, north to the Butler-Marion county line, 1.0 mile, overlay. (State Funds)

Butler—254-8 K-3791-01—K-254, from the Sedgwick-Butler county line east to the junction of K-196 (excluding Towanda), 12.4 miles, recycling. (State Funds)

Harvey-Butler—196-106 K-3917-01—K-196, from 0.4 mile east of the junction of I-135 in Harvey County east to 9.4 miles east of the Harvey-Butler county line, 18.6 miles, recycling. (State Funds)

Kingman—14-48 K-3877-01—K-14, 0.4 mile south of the junction of K-14 and K-42 north 0.2 mile, grading and surfacing. (State Funds)

Pratt—54-76 K-3197-01—U.S. 54, from the Kiowa-Pratt county line, east to the west city limits of Pratt, 14.2 miles, bituminous seal. (State Funds)

Reno—14-78 X-1360-02—K-14, Atchison, Topeka and Santa Fe Railway crossing of K-14 near Abbyville, grading and surfacing. (Federal Funds)

Reno—50-78 K-3215-01—U.S. 50, from the junction of K-96 east and northeast to the junction of K-61 except the Arkansas River bridges 17 and 16 at Hutchinson, 3.0 miles, patching and overlay. (State Funds)

Sedgwick—2-87 K-3323-01—K-2, from the northeast Tyler Road intersection northeast to the west city limits of Wichita, 2.3 miles, overlay and widen. (Federal Funds)

Sedgwick—2-87 K-3775-01—K-2, 2.0 miles northeast of the Sumner-Sedgwick county line northeast 14.9 miles, overlay. (State Funds)

Sedgwick—96-87 K-3286-01—K-96, from the west junction of K-296 southeast 7.1 miles (6 spot locations), overlay. (State Funds)

Sedgwick—135-87 K-2617-01—I-135, from the junction

(continued)

of I-235 north to Pawnee Street in Wichita, 3.1 miles, pavement reconstruction. (Federal Funds)

Sedgwick—296-87 K-3874-01—K-296, from the west junction of K-296 and K-96 south to the north city limits of Andale, 5.6 miles, overlay. (State Funds)

Sedgwick—87 U-1256-01—City-wide computerized signal system. (Federal Funds)

Sumner—96 K-3916-01—U.S. 81, from the north city limits of Wellington north to the junction of K-55 and U.S. 160, and from the east city limits of Wellington east to the Kansas Turnpike Authority in Sumner County, 12.2 miles, bituminous seal. (State Funds)

DISTRICT SIX—Southwest

Greeley—27-36 K-3165-01—K-27, from the junction of K-96 north to Newton Street in Tribune, 0.1 mile, grading and surfacing. (Federal Funds)

Hodgeman—283-42 K-2621-01—U.S. 283, from 0.4 mile north of K-156 north to the Ness-Hodgeman county line, 11.6 miles, grading, surfacing and bridge. (Federal Funds)

Kearny—47 C-2668-01—County Road, 15.0 miles west of Lakin at U.S. 50, then north, 3.0 miles, surfacing. (Federal Funds)

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

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

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

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 008654

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONSULTING ENGINEERS

In order to serve the transportation needs of the public, commerce and industry, and to improve the economic conditions of the region, the Kansas Department of Transportation is seeking interest in developing a highway improvement project in the general vicinity between the metropolitan centers of Wichita, Kansas, and Joplin, Missouri.

The department is seeking the services of an engineering firm as a corridor consultant with capabilities in transportation planning and design; in economic evaluations and impacts; in public relations; in intergovernmental coordination between states, counties, and cities; and in coordinating/directing design teams furnished by others. The corridor consultant will: 1) perform planning and location studies and produce intermediate and final reports; 2) prepare an organization plan for producing designs and construction plans; and 3) direct and coordinate the efforts of other engineering firms to do design work and prepare construction plans. These firms will be referred to as section design consultants. (K.D.O.T. will seek the services of the section design consultant firms at a later, appropriate time.)

The corridor consultant responsibilities may include planning surveys, topographic surveys, geotechnical surveys, environmental impact studies, hazardous material/waste studies, right-of way descriptions, appraisals, acquisition and other project development activities.

The corridor consultant will check and approve section design consultants' plans and progress, process pay vouchers from the section design consultant for payment and generally act as the agent of K.D.O.T. on all pertinent preconstruction activities in the location corridor. The corridor consultant will be a third party signatory in contracts developed between K.D.O.T. and the various section design consultants and will coordinate with a K.D.O.T. project manager. Since these services are significantly greater than normally performed by consultant firms for K.D.O.T., specific requirements of the contract will be further defined in pre-contract negotiations.

A chart generally depicting the organization of this major effort and a list of the possible tasks comprising the various activities are available upon request. Some activities and tasks may be performed by K.D.O.T. staff. The corridor consultant will be responsible for the review and approval of all technical aspects of design, whether performed by the corridor consultant or the section design consultants.

The project will comprise two or more phases and the corridor consultant is expected to be engaged in all phases. Phase I will end upon completion of public hearings, environmental approvals, location study reports, and topographical surveys. Phase II comprises managing the preparation of construction plans through completion of plans. The corridor consultant may have post-letting responsibilities.

A time schedule has not been established at this time and will be covered during discussion and negotiations with potential firms at a later date. Early completion of

planning and location studies will be a significant factor affecting the selection of a firm.

From those firms expressing interest, K.D.O.T. will select three to five firms with whom to negotiate. Those firms not selected will be notified by letter. A negotiating committee will conduct discussions individually with each of the firms, determine the order in which the firms will be considered for contract negotiations, and begin negotiation with the firm selected to be first in order.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

1. Size and professional qualifications of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

Firms wishing to be considered for this work must submit seven copies of their statement of interest to the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, Topeka 66612, no later than 5 p.m. January 11.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 008642

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONSULTING ENGINEERS

In order to serve the transportation needs of the public, commerce and industry, and to improve the economic conditions of the region, the Kansas Department of Transportation is seeking interest in developing a highway improvement project in the general vicinity of U.S. 166, from Arkansas City east to K-99 Highway.

The department is seeking the services of an engineering firm as a corridor consultant with capabilities in transportation planning and design; in economic evaluations and impacts; in public relations; in intergovernmental coordination between states, counties, and cities; and in coordinating/directing design teams furnished by others. The corridor consultant will: 1) perform planning and location studies and produce intermediate and final reports; 2) prepare an organization plan for producing designs and construction plans; and 3) direct and coordinate the efforts of other engineering firms to do design work and prepare construction plans. These firms will be referred to as section design consultants. (K.D.O.T. will seek the services of the section design consultant firms at a later, appropriate time.)

The corridor consultant responsibilities may include planning surveys, topographic surveys, geotechnical surveys, environmental impact studies, hazardous material/waste studies, right of way descriptions, appraisals, acquisition and other project development activities.

The corridor consultant will check and approve section design consultants' plans and progress, process pay vouchers from the section design consultant for payment and generally act as the agent of K.D.O.T. on all pertinent preconstruction activities in the location corridor. The corridor consultant will be a third party signatory in contracts

developed between K.D.O.T. and the various section design consultants and will coordinate with a K.D.O.T. project manager. Since these services are significantly greater than normally performed by consultant firms for K.D.O.T., specific requirements of the contract will be further defined in pre-contract negotiations.

A chart generally depicting the organization of this major effort and a list of the possible tasks comprising the various activities are available upon request. Some activities and tasks may be performed by K.D.O.T. staff. The corridor consultant will be responsible for the review and approval of all technical aspects of design, whether performed by the corridor consultant or the section design consultants.

The project will comprise two or more phases and the corridor consultant is expected to be engaged in all phases. Phase I will end upon completion of public hearings, environmental approvals, location study reports, and topographical surveys. Phase II comprises managing the preparation of construction plans through completion of plans. The corridor consultant may have post-letting responsibilities.

A time schedule has not been established at this time and will be covered during discussion and negotiations with potential firms at a later date. Early completion of planning and location studies will be a significant factor affecting the selection of a firm.

From those firms expressing interest, K.D.O.T. will select three to five firms with whom to negotiate. Those firms not selected will be notified by letter. A negotiating committee will conduct discussions individually with each of the firms, determine the order in which the firms will be considered for contract negotiations, and begin negotiation with the firm selected to be first in order.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

1. Size and professional qualifications of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

Firms wishing to be considered for this work must submit seven copies of their statement of interest to the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, Topeka 66612, no later than 5 p.m. January 11.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 008647

State of Kansas

**DEPARTMENT OF HUMAN RESOURCES
WORKERS' COMPENSATION
JOINT ADVISORY COMMITTEE**

NOTICE OF MEETING

The Workers' Compensation Joint Advisory Committee will meet at 9 a.m. Thursday, January 4, at the United Telephone North Supply Company, 600 Industrial Parkway, Gardner.

Interested persons are encouraged to send in suggestions and concerns that they feel the advisory committee needs to address to Robert A. Anderson, Division of Workers' Compensation, 651-S, Landon State Office Building, 900 S.W. Jackson, Topeka 66612.

RAY D. SIEHNDEL
Secretary of Human Resources

Doc. No. 008640

State of Kansas

**KANSAS PUBLIC DISCLOSURE
COMMISSION**

Advisory Opinion No. 89-14

Written September 20, 1989, to Gail Drake, Clerk, U.S.D. 464, Tonganoxie.

This opinion is in response to your letter of August 29, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflict of interest statutes.

We understand you request this opinion in your capacity as clerk for Unified School District 464. You state that of your seven-member school board, three attend the same church (West Haven Baptist Church), which happens to be situated between your high school and junior high, and directly south of the board of education.

The church has grown significantly, purchased property on the other side of town, and plans to sell and move within two years or so. The president and vice-president of the school board, plus one member, attend West Haven. One school board member is on the church finance committee. He does not dictate the church's finances, but rather helps (on a committee of three) to produce a working budget for the church.

The school has expressed an interest in purchasing the church and property, and because of some patrons expressing their concern of a possible conflict of interest, everyone involved would feel better to know if there is or is not such a conflict.

Under K.S.A. 75-4304, a conflict would exist if a school board member participates in his or her official capacity in any negotiations for the purchase of the church property, but only if the school board member holds a "substantial interest" in the church as that term is defined in K.S.A. 75-4301.

We have enclosed a copy of K.S.A. 75-4301 for your review to apply to this situation. However, from the information provided, we can say that membership in a church does not constitute a "substantial interest," nor would mere service on a church committee.

Advisory Opinion No. 89-15

Written September 20, 1989, to Jackie L. Edwards, Wellington.

This opinion is in response to your letter of September 1, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the conflict of interest law.

We understand you request this opinion in your capacity as a Home Care Supervisor with SRS. You advise us that you also operate a business which provides home care services.

You ask for guidelines to avoid any conflicts of interests.

As a general rule, your business should not contract with the state unless you are completely uninvolved in the situation in your capacity as a state employee. In addition, you may not participate on behalf of the state in the licensure, inspection, administration or enforcement of any regulation concerning your business. Otherwise, it is generally permissible for a state employee to have outside business interests.

We note in your letter that you state you have been cautioned not to conduct personal business while at work or try to solicit clients during work hours. In addition we would caution it would not be appropriate for your co-workers to refer clients to you during business hours.

In closing, we note that our opinion relates only to K.S.A. 46-215 *et seq.* Thus, whether some other common law, statutory system, or agency regulation or policy covers your questions is not discussed in this opinion.

Advisory Opinion No. 89-16

Written September 20, 1989, to Terry J. Malone, Williams, Strobel, Estes, Malone & Mason, P.A., Dodge City.

This opinion is in response to your letter of September 11, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 75-4301 *et seq.*

We note at the outset that the commission's jurisdiction is limited to the above law. Thus, this opinion does not cover such common law or statutory systems as are outside our jurisdiction which might relate to your question.

We understand you reside in Dodge City, Ford County, Kansas, and are a practicing attorney and shareholder in the professional corporation of Williams, Strobel, Estes, Malone and Mason, P.A., attorneys at law. In April of 1989, you were elected to the office of trustee of the Board of Trustees of Dodge City Community College. You took office officially on July 1, 1989, and are presently serving in the capacity as a member of the Board of Trustees.

The Board of Trustees of Dodge City Community College recently solicited proposals from area attorneys concerning their desire and willingness to serve as attorney for the Board of Trustees. As a result of this process, a local law firm who applied for the position of board attorney was offered the position but has now rejected the offer to act as the board's attorney. Another local attorney did apply for the position; however, this attorney has no previous experience in representing a college board of trustees or a board of education and has very little experience in areas involving school law.

Mr. Ken W. Strobel, a practicing attorney residing in Dodge City, Kansas, who is also a shareholder in the professional corporation of Williams, Strobel, Estes, Malone & Mason, P.A., attorneys at law, has previously served as the Board of Trustees' attorney in past years and has a considerable amount of experience and expertise in the area of school law. Mr. Strobel did not apply for the position of board attorney initially due to your association as members of the same law firm. It now appears, however, that Mr. Strobel is the only other area attorney with any previous experience and expertise in the area of school law who would be available to serve as the attorney for the Board of Trustees of Dodge City Community College.

Due to your financial interest in the law firm of which Mr. Strobel is a member, you solicit our formal opinion as to whether there are any provisions in the conflict of interest laws which would prevent Mr. Strobel acting as attorney for the Board of Trustees at the same time that you are serving as a member of that board. If there is no legal prohibition to the employment of Mr. Strobel as board attorney, you would further request our opinion as to what steps you would need to take as a member of the Board of Trustees to be in full compliance with the conflict of interest laws.

K.S.A. 75-4301 *et seq.* does not prohibit a business in which a public officer has a substantial interest from doing business with the public agency. Rather, under K.S.A. 75-4304, the public official must abstain from any official action. In this regard, we recommend that the public official absent himself from the public forum while the issue is discussed and avoid all informal communication with other public officials concerning any proposed contract. Obviously, the public official cannot sign any proposed contract.

Advisory Opinion No. 89-17

Written November 27, 1989, to Representative Vernon L. Williams, Wichita.

This opinion is in response to your letter of October 27, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the state conflict of interest laws.

We understand you request this opinion in your capacity as a representative to the Kansas Legislature. You describe for us an annual conference being held by the American Legislative Exchange Council (ALEC) for new legislators to be held in Washington, D.C. ALEC has invited three Kansas freshman legislators to attend the conference and will pay the costs of two nights lodging and up to \$250 in travel expenses.

You ask whether the provision of accommodations and travel expenses are permissible under the conflict of interest laws.

K.S.A. 46-237(a) states:

"No state officer or employee or candidate for state office shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major

purpose of the donor is to influence such person in the performance of their official duties or prospective official duties."

From a review of this section, the pivotal issue is whether ALEC has a "special interest."

"Special interest" is defined in K.S.A. 46-228 as follows:

" 'Special interest' means an interest of any person as herein defined (1) concerning action or non-action by the legislature on any legislative matter affecting such person as distinct from affect upon the people of the state as a whole"

"Legislative matter" is defined in K.S.A. 46-219 as follows:

" 'Legislative matter' means any bill, resolution, nomination, or other issue or proposal pending before the legislature or any committee, subcommittee, or council thereof."

Applying this language to the situation you have described, it is our opinion so long as the conference is directed at training in legislative management and philosophical discussions and coalition building that ALEC would not hold a special interest. However, if a significant purpose of the conference is to influence the participants concerning matters pending before the Kansas Legislature, then ALEC would hold a "special interest" and the limitations of K.S.A. 46-237 would apply.

Advisory Opinion No. 89-18

Written November 27, 1989, to James W. Parrish, Democratic State Chair, Kansas Democratic Party, Topeka.

This opinion is in response to your letter of October 30, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the Campaign Finance Act.

We understand you request this opinion in your capacity as chairman of the Kansas Democratic Party. As you are aware, the Legislature in the last session passed limitations on the amounts that party committees could receive in contributions. With this in mind you ask the following questions:

1. Washington Day receipts. Are registration fees and ticket sales to the various events to be reported as contributions or as other receipts? Should funds so received count toward individual or PAC contribution limits? The money raised is used to pay Washington Day expenses and to offset headquarters expenses.
2. You publish a directory each year. To help pay for this directory, you sell ads. Are funds so raised to be reported as contribution or as other receipts? Should funds so received count toward individual or PAC contribution limits?
3. In 1989, many people and organizations paid the state party to administer a program designed to collect and analyze information relating to legislative reapportionment. All funds collected went directly to pay for staff, equipment and consultants. Should payments into this program be reported as contri-

(continued)

- butions or as other receipts? Should funds received count toward individual or PAC contribution limits?
4. If you print campaign materials for candidates and the candidates reimburse you for the cost, should these payments be reported as contributions from the candidates or as other receipts from the candidates?
 5. If you print campaign materials and sell them to other organizations and/or PACs, should these payments be reported as contributions or as other receipts? Should such payments count toward individual or PAC contribution limits?
 6. If the state party mails campaign materials for candidates and the candidates reimburse you for postage, should such payments be reported as contributions or as other receipts from the candidates?
 7. As the state party, you are the repository for a large amount of statewide voter information. Many candidates and other organizations request this information from you. You provide this information for a fee. Should such fees be reported as contributions or as other receipts?

K.A.R. 19-25-2 covers your first question. That section states:

"(a) Purchase of tickets, goods or services. The purchase of tickets, goods or services at political events or fund raisers which do not constitute testimonial events constitute contributions when the price substantially exceeds the value of the goods or services received, provided however, that a bulk purchase of tickets, goods or services constitutes a contribution. A bulk purchase is made whenever a person purchases tickets in excess of that reasonably necessary for the person's personal use and that of his or her immediate family. The value to be attributed to a contribution which occurs when the price paid substantially exceeds the value of the goods or services is the difference between the price and the fair market value of the goods or services. A treasurer may, if the treasurer so desires, consider the price the value of the contribution. The value attributed to a contribution when a bulk purchase is made is the full value of the bulk purchase."

Noting that the Washington Day event is not a "testimonial event" (see K.S.A. 25-4143(e)), this rule applies. If you have any additional questions on this issue, don't hesitate to contact us for further guidance.

The remainder of your questions may be resolved by application of the following comment. Whenever a party committee sells goods or provides services where the amount received is reasonable in relationship to the goods or services provided, then the income is not a contribution but rather an "other receipt" not subject to contribution limitations.

Thus, so long as the above reasonableness test is met, none of the income you have described in questions 2-7 would constitute contributions and the income would not be subject to contribution limitations.

Advisory Opinion No. 89-19

Written November 27, 1989, to Al Dorsey, Grants Monitoring Consultant, ADAS, Topeka.

This opinion is in response to your letter of October 26, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the state conflict of interest laws.

We note at the outset that the commission's jurisdiction in this matter is limited to the application of K.S.A. 46-215 *et seq.* Thus whether some other statutory system, common law or agency policy or regulation relates to your question is not covered by this opinion.

You request this opinion in your capacity as a grants monitoring consultant for the Department of Social and Rehabilitation Services. You indicate that during the past year you have conducted licensure visits with Metropolitan Counseling Corporation. Recently, that entity offered you a part-time counseling position. You would continue your full-time employment with the state. You advise us that due to a position change with the state, you no longer participate directly in the licensure, inspection or administration or enforcement of any regulation or in any contract negotiations between the state and the entity.

You ask whether you may accept the part-time employment.

Based on the factual situation provided to us, you would be in compliance with K.S.A. 46-215 *et seq.* so long as you continue to avoid all activities on behalf of the state relative to the entity.

Advisory Opinion No. 89-20

Written November 27, 1989, to John Farney, Chairman, Barber County Conservation District, Medicine Lodge.

This opinion is in response to your letter of October 4, 1989, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the commission's jurisdiction is limited, as applied to your question, to the provisions of K.S.A. 75-4301 *et seq.* Thus, whether some other statutory system, common law or other regulatory system applies to your question is not covered by this opinion.

You describe a situation where an individual serves as a county commissioner and as a supervisor on a county conservation district.

You ask whether there is a conflict of interest when a person serves in these two capacities at the same time.

We have reviewed K.S.A. 75-4301 *et seq.* in its entirety and it is our opinion that holding the positions you have described does not constitute a conflict under that act.

We would, however, suggest a review of the common law as we are aware that under some circumstances, common law theories do not allow for dual public positions being held by the same person. In this regard, we refer you to the Attorney General's office for additional assistance.

LOWELL ABELDT
Chairman

Doc. No. 008643

(Published in the Kansas Register, December 21, 1989.)

SUMMARY NOTICE OF BOND SALE

\$895,000

City of Liberal, Kansas

General Obligation Internal Improvement Bonds

(general obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale, dated December 18, 1989, prepared by the city of Liberal, Kansas, in connection with the bonds hereinafter described, sealed, written bids shall be received at the city's offices at 325 N. Washington, Liberal, until 6 p.m. C.S.T. on Monday, January 8, 1990, for the purchase of \$895,000 principal amount of General Obligation Internal Improvement Bonds, Series A, 1990, of the city, which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, made payable to the order of the city for an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year, and shall bear a dated date of January 1, 1990. The bonds shall bear interest, which shall first be payable on October 1, 1990, and thereafter semiannually on April 1 and October 1 of each year until maturity, at the rates specified by the successful bidder for the bonds. The bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 55,000	1990
65,000	1991
75,000	1992
85,000	1993
90,000	1994
95,000	1995
100,000	1996
105,000	1997
110,000	1998
115,000	1999

Redemption

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond

registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender thereof at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The city will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Thursday, February 1, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's 1988 assessed valuation is as follows:

Assessed valuation of taxable tangible property	\$46,387,962
Taxable value of motor vehicles	12,478,174
Equalized assessed tangible valuation for computation of bonded debt limitations	\$58,866,156

Exclusive of the bonds described herein and of \$700,000 principal amount of currently outstanding temporary notes, which will be redeemed and cancelled upon the issuance of the bonds described herein, the city has outstanding general obligation indebtedness at the date hereof in the amount of \$4,625,000, which amount includes \$515,000 of temporary notes, which will remain outstanding.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the city's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, Kerry J. Clark, First Securities Company of Kansas, Inc., 100 N. Main, Suite 200, Wichita, KS 67202, (316) 262-4411.

Debra S. Giskie, City Clerk
City Hall, 325 N. Washington
P.O. Box 2199
Liberal, KS 67905-2199
(316) 626-0101

Doc. No. 008648

(Published in the *Kansas Register*, December 21, 1989.)

NOTICE OF REDEMPTION
Nursing Home Revenue Bonds
 (Windsor Nursing Home Associates, Inc. Project)
 Series 1980, Dated February 1, 1980
 of the
 City of Salina, Kansas

Subject to the provisions of the second paragraph of this notice, notice is hereby given that pursuant to Section 4 of Ordinance No. 80-8774 of the city of Salina, Kansas, all of the outstanding Nursing Home Revenue Bonds, Series 1980 (Windsor Nursing Home Associates, Inc. Project), of the city of Salina, Kansas, maturing on and after February 1, 1991, will be redeemed and prepaid on February 1, 1990 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein.

Bond Numbers	Maturity Date	Interest Rate
38-44	02/01/91	10.80%
45-52	02/01/92	10.90%
53-108	02/01/97	11.00%
109-290	02/01/05	11.25%

This notice of redemption, and the payment of the principal of and interest on the aforesaid 1980 bonds on the specified redemption date, are subject to the issuance and delivery of the city of its refunding revenue bonds (the refunding bonds) on or before such redemption date in an amount sufficient to provide funds to pay the specified redemption price of the 1980 bonds. In the event such refunding bonds have not been issued by the redemption date, this notice shall be null and void and of no force and effect, the 1980 bonds delivered for redemption shall be returned to the respective owners thereof, and said 1980 bonds shall remain outstanding as though this notice of redemption had not been given.

The principal amount of the above described 1980 bonds shall become due and payable on February 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 2 1/2 percent of the principal amount of the bonds so called for redemption and payment.

On February 1, 1990, provided that funds are on hand to pay the specified redemption price, all of the 1980 bonds will be due and payable at the principal office of The National Bank of America, Salina, Kansas, and from and after February 1, 1990, all interest on the 1980 bonds will cease to accrue. All coupons maturing subsequent to February 1, 1990, must be attached to and surrendered with said 1980 bonds.

Under the provisions of the Interest 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 remittance to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the 1980 bonds who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated December 7, 1989.

The National Bank of America
 100 S. Santa Fe
 P.O. Box 560
 Salina, KS 67402-0560
 As Fiscal Agent

Doc. No. 008636

(Published in the *Kansas Register*, December 21, 1989.)

NOTICE OF REDEMPTION
Industrial Revenue Bonds
 (Cedar Crest, Inc.)
 Series A, 1983, Dated February 1, 1983
 of the
 City of Pratt, Kansas

Subject to the provisions of the second paragraph of this notice, notice is hereby given that pursuant to Section 4 of Ordinance No. 8302 of the city of Pratt, Kansas, all of the outstanding Industrial Revenue Bonds, Series A, 1983 (Cedar Crest, Inc.), of the city of Pratt, Kansas, maturing on and after February 1, 1991, will be redeemed and prepaid on February 1, 1990 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein.

Principal Amount	Maturity Date	Interest Rate
\$ 60,000	2/1/91	10.50%
65,000	2/1/92	10.75%
75,000	2/1/93	11.00%
80,000	2/1/94	11.25%
90,000	2/1/95	11.50%
825,000	2/1/01	12.50%

The principal amount of the above described 1983 bonds shall become due and payable on February 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 February 1, 1990, all of the 1983 bonds will be due and payable at the principal office of The Southwest National Bank of Wichita, Wichita, Kansas, and from and after February 1, 1990, all interest on the 1983 bonds will cease to accrue. It is requested that all coupons maturing subsequent to February 1, 1990, be attached to and surrendered with said 1983 bonds at least two weeks in advance of the redemption date.

Under the provisions of the Interest 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 remittance to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the 1983 bonds who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated December 8, 1989.

The Southwest National Bank
 of Wichita
 P.O. Box 1401
 Wichita, KS 67201
 Trustee

Doc. No. 008635

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of December 26 through January 7:

Date	Room	Time	Committee	Agenda
December 26-December 29		No meetings scheduled.		
January 3	123-S	10:00 a.m.	Joint Committee on State	Agenda to be announced.
January 4	123-S	9:00 a.m.	Building Construction	

EMIL LUTZ
Director of Legislative
Administrative Services

Doc. No. 008651

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET

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

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

Before Brazil, P.J.; M. Kay Royse, District Judge, assigned;
and James J. Noone, District Judge Retired, assigned.

Wednesday, January 3, 1990

1:00 p.m.

Case No.	Case Name	Attorneys	County
63,575	State of Kansas, Appellant, v. Douglas L. Heigele, Appellee.	Julie McKenna Attorney General James L. Sweet	Saline
63,503	State of Kansas, Appellee, v. John T. Vaughn, Appellant.	Randy M. Hendershot Attorney General Karen E. Mayberry	Shawnee
63,891	State of Kansas, Appellee, v. Stanley Howard, Appellant.	Chris Biggs Attorney General Jessica R. Kunen	Geary
2:00 p.m.			
63,987	Kansas Power & Light Co., Appellant, v. State Farm Mutual Automobile Insurance Co., Appellee.	Jeffrey S. Southard William P. Coates, Jr. Michael M. Rehm Mark A. Burghart	Shawnee
63,918	In the Matter of the Marriage of Donna J. Kieffer and Bruce A. Kieffer.	Mickey Mosier C. Richard Comfort Dennis J. Molamphy	Mitchell

(continued)

Thursday, January 4, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,731	Christina Lewis, Appellant, v. Forest Gilbert II, Appellee.	John Black Robert M. Adrian	Saline
63,804	Theresa M. Riddle, Appellant, v. Universal Sport Camp, Bea Pray, Scott Shell, Kansas State University, Kansas Board of Regents, and State of Kansas, Appellees.	Roger L. Brazier, Jr. Larry Pepperdine Richard H. Seaton Gary E. Laughlin	Shawnee
64,165	Kansas State University, Appellant, v. Kansas Commission on Civil Rights, Appellee.	Dorothy L. Thompson Arthur W. Solis	Riley
10:30 a.m.			
63,779	Heinz Dirks, Appellant, v. Enno Burhoop, Appellee.	Ronald J. Sickmann C. Steven Rarrick	Morris
63,596	Allen Realty, Inc., Appellant, v. City of Lawrence, Gene Shaughnessy, and Ramon Powers, Appellees.	Todd N. Thompson Jane M. Eldredge John Campbell Roger K. Brown	Douglas

Summary Calendar—No Oral Argument

62,909	State of Kansas, Appellee, v. Frederick J. Shea, Appellant.	James W. Lusk Attorney General Jessica R. Kunen	Osage
63,496	James G. Fike, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Gene M. Olander	Shawnee
63,659	Wayman McFalls, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Gene M. Olander	Shawnee
63,691	State of Kansas, Appellee, v. Jack Lloyd Slate, Appellant.	Steven Hirsch Attorney General Steven R. Zinn	Decatur
63,692	Peter H. Ransom, Appellant, v. State of Kansas, Appellee.	Steven R. Zinn Attorney General Kenneth R. Smith	Geary

Kansas Court of Appeals
Division 3 Courtroom, Wyandotte County Courthouse
Kansas City, Kansas

Before Abbott, C.J.; Rulon and Lewis, JJ.

Wednesday, January 3, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,955	Boese Hilburn Electric Serv. Co., Appellee,	Thomas M. Moore Frederick G. Thompson George Groneman	Wyandotte
	v.		
	Westport Printing, <i>et al.</i> , Appellants.	William M. Modrcin	
63,718	Michael A. Banks, Appellant,	Rosie M. Quinn	Wyandotte
	v.		
	Roy Davies, Appellee.	Thomas Buchanan	
63,737	Wanda Pilcher, Appellant,	Michael R. McIntosh	Wyandotte
	v.		
	Board of County Commissioners, Appellee.	George Maier, Jr. Wayman Walter Favors	

10:30 a.m.

63,339	State of Kansas, Appellee,	Rebecca Brock Attorney General	Johnson
	v.		
	Billy Wayne White, Appellant.	Donald S. Smith	
63,353	Roy Pennington, Appellant,	David W. Hauber	Wyandotte
	v.		
	Kansas City Abrasive Co., Inc., Appellee.	Thomas L. Thurston	

Before Abbott, C.J.; Rulon, J.; and Richard W. Wahl,
District Judge Retired, assigned.

1:00 p.m.

63,841	Elisa Cosgrove, Appellant,	Bryan E. Nelson	Johnson
64,026	v.		
	Kansas State Dept. of Social and Rehabilitation Services, Appellee.	John W. Campbell	
63,235	Ellen Rangel, Appellee,	J. Bradley Short	Johnson
	v.		
	Time Insurance Co., Appellant.	David M. Druten	
63,186	Michael Lowery Croft, Appellant,	William H. Pickett Donald G. Strole	Johnson
	v.		
	Dan L. Smith, <i>et al.</i> , Appellees.	James Conkright James Griffen	

Summary Calendar—No Oral Argument

63,542	State of Kansas, Appellee,	Roger Nordeen Attorney General	Johnson
	v.		
	Michael R. Sylva, Appellant.	Shannon Crane Michael R. Sylva, <i>pro se</i>	

(continued)

63,819 In the Interest of W.T., Jr. Kimberly Wetzel-Williams Wyandotte
 Calvin Bender
 Gary P. Kessler
 John Sutherland

Before Abbott, C.J.; Lewis, J.; and Richard W. Wahl,
 District Judge Retired, assigned.

2:30, p.m.

63,650 KC One, Inc., Appellee, R. Scott Beeler Johnson
 Charles M. Thomas

v.
 Stover Restoration Co., Inc., Appellant. Stephanie G. Hazelton
 Bernis G. Terry
 James M. Warden
 James D. Griffin
 James L. Moeller
 Mick Lerner

63,739 Helena Brown Coles, Appellee, Gregory Coggs Wyandotte
 Keith C. Sevedge

v.
 A.P. Taliaferro, Appellant. David K. Duckers
 Rosie M. Quinn

64,139 In the Matter of the Estate of Doris W. Gansert, deceased. Kenneth V. Butler Johnson
 R. Scott Beeler
 Albert F. Kuhl
 Kevin Petracek

63,799 Dan C. Tucker, Appellee, Phillip C. Lorton Wyandotte
 v.
 June Neal Watson, Appellant. Brenda S. Watkins

Summary Calendar—No Oral Argument

63,722 In the Interest of J.W., *et al.* Kimberly Wetzel-Williams Wyandotte
 Janet Ensign
 Gary P. Kessler

Before Rulon, P.J.; Lewis, J.; and Richard W. Wahl,
 District Judge Retired, assigned.

Thursday, January 4, 1990

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,373	In the Matter of the Marriage of David Washington and Bernice L. Washington.	Bernice L. Washington, <i>pro se</i> JoAnn Butaud	Johnson
63,734	Rick's Carpet & Design Center, v. Dallas Wayne Davis and Dallas Davis Builders, Inc., Appellees, and Thomas W. Dowty and Dorothy L. Dowty, Appellants.	Mark McKinzie John Flannagan David K. Fromme	Johnson
63,315	Roscioli Yacht Refinishing, Inc., Appellee, v. Ray Johnson, Appellant.	Timothy McCarthy Thomas J. Fritzen, Jr. Kevin C. Harris	Johnson

10:00 a.m.

- | | | | |
|--------|---|--|-----------|
| 63,849 | Systems Design and Management Information, Inc., Appellee,
v.
Kansas City Post Office Employees Credit Union, <i>et al.</i> , Appellants. | Charles R. Wilson

William T. Session
Bruce W. Beye | Johnson |
| 63,577 | Chris Connor, Appellant,
v.
Jimmie Goodwin, Appellee. | Gerald N. Jeserich

Jay H. Vader | Wyandotte |

**Kansas Court of Appeals
Courtroom 11-1, 11th Floor, Sedgwick County Courthouse
Wichita, Kansas**

Before Davis, P.J.; Briscoe and Larson, JJ.

Wednesday, January 3, 1990

9:00 a.m.

- | Case No. | Case Name | Attorneys | County |
|----------|---|---|----------|
| 63,598 | State of Kansas, Appellee,
v.
Gregory A. Kelly, Appellant. | Debra S. Byrd
Attorney General

Phillip B. Journey | Sedgwick |
| 63,758 | State of Kansas, Appellee,
v.
David L. Whisenhunt, Appellant. | Debra S. Byrd
Attorney General

Brent I. Anderson | Sedgwick |
| 63,657 | Will Foster and Maxine Foster, Appellees,
v.
Elite Corporation, Kenbe Goertzen, and Sam Knecht, Jr., Appellant. | Roger Sherwood

Carl L. Wagner | Sedgwick |

10:00 a.m.

- | | | | |
|--------|---|---|----------|
| 63,351 | In the Matter of the Marriage of Dallas M. Wagner and Harriet A. Wagner. | Patricia A. Gilman
Nicholas M. St. Peter
David E. Roberts | Cowley |
| 63,812 | Dr. Steven E. Lerner, <i>et al.</i> , Appellant,
v.
Williamson, McGee, Griggs & DeMoss, Appellee. | Steven M. Dickson

Walter C. Williamson | Sedgwick |

Before Davis, P.J.; Briscoe and Gernon, JJ.

1:00 p.m.

- | | | | |
|--------|--|---|------------|
| 63,668 | Jack R. Hatfield, guardian and conservator of Diene Hatfield, an incapacitated person, Appellee,
v.
Wal-Mart Stores, Inc., <i>et al.</i> , Appellants. | Thomas A. DeVore

Leigh C. Hudson
Garry W. Lassman | Montgomery |
| 64,037 | Margery V. Gorsuch, Appellant,
v.
Duane K. Ramsey, <i>et al.</i> , Appellees. | Margery V. Gorsuch, <i>pro se</i>

Keen Brantley
Greg Bien | Wichita |

(continued)

63,457	Lynn H. and Shirley A. Buerki, Appellees, v. Farm Bureau Insurance Co., Appellant.	Walter C. Williamson M. Duane Coyle	Sedgwick
63,656	State of Kansas, Appellant, v. Joseph J. Stuber, Appellee.	Debra S. Byrd Attorney General C. Warner Eisenbise	Sedgwick

Summary Calendar—No Oral Argument

63,260	State of Kansas, Appellee, v. Dennis R. York, Appellant.	Debra S. Byrd Attorney General Jessica R. Kunen	Sedgwick
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Before Elliott, P.J.; Briscoe and Gernon, JJ.
3:00 p.m.

63,774	State of Kansas, Appellee, v. Curtis Lee Moody, Appellant.	Jim Pringle Attorney General Steven D. Mank	Cowley
63,375	Nicholle Christine Foy Trust, <i>et al.</i> , Appellants, v. Margaret Jacques, <i>et al.</i> , Appellees.	Randall C. Henry Gerald L. Green	Reno

Summary Calendar—No Oral Argument

63,565	William L. Wise, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Debra S. Byrd	Sedgwick
63,546	State of Kansas, Appellee, v. Darryl M. Garrett, Appellant.	Debra S. Byrd Attorney General Jessica R. Kunen	Sedgwick
63,407	State of Kansas, Appellee, v. Nathaniel Sanders II, Appellant.	Debra S. Byrd Attorney General Charles A. O'Hara	Sedgwick

Before Elliott, P.J.; Larson and Gernon, JJ.

Thursday, January 4, 1990
9:00 a.m.

Case No.	Case Name	Attorneys	County
63,539	Elmer Schmidt, Appellant, v. Delta Commodities and Joe Bishop, Appellees.	Elmer Schmidt, <i>pro se</i> David C. Burns	Harvey
63,485	State of Kansas, Appellee, v. Gerald L. Smith, Appellant.	Debra S. Byrd Attorney General Jessica R. Kunen	Sedgwick

- | | | | |
|---|---|---|----------|
| 63,538 | Rent-a-Center, Inc., Appellee, | Ronald P. Williams
Julia A. Martin
Kenneth T. Lopatka | Sedgwick |
| | v.
Robert F. Malinowski, Appellant. | John Terry Moore | |
| 63,563 | David B. Murr, Appellant, | Jessica R. Kunen | Sedgwick |
| | v.
Elizabeth Gillespie, Kansas Parole Board,
George Rogers, Carla Stovall, Joan
Hamilton, Frank Henderson and Elwaine
Pomeroy, Appellees. | Carol Bonebrake | |
| Summary Calendar—No Oral Argument | | | |
| 63,690 | State of Kansas, Appellee, | Debra S. Byrd
Attorney General | Sedgwick |
| | v.
William H. Knight, Appellant. | Steven R. Zinn | |
| Before Elliott, P.J.; Davis and Larson, JJ.
10:30 a.m. | | | |
| 64,289 | Gregory P. Sokerka and John M. Hirsch,
Appellants, | Gregory P. Sokerka, <i>pro se</i> | Sedgwick |
| | v.
James G. Beasley, M. Kay Royse,
Michael Corrigan, William D. Rustin,
Nicholas Klein, Kenneth Kimmel and
Robert Watson, Appellees. | John M. Hirsch, <i>pro se</i>
Carl A. Gallagher | |
| 63,348 | State of Kansas, Appellee, | Charles F. Bennett
Attorney General | Neosho |
| | v.
Rodney G. Summers, Appellant. | Jessica R. Kunen | |
| Summary Calendar—No Oral Argument | | | |
| 64,040 | Dorothy M. Guliford, Appellant, | James B. Zongker | Sedgwick |
| | v.
Beech Aircraft Corp. and Travel Air
Insurance Co., Appellees. | Jeff C. Spahn | |
| 63,469 | Therell Bright Warren, Appellant, | Jessica R. Kunen | Reno |
| | v.
State of Kansas, Appellee. | Attorney General
Timothy J. Chambers | |
| 63,712 | State of Kansas, Appellee, | Debra S. Byrd
Attorney General | Sedgwick |
| | v.
Lee A. Taylor, Appellant. | Jessica R. Kunen | |

LEWIS C. CARTER
Clerk of the Appellate Courts

State of Kansas

UNIVERSITY OF KANSAS

NOTICE TO BIDDERS

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

Thursday, January 4, 1990

RFQ 90 0724

Two (2) each UV/VIS Double-Beam Spectrophotometers

GENE PUCKETT, L.C.P.M. Director of Purchasing

Doc. No. 008644

State of Kansas

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 notice.

Questions concerning applications for hearing dates should 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 Procedure Before the Commission."

Applications set for January 9, 1990

Application for Extension of Certificate of Convenience and Necessity:

Branson Truck Line, Inc.) Docket No. 25,549 M
1309 Hwy. 56 East, Box 698)
Lyons, KS 67554) MC ID No. 100125

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka Blvd., Topeka, KS 66603-3294

Livestock,

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

James Gordon Jackson) Docket No. 169,108 M
Route 1, Box 157A)
Erie, KS 66733) MC ID No. 135977

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

Grain, dry feed, dry feed ingredients, salt, dry fertilizer, dry fertilizer ingredients,

Between all points and places in Republic, Cloud, Ot-

tawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Douglas, Wyandotte, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee counties, Kansas.

And,

Between all points and places in the above-referenced counties, on the one hand, and the state of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Orrin's 66 Service, Inc.) Docket No. 169,105 M
200 N. Main)
South Hutchinson, KS 67505) MC ID No. 135691

Applicant's Attorney: William Mitchell, 119 W. Sherman, P.O. Box 604, Hutchinson, KS 67504-0604

Wrecked, disabled, repossessed and replacement motor vehicles and trailers and automotive parts associated therewith,

Between all points and places in Reno, Pratt, Kingman, Sumner, Sedgwick, Harvey, McPherson, Rice and Stafford counties.

Also,

Between all points and places in the foregoing counties, on the one hand, and the state of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Eldon V. Parkman, dba) Docket No. 169,107 M
Parkman Trucking)
Route 1, Box 156)
Emporia, KS 66801) MC ID No. 135692

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

Hay, grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients,

Between all points and places in the state of Kansas.

Seeds, salt, construction and building materials, fencing materials and machinery,

Between points and places in Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Riley, Geary, Morris, Chase, Marshall, Pottawatomie, Wabaunsee, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Atchison, Jefferson, Douglas, Franklin, Anderson, Allen, Neosho, Labette, Doniphan, Leavenworth, Wyandotte, Johnson, Miami, Linn, Bourbon, Crawford and Cherokee counties.

Also,

Between points and places in the above described ter-

ritory, on the one hand, and points and places in the state of Kansas, on the other hand.

Amended Application for Certificate of Convenience and Necessity:

Marion L. Phillips) Docket No. 168,457 M
202 Senior)
Waverly, KS 66871) MC ID No. 135677

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614
Dry feed, dry feed ingredients, salt, seeds, dry fertilizer, building and construction materials, fencing materials and machinery.

Between points and places in Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Riley, Geary, Morris, Chase, Marshall, Pottawatomie, Wabaunsee, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Wyandotte, Douglas, Franklin, Anderson, Allen, Neosho, Labette, Johnson, Miami, Linn, Bourbon, Crawford and Cherokee counties.

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 Certificate of Convenience and Necessity:

Wright Oil, Inc.) Docket No. 169,111 M
301 W. Fowler)
Medicine Lodge, KS 67104) MC ID No. 115531

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

Grain, grain products, fertilizer, fertilizer ingredients, feed, feed ingredients, salt, building and construction materials, petroleum products and pallets,

Between points in Trego, Ellis, Russell, Lincoln, Ottawa, Ellsworth, Saline, Dickinson, Geary, Morris, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Hodgeman, Pawnee, Stafford, Reno, Harvey, Ford, Edwards, Kiowa, Pratt, Kingman, Sedgwick, Butler, Greenwood, Clark, Comanche, Barber, Harper, Sumner, Cowley, Elk and Chautauqua counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Kurt Larson, dba) Docket No. 169,110 M
Larson Trucking)
Route 1)
Waterville, KS 66548) MC ID No. 136098

Applicant's Attorney: None

Grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, salt,

Between all points and places in Marshall, Washington, Nemaha, Clay, Riley, Wyandotte, Douglas, Republic, Saline and Dickinson counties, Kansas, on the one hand, and the state of Kansas, on the other.

Amended Application for Certificate of Convenience and Necessity:

Keller & Johnson) Docket No. 168,472 M
Transport, Inc.)
1158 Maize)
Colby, KS 67701) MC ID No. 135684

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

General commodities (except household goods, classes A and B explosives, commodities requiring refrigeration and liquid bulk commodities),

Between points and places in Cheyenne, Sherman, Wallace, Greeley, Rawlins, Thomas, Logan, Wichita, Scott, Decatur, Sheridan, Gove, Lane, Norton, Graham, Trego, Ness, Phillips, Rooks, Ellis, Rush, Smith, Osborne, Russell and Barton counties, Kansas.

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.

Livestock, hay, dry feed, dry feed ingredients, salt, seeds, dry fertilizer, building and construction materials, fencing materials and machinery,

Between points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Scott, Kearny, Grant, Stevens, Decatur, Sheridan, Gove, Lane, Finney, 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 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:

Travis & Dean Goodheart,) Docket No. 169,109 M
dba)
Goodheart Trucking)
1045 Maize Road)
Colby, KS 67701) MC ID No. 136196

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

(continued)

Grain, grain products, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients (except ammonium nitrate), building and construction materials, and salt,

Between all points and places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Jewell, Republic, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Mitchell, Cloud, Wallace, Logan, Gove, Trego, Ellis, Russell, Lincoln, Ottawa, Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Ellsworth, Saline, Rice and McPherson counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Crouse Trucking, Inc.) Docket No. 169,106 M
1501 Burlington)
North Kansas City, MO 64116) MC ID No. 134217

Applicant's Attorney: Arthur Cerra, 6824 Cherokee Lane,
Mission Hills, KS 66208

General commodities (except classes A and B explosives, household goods, commodities in bulk, hazardous materials, salt and salt water),

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

Also,

Between points and places in the above named counties in Kansas, on the one hand, and on the other, all points and places in Kansas on and east of U.S. 83.

ALFONZO A. MAXWELL
Administrator
Transportation Division

Doc. No. 008650

State of Kansas

ANIMAL HEALTH DEPARTMENT

PERMANENT ADMINISTRATIVE REGULATIONS

Article 7.—MOVEMENT OF LIVESTOCK INTO OR THROUGH KANSAS

9-7-7. Swine. (a) All swine imported into Kansas shall be identified to the farm of origin.

(b) All swine importers of feeding, breeding and feral swine shall produce a certificate of veterinary inspection and a permit issued by the Kansas animal health department upon entry to the state of Kansas. All classes of swine from herds of origin consigned to slaughter in Kansas or consigned to an approved Kansas market are exempt. "Herd of origin" as defined in subpart A general provision 78.1 of code of federal regulations in effect on January 1, 1988 is hereby adopted by reference.

(c) All imported swine shall originate from herds free of pseudorabies. Any herd may be classified free by the monitoring system approved by the state of origin. Swine that have been pseudorabies vaccinated shall not enter

Kansas, except on special permission of the livestock commissioner.

(d) All breeding swine, regardless of age, shall be tested and found negative for brucellosis and pseudorabies within 30 days of entry, or shall be from a validated brucellosis-free and qualified pseudorabies-free herd as defined in subpart A, general provision of 78.1 and part 85, pseudorabies, sec. 85.1 of the code of federal regulations, as in effect on Jan. 1, 1988, which is hereby adopted by reference. All breeding swine shall be quarantined for 21 to 45 days and shall be retested for brucellosis and pseudorabies.

(e) All feeder swine imported into Kansas shall be held under quarantine until fed out and delivered for slaughter.

(f) Swine importers may prefile a written modified quarantine and/or test requirement plan for approval from the livestock commissioner. (Authorized by K.S.A. 47-607, implementing 47-607 and 47-610 as amended by L. 1989, ch. 156, §16; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982; amended Feb. 5, 1990.)

Article 17.—PSEUDORABIES IN SWINE

9-17-1. Definitions. (a) "Herd" means all swine on the premises of any person owning or possessing swine.

(b) "Negative herd test" means all breeding-age animals are negative to an approved pseudorabies test or tests conducted by an approved diagnostic laboratory.

(c) "Monitored herd test" means a herd in which an approved percentage or qualifying number of breeding animals in the herd have been tested and are negative to an approved pseudorabies test.

(d) "Pseudorabies infected herd" means any herd that has been determined to be infected with pseudorabies by an official pseudorabies test or diagnosed by a veterinarian as having pseudorabies.

(e) "Exposed animal" means any animal that has been in contact with an animal infected with pseudorabies.

(f) "Exhibition swine" means swine that are to be exhibited in public view.

(g) "Swine slaughter show" means a show at which all swine on the premises are slaughtered immediately following their exhibition and swine may exhibit without a negative pseudorabies test.

(h) "Breeding herd" means all swine on the premises six months of age and older maintained for breeding purposes and which shall be kept separate and apart from all other swine except their progeny less than eight weeks of age.

(i) "Pseudorabies monitored qualified feedlot" means a licensed premise that feeds swine originating from a qualified pseudorabies negative tested herd or a monitored pseudorabies negative herd.

(j) "Swine feedlot" means licensed premises that purchase, grow and/or finish swine. They may be animals of unknown status from either intra or interstate sources.

(k) "Quarantine swine feedlot" means premises that may feed swine from a known infected or exposed quarantined herd located in Kansas.

(l) "Circle testing" means testing all swine including those in feedlots within a 1.5 mile radius of infected prem-

ises by either testing of all breeding swine or by a monitored herd test for pseudorabies.

(m) "Mandatory infected herd plan" means any herd owner that has been determined to be infected with pseudorabies shall develop an acceptable herd plan to eradicate the virus from the owner's premises. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 154, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing 47-607d as amended by L. 1989, ch. 154, § 14, 47-608 as amended by L. 1989, ch. 156, § 15; 47-610 as amended by L. 1989, ch. 156, § 16; effective Sept. 26, 1988; amended Feb. 5, 1990.)

9-17-2. Qualified pseudorabies negative herd. (a) Qualified pseudorabies negative herd status shall be attained by subjecting all swine over six months of age to an official pseudorabies test and finding all swine so tested to be negative. Each herd shall not have been a known infected herd within the last 30 days before the test. Ninety percent of the swine in the herd shall have been on the premises for at least 50 days prior to testing.

(b) Each qualified pseudorabies negative herd status shall be maintained by subjecting all swine in the herd over six months of age to an official pseudorabies test at least once each year. This shall be accomplished by:

(1) (A) testing 25 per cent of the swine over six months of age, every 80-105 days with negative results for all tested; or

(B) testing 10 per cent of the herd each month with negative results for all tested; and

(2) finding the entire herd negative for pseudorabies as a result of tests performed in paragraph (1) (A) and (B).

(c) All swine to be added to a qualified negative herd shall be isolated until they have passed two official negative tests. The first test shall be conducted 30 days or more after the start of isolation. The second test shall be conducted 30 days or more after the first test. Any modification of these requirements shall have prior approval from the livestock commissioner. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; 46-610 as amended by L. 1989, ch. 156, § 16; effective Sept. 26, 1988; amended Feb. 5, 1990.)

9-17-3. Eradication of pseudorabies from infected swine herds. (a) The herd owner of a pseudorabies infected herd shall submit a mandatory infected herd plan within 60 days after discovery of the infection.

(b) (1) Any swine may be fed out for slaughter, or moved to a quarantined feed lot after approval for direct movement and a shipping permit by the Kansas animal health department for direct movement.

(2) Swine shall not be eligible for exhibition if they originate from a known infected herd.

(c) Any swine herd owner possessing pseudorabies infected tissue or a carcass may dispose of the tissue or carcass by deep burial, removal to a rendering plant, or incineration. The infected swine herd shall be isolated from all other animals. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing K.S.A. 47-607d

as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; effective Sept. 26, 1988; amended Feb. 5, 1990.)

9-17-4. Exhibition swine. All swine shall pass an official pseudorabies test approved by the livestock commissioner within 60 days before the opening date of exhibition, except:

(a) Swine from a qualified pseudorabies negative herd;

(b) Swine qualifying for slaughter shows where all swine on the premises are slaughtered immediately following exhibition and no other species of animals are on the premises; or

(c) Suckling pigs accompanying tested and negative dams. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing 47-607d as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; and 47-610 as amended by L. 1989, ch. 156, § 16; effective September 26, 1988; amended Feb. 5, 1990.)

9-17-6. Change of ownership. All breeding swine that are offered for sale shall be tested for pseudorabies or originate from a qualified pseudorabies negative herd. The seller shall be responsible for the testing. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing 47-607d as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; and 47-610 as amended by L. 1989, ch. 156, § 16; effective Feb. 5, 1990.)

9-17-7. Monitored qualified feedlot breeding swine. Animals for breeding purposes originating in a pseudorabies monitored qualified feedlot shall be separated 21 to 45 days prior to being tested for pseudorabies. A positive test shall result in the loss of pseudorabies monitored qualified feedlot status. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; and 47-610 as amended by L. 1989, ch. 156, § 16; effective Feb. 5, 1990.)

9-17-8. Swine Feedlot Restrictions. Sale of animals from a swine feedlot are restricted to sale for slaughter only or for sale to another approved swine feedlot. (Authorized by K.S.A. 47-607d as amended by L. 1989, ch. 156, § 14; 47-610 as amended by L. 1989, ch. 156, § 16; implementing 47-607d as amended by L. 1989, ch. 156, § 14; 47-608 as amended by L. 1989, ch. 156, § 15; and 47-610 as amended by L. 1989, ch. 156, § 16; effective Feb. 5, 1990.)

DR. A.T. KIMMELL
Kansas Livestock Commissioner

Doc. No. 008634

State of Kansas
BOARD OF HEALING ARTS
PERMANENT ADMINISTRATIVE
REGULATIONS

Article 38.—FEES

100-38-1. Amount. The following fees shall be collected by the board. The appropriate fee shall accompany the application. The fee shall not be refundable.

- (a) Application fee \$40.00
- (b) Examination fees:
 - (1) Physical Therapists \$115.00
 - (2) Physical Therapy Assistants \$100.00
- (c) Re-examination fees:
 - (1) One part only \$40.00
 - (2) More than one part \$115.00
- (3) Physical Therapist Assistant \$100.00
- (d) Annual Renewal of registration \$30.00
- (e) Revival fees:
 - (1) Delinquent fee \$10.00
 - (2) Additional fee \$30.00
- (f) Certified Copy \$15.00
- (g) Duplicate license \$15.00
- (h) Temporary permit \$15.00

(Authorized by K.S.A. 1988 Supp. 65-2911; implementing K.S.A. 65-2910; effective Jan. 1, 1966; amended Jan. 1, 1973; amended May 1, 1975; effective May 1, 1986; amended T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990.)

Article 54.—OCCUPATIONAL THERAPY

100-54-4. Fees. The following fees shall be charged and collected in advance by the board:

- (a) Application fee \$40.00
- (b) (1) Registration renewal fee \$30.00
- (2) Registration late renewal fee \$35.00
- (3) Registration reinstatement fee \$40.00
- (c) Fee for certified copy of registration ... \$15.00
- (d) Temporary registration fee \$15.00
- (e) Fee for each board administered examination \$190.00

(Authorized by K.S.A. 1988 Supp. 65-5405; implementing K.S.A. 1988 Supp. 65-5409, as amended by L. 1989, Ch. 202, Sec. 2; effective T-88-17, July 1, 1987; effective May 1, 1988; amended T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990.)

Article 55.—RESPIRATORY THERAPY

100-55-4. Fees. The following fees shall be charged and collected in advance by the board:

- (a) Application fee \$ 40.00
- (b) (1) Registration renewal fee \$ 30.00
- (2) Registration late renewal fee \$ 35.00
- (3) Registration reinstatement fee \$ 40.00
- (c) Fee for certified copy of registration ... \$ 15.00
- (d) Special permit fee \$ 15.00
- (e) Temporary registration fee \$ 15.00

- (f) Fee for each board administered examination \$190.00

(Authorized by K.S.A. 1988 Supp. 65-5505; implementing K.S.A. 1988 Supp. 65-5509, as amended by L. 1989, Ch. 202, Sec. 1; effective T-88-17, July 1, 1987; effective May 1, 1988, amended T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990.)

Article 60.—PHYSICIANS' ASSISTANTS

100-60-1. Fees. The following fees shall be collected by the board.

- (a) Initial Registration \$70.00
- (b) Temporary Registration \$15.00
- (c) Renewal of Registration \$50.00
- (d) Late Renewal of Registration \$10.00
- (e) Reinstatement of Registration \$20.00
- (f) Certified Copy of Registration \$15.00
- (g) Copy of Registration Certificate \$15.00

(Authorized by and implementing K.S.A. 1988 Supp. 65-2896, as amended by L. 1989, Ch. 197, Sec. 1; effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; amended T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990.)

100-60-15. Expiration of registration. The registration of each physicians' assistant shall expire on December 31 of each year. (Authorized by and implementing K.S.A. 1988 Supp. 65-2896, as amended by L. 1989, Ch. 197, Sec. 1; effective T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990.)

RICHARD GANNON
 Executive Director

Doc. No. 008632

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT
PERMANENT ADMINISTRATIVE
REGULATIONS

Article 31.—HAZARDOUS WASTE MANAGEMENT
STANDARDS AND REGULATIONS

28-31-1. General provisions. (a) Any reference in these rules and regulations to standards, procedures, or requirements of 40 CFR Parts 124, 260, 261, 262, 263, 264, 265, 266, 268, or 270 inclusive shall constitute a full adoption by reference of the part, subpart, and paragraph so referenced, including any notes and appendices associated therewith, unless otherwise specifically stated in these rules and regulations.

(b) When used in any provision adopted from 40 CFR Parts 124, 260, 261, 262, 263, 264, 265, 266, 268, or 270 inclusive, references to "the United States" shall be replaced with "the state of Kansas," "environmental protection agency" shall be replaced with the "Kansas department of health and environment," "administrator" or "regional administrator" shall be replaced with the "secretary" and "Federal Register" shall be replaced with the "Kansas Register." (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch.

48, Sec. 87; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987, amended May 1, 1988; amended Feb. 5, 1990.)

28-31-2. Definitions. (a) Incorporation. 40 CFR 260 subpart B, as in effect on July 1, 1989, is adopted by reference.

(b) "Disposal authorization" means approval from the secretary to dispose of hazardous waste in Kansas.

(c) "EPA generator" means any person who generates 1,000 kilograms or more of hazardous waste in a calendar month or who accumulates quantities greater than 1,000 kilograms at any time. An EPA generator also includes any person who generates one kilogram or more of acutely hazardous waste in a calendar month or who accumulates quantities greater than one kilogram of acutely hazardous waste at any time.

(d) "Hazardous waste disposal application" means the written information which a hazardous waste generator, transporter or disposal facility is required to submit to the department in order to obtain disposal authorization.

(e) "Kansas generator" means any person who generates a minimum of 25 kilograms but less than 1,000 kilograms of hazardous waste in a calendar month and who does not accumulate quantities greater than 1,000 kilograms at any time.

(f) "Small quantity generator" means any person who generates less than 25 kilograms of hazardous waste in a calendar month and who does not accumulate quantities greater than 1,000 kilograms at any time. A small quantity generator also includes any person who generates less than one kilogram of acutely hazardous waste in a calendar month or who does not accumulate quantities greater than one kilogram of acutely hazardous waste at any time.

(g) Differences between state and federal definitions. When the same word is defined both in the Kansas statutes and in any federal regulation adopted by reference in these rules and regulations and the definitions are not identical, the definition prescribed in the Kansas statutes shall control. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985, amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-3. Identification of characteristics and listing of hazardous waste. (a) Incorporation. 40 CFR Part 261, as in effect on July 1, 1989, is adopted by reference, except for section 261.5.

(b) Rulemaking petitions. 40 CFR Part 260 subpart C, as in effect on July 1, 1989 is adopted by reference. A re-evaluation of a petition that has previously been approved may be conducted by the department at any time. The re-evaluation shall be conducted in accordance with 40 CFR 260.22, as in effect on July 1, 1989. The petitioner shall be notified by the department of the reasons for the re-evaluation and an appropriate time period to resubmit the application or provide additional information shall be provided. The public notice procedures for re-evaluation of the waste shall be conducted in accordance with 40

CFR 260.20, as in effect on July 1, 1989. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-4. Standards for generators of hazardous waste. (a) Purpose, scope and applicability. All generators of hazardous waste and any person who imports hazardous waste into Kansas shall comply with the standards of this regulation. In addition, each owner or operator of a treatment, storage or disposal facility who initiates a shipment of hazardous waste shall comply with the standards of this regulation.

(b) Hazardous waste determination. Any person who generates a solid waste, as defined by 40 CFR 261.2, as in effect on July 1, 1989, shall determine if that waste is a hazardous waste using the following methods.

(1) The person shall first determine if the waste is excluded from regulation under 40 CFR 261.4, as in effect on July 1, 1989.

(2) If it is not excluded under paragraph (1), the person shall next determine if the waste is listed as a hazardous waste in 40 CFR 261 subpart D, as in effect on July 1, 1989.

(3) If the waste is not listed as a hazardous waste in 40 CFR 261 subpart D, as in effect on July 1, 1989, the person shall determine whether the waste is identified in 40 CFR 261 subpart C, as in effect on July 1, 1989 by either:

(A) Submitting the waste for testing according to the methods in 40 CFR 261 subpart C, as in effect on July 1, 1989, by a laboratory which is certified for such analysis by the department; or

(B) Applying knowledge of the hazardous characteristics of the waste in light of materials or processes used.

(4) If the waste is determined to be hazardous, the generator shall refer to 40 CFR 261, 264, 265, 266 and 268, as in effect on July 1, 1989, for possible exclusions or restrictions pertaining to management of each specific waste.

(c) EPA identification numbers.

(1) All Kansas and EPA generators shall apply for and obtain an EPA identification number from the department prior to generating, treating, storing, disposing, transporting, or offering for transportation hazardous waste. A generator who has not received an EPA identification number may obtain one by applying to the department using a form supplied by the department. Whenever there is a change in the information originally submitted to obtain an EPA identification number, the generator shall update that information. The generator shall submit these changes to the department on a form supplied by the department.

(2) A Kansas or EPA generator shall not offer hazardous waste to transporters or to treatment, storage or disposal facilities that do not have an EPA identification number.

(d) Manifest requirements.

(continued)

(1) General Requirements. Each Kansas and EPA generator who transports hazardous waste or offers hazardous waste for transportation for offsite treatment, storage, or disposal shall prepare and use a manifest which complies with EPA form 8700-22, and if necessary, 8700-22A. The generator shall comply with the following requirements.

(A) Each generator shall designate on the manifest one facility which is permitted to handle the waste described on the manifest.

(B) Each generator may also designate on the manifest one alternate facility which is permitted to handle the waste in the event an emergency prevents delivery of the waste to the primary designated facility.

(C) If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator shall either designate another facility or instruct the transporter to return the waste.

(2) Acquisition of manifests. If the shipment is to be transported to a state requiring use of that state's manifest, then the generator shall use the manifest of the consignment state. If the consignment state does not supply the manifest, then the generator may obtain the manifest from any source.

(3) Number of copies. At a minimum, the manifest shall have sufficient copies to provide the generator, each transporter, and the owner or operator of the designated facility with one copy each for their records and another copy to be returned to the generator.

(4) Use of the manifest. The generator shall:

(A) Sign the manifest certification by hand;

(B) Obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest;

(C) Retain one copy for the generator's records; and

(D) Give the transporter the remaining copies of the manifest.

(5) Water shipments. When bulk shipments only of hazardous waste are transported within the United States solely by water, the generator shall send three copies of the manifest, dated and signed in accordance with this section, to the owner or operator of the designated facility or the last bulk water transporter to handle the waste in the United States if exported by water. Copies of the manifest shall not be required for each transporter.

(6) Rail shipments. When rail shipments of hazardous waste within the United States originate at the site of generation, the generator shall send at least three copies of the manifest, dated and signed in accordance with this section, to:

(A) The next non-rail transporter, if any;

(B) The designated facility, if transported solely by rail;

or
(C) The last rail transporter to handle the waste in the United States if exported by rail.

(7) Manifest exemption. The requirements of this subsection shall not apply to Kansas generators when the waste is reclaimed under a contractual agreement pursuant to which:

(A) The type of waste and frequency of shipments are specified in the agreement;

(B) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and

(C) The generator maintains a copy of the reclamation agreement for a period of at least three years after termination or expiration of the agreement.

(e) Pre-transport requirements.

(1) Packaging. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas and EPA generator shall package the waste in accordance with 49 CFR Parts 173, 178, and 179, as in effect on July 1, 1989.

(2) Labeling. Before transporting or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall label each package in accordance with 49 CFR Part 172, as in effect on July 1, 1989.

(3) Marking.

(A) Before transporting or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall mark each package of hazardous waste in accordance with 49 CFR Part 172, as in effect on July 1, 1989.

(B) Before transporting hazardous waste or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall mark each container of 110 gallons or less used in transportation with the following words and information:

HAZARDOUS WASTE—Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.

Generator's Name and Address _____

Manifest Document Number _____

This statement and information shall be displayed in accordance with the requirements of 49 CFR 172.30, as in effect on July 1, 1989.

(4) Placarding. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall placard or offer the initial transporter the appropriate placards according to 49 CFR 172, subpart F, as in effect on July 1, 1989.

(f) Recordkeeping and reporting.

(1) Recordkeeping.

(A) Each Kansas and EPA generator shall keep a copy of each signed manifest. This signed copy shall be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

(B) Each Kansas and EPA generator shall keep a copy of each biennial report and exception report for a period of at least three years from the due date of the report.

(C) Each Kansas and EPA generator shall keep records of any test results, waste analyses, or other determinations for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

(D) The periods for retention referred to in this regulation shall be extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the secretary.

(2) Biennial report.

(A) Each Kansas and EPA generator shall prepare and submit a single copy of a biennial report to the secretary by March 1 of each even-numbered year. The biennial report shall be submitted on a form provided by the department and shall cover generator activities during the previous calendar year or years. The biennial report shall include, but not be limited to, the following information:

(i) The EPA identification number, name, and address of the generator;

(ii) The calendar year or years covered by the report;

(iii) The EPA identification number, name, and address for each off-site treatment, storage, or disposal facility to which waste was shipped. For exported shipments, the report shall give the name and address of the foreign facility;

(iv) The name and EPA identification number of each transporter used;

(v) A description of the waste and the EPA hazardous waste number, DOT hazard class, and quantity of each hazardous waste shipped off-site. This information shall be listed by EPA identification number of each off-site facility to which waste was shipped;

(vi) A description of the efforts undertaken to reduce the volume and toxicity of waste generated;

(vii) A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available; and

(viii) The certification signed by the generator or authorized representative.

(B) Any Kansas or EPA generator who treats, stores, or disposes of hazardous waste on-site shall submit a biennial report covering those wastes in accordance with the provisions of 40 CFR Parts 270, 264, 265, and 266, as in effect on July 1, 1989.

(3) Monitoring fee reports. Each Kansas and EPA generator shall prepare and submit a report to the secretary by March 1 of each year which details the total quantities of hazardous waste produced during the previous year. The generator shall pay and submit the monitoring fee required by K.A.R. 28-31-10(e) with the report.

(4) Exception reporting.

(A) Any Kansas or EPA generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter, shall contact the transporter, the owner or operator of the designated facility or both to determine the status of the hazardous waste.

(B) Each Kansas or EPA generator who has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter shall submit an exception report to the secretary. The exception report shall include:

(i) A legible copy of the manifest for which the generator does not have confirmation of delivery; and

(ii) A cover letter signed by the generator or authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

(5) Additional reporting. At any time, a generator may be required by the secretary to furnish additional reports concerning the quantities and disposition of hazardous wastes.

(g) Accumulation time for EPA generators. Any EPA generator may accumulate hazardous waste on-site for 90 days or less without a permit or without obtaining interim status if:

(1) The waste is placed in containers and the generator complies with 40 CFR 265 subpart I as in effect on July

1, 1989, or the waste is placed in tanks and the generator complies with 40 CFR 265 subpart J, except 265.197(c), 265.200 and 265.201, as in effect July 1, 1989. In addition, the EPA generator is exempt from all the requirements in 40 CFR 265 subparts G and H, except for 265.111 and 265.114, as in effect on July 1, 1989;

(2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;

(3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste"; and

(4) The generator complies with the requirements in 40 CFR 265 subparts C and D and with 265.16, as in effect on July 1, 1989.

(h) Accumulation time for Kansas generators.

(1) Any Kansas generator may accumulate hazardous waste on-site without a permit, interim status or other time restrictions if:

(A) The quantity of waste accumulated never exceeds 1000 kilograms or 1 kilogram of acutely hazardous waste. If at any time more than these quantities are accumulated all of those accumulated wastes shall be subject to those regulations which are applicable to EPA generators;

(B) The waste is placed in containers and the generator complies with 40 CFR 265 subpart I, except 265.176, as in effect on July 1, 1989, or the waste is placed in tanks and the generator complies with 40 CFR 265 subpart J, except 265.197(c), 265.200 and 265.201, as in effect on July 1, 1989. In addition, the Kansas generator is exempt from all the requirements in 40 CFR 265 subparts G and H, except for 265.111 and 265.114, as in effect on July 1, 1989;

(C) The date upon which each period of accumulation begins is clearly marked and visible for inspection;

(D) While being accumulated on-site, each container and tank is labeled or clearly marked with the words, "Hazardous Waste";

(E) At least one employee who is designated as the emergency coordinator is either on the premises or on call at all times with the responsibility for coordinating all emergency response measures specified in this section. "On call" means that the emergency coordinator is available to respond to an emergency by reaching the facility within a short period of time;

(F) The following information is posted next to at least one telephone which is immediately accessible by employees during an emergency:

(i) The name and telephone number of the emergency coordinator;

(ii) The location of fire extinguishers and spill control material, and if present, fire alarms; and

(iii) The telephone number of the fire department unless the facility has a direct alarm;

(G) All employees are thoroughly familiar with proper waste handling and emergency procedures that are relevant to their responsibilities during normal facility operations and emergencies; and

(H) The emergency coordinator or designee is prepared to respond to any emergencies that arise. The appropriate responses are as follows.

(i) In the event of a fire, the emergency coordinator

(continued)

or designee shall call the fire department or attempt to extinguish it using a fire extinguisher.

(ii) In the event of a spill, the emergency coordinator or designee shall contain the flow of hazardous waste to the extent possible, and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil.

(iii) In the event of a fire, explosion, or other release which could threaten human health outside the facility or when it appears that a spill has reached surface water, the emergency coordinator shall immediately notify the National Response Center using their 24-hour toll free number 800/424/8802.

(2) All reports to the National Response Center shall contain the following information:

(A) The name, address, and U.S. EPA Identification Number of the generator;

(B) The date, time, and type of incident;

(C) The quantity and type of hazardous waste involved in the incident;

(D) The extent of any injuries; and

(E) The estimated quantity and disposition of recovered materials, if any.

(i) Extension of accumulation time. Any EPA generator who accumulates hazardous waste for more than 90 days shall be considered an operator of a storage facility and shall be subject to the requirements of 40 CFR Parts 124, 264, 265 and 270, as in effect on July 1, 1989, unless they have been granted an extension to the 90-day period. Such an extension may be granted if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted by the secretary upon written request by the EPA generator. Additional extensions not to exceed 30 days may be granted if the circumstances continue to be valid.

(j) Satellite accumulation areas.

(1) A Kansas or EPA generator may accumulate as much as 55 gallons of each type of hazardous waste or one quart of acutely hazardous waste in no more than one container at or near any point of generation where wastes initially accumulate, and which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with subsections (g) and (h) of the generator:

(A) Complies with 40 CFR 265.171, 265.172, and 265.173(a), as in effect on July 1, 1989, and

(B) Marks the containers with the words "Hazardous Waste."

(2) At the time the generator accumulates more than the amounts listed in this subsection at any satellite accumulation area, the date shall be placed on the full container. This date becomes the accumulation start date for this container and the generator shall move the full container to the hazardous waste storage area within three days. The empty container in which waste is accumulated at the satellite area shall be managed in accordance with paragraph (j)(1) of this subsection.

(k) Inspection requirement. Each Kansas and EPA generator shall document weekly inspections of hazardous waste storage areas in accordance with 40 CFR 265.15(d), as in effect on July 1, 1989.

(l) Transportation restrictions. Any Kansas or EPA gen-

erator shipping hazardous waste or offering hazardous waste for transport shall only use a transporter who has properly registered with the department according to K.A.R. 28-31-6.

(m) Small quantity generator requirements.

(1) Small quantity generators shall be subject to the following requirements:

(A) If at any time more than a total of 1000 kilograms of hazardous waste or one kilogram of acutely hazardous waste is accumulated, all of those accumulated wastes shall be subject to regulations which are applicable to EPA generators. The time period for accumulation of wastes on-site for a small quantity generator begins when the accumulated wastes exceed 1000 kilograms or one kilogram of acutely hazardous waste. Upon exceeding 1000 kilograms of hazardous waste or one kilogram of acutely hazardous waste, all requirements of subsection (g) shall apply to the generator.

(B) A small quantity generator who accumulates 25 kilograms or more of hazardous waste shall either recycle, treat or dispose of the waste in a hazardous waste management facility and shall be subject to the pretransport requirements of paragraph (e) of this regulation.

(C) Each small quantity generator who accumulates up to 25 kilograms of hazardous waste may either treat or dispose of hazardous waste in a permitted on-site facility, or ensure delivery to an off-site storage, treatment, or disposal facility. In either case, the facility shall be:

(i) Permitted under K.A.R. 28-31-9;

(ii) Operating under interim status under K.A.R. 28-31-9;

(iii) Permitted to manage solid waste by K.S.A. 65-3407; or

(iv) A facility which beneficially treats, uses or reuses, or legitimately recycles or reclaims its waste.

(n) Acutely hazardous waste requirements.

(1) All quantities of acutely hazardous waste shall be subject to this regulation and other regulations regarding transportation, treatment, storage and disposal if generated by a generator in the following quantities:

(A) A total of one kilogram of acutely hazardous waste; or

(B) A total of 25 kilograms of any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill, into or on any land or water of any acutely hazardous waste.

(2) In order for acutely hazardous waste generated in quantities less than those set out in paragraph (n)(1) above to be excluded from full regulation, the generator shall comply with subsection (b) of this regulation. The generator may accumulate acutely hazardous waste on-site. If at any time acutely hazardous waste is accumulated in quantities greater than those set forth in paragraph (n)(1), all of those accumulated wastes shall be subject to the requirements of this regulation and other regulations regarding transportation, treatment, storage and disposal. The time period for accumulation of wastes on-site shall begin when the accumulated wastes exceed those quantities set forth in paragraph (n)(1). Upon exceeding these limits, all requirements of subsection (g) shall apply to the generator.

(o) Quantity determinations.

(1) In determining the quantity of hazardous waste generated each calendar month, a generator need not include:

(A) Hazardous waste when it is removed from on-site storage; or

(B) Hazardous waste produced by on-site treatment including reclamation of hazardous waste, so long as the hazardous waste that is treated or reclaimed is counted each time prior to treatment or reclamation.

(2) Hazardous waste that is subject to the requirements of 40 CFR 261.6(b) and (c), as in effect on July 1, 1989, and 40 CFR 266 subparts C, D, F, as in effect on July 1, 1989 shall be included in the quantity determination and shall be subject to the requirements of this regulation.

(p) Mixtures of hazardous waste.

(1) Whenever two or more hazardous wastes are mixed together the resulting mixture shall be regulated as follows:

(A) If a listed hazardous waste as defined by 40 CFR 261 subpart D, as in effect on July 1, 1989, is mixed with other listed hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all listed hazardous waste numbers contained in the mixture.

(B) If a characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1989, is mixed with other characteristic hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all characteristic hazardous waste numbers contained in the mixture. A person may demonstrate that mixing two different characteristic hazardous wastes is a satisfactory treatment method which results in the mixture no longer exhibiting any characteristic of hazardous waste. Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the department.

(C) If a listed hazardous waste as defined by 40 CFR 261 subpart D, as in effect on July 1, 1989, is mixed with characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1989, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all listed and characteristic hazardous waste numbers contained in the mixture.

(2) Whenever hazardous waste is mixed with solid waste or non-hazardous material, other than used oil, the resulting mixture shall be regulated as follows:

(A) For characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1989, the resulting mixture shall remain regulated as a characteristic hazardous waste. A person may demonstrate that mixing characteristic hazardous waste with solid waste or non-hazardous materials is a satisfactory treatment method which results in the mixture no longer exhibiting any characteristic of hazardous waste. Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the department.

(B) For listed hazardous waste, as defined by 40 CFR 261 subpart D, as in effect on July 1, 1989, the resulting mixture shall remain regulated as a listed hazardous waste unless it is listed solely because it exhibits one or more characteristics of hazardous waste identified in 40 CFR

261 subpart C, as in effect on July 1, 1989, and the resulting mixture no longer exhibits these characteristics.

(3) Hazardous waste which is mixed with used oil shall be regulated as follows:

(A) If hazardous waste from a small quantity generator is mixed with used oil, the resulting mixture shall be subject to 40 CFR 266 subpart E, as in effect on July 1, 1989, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment shall also be subject to 40 CFR 266 subpart E, as in effect on July 1, 1989, if it is destined to be burned for energy recovery.

(B) If a Kansas or EPA generator mixes a characteristic or listed hazardous waste with used oil, the resulting mixture shall remain identified as a characteristic or listed hazardous waste.

(4) Small quantity generators may mix their hazardous waste with used oil, non-hazardous waste or other material and remain subject to the requirements of subsection (m) even though the resultant mixture exceeds the quantity limitations of subsection (m), unless the mixture meets any of the characteristics of hazardous waste identified in 40 CFR 261, as in effect on July 1, 1989.

(q) Exports of hazardous waste. 40 CFR 262 subpart E, as in effect on July 1, 1989, is adopted by reference.

(r) Imports of hazardous waste. 40 CFR 262 subpart F, as in effect on July 1, 1989, is adopted by reference. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-5. Hazardous waste disposal authorization. (a) Scope. A person shall not transport a hazardous waste for off-site disposal or offer a hazardous waste for transport for off-site disposal in Kansas without first obtaining disposal authorization from the department. A hazardous waste disposal facility permitted in Kansas shall not accept any hazardous waste for disposal without evidence of a disposal authorization issued by the department.

(b) Hazardous waste disposal application. A hazardous waste disposal application shall be made on a form prepared or approved by the department. Laboratory analyses required for preparation of a hazardous waste disposal application shall be conducted by a laboratory certified for such analyses by the department. The application shall be reviewed by the department and if all procedures and information are found to be satisfactory, a disposal authorization number shall be issued for a specified time period. If any changes occur in the character of the waste or if handling or disposal procedures are to be altered from those reported on the original hazardous waste disposal application, the person shall submit immediately a revised hazardous waste disposal application and shall obtain another disposal authorization before proceeding with any off-site transportation or disposal.

(c) Laboratory certification. All laboratories desiring to be certified to perform analyses required in subsection (b) shall comply with all conditions, procedures, stand-

(continued)

ards, and fees specified in K.A.R. 28-15-35 through 28-15-37.

(d) Emergency disposal authorization. In the event of an emergency, the written application requirement prescribed in subsection (b) may be waived by the department and an emergency disposal authorization may be granted. The conditions, procedures, and time limitations for which the emergency disposal authorization is granted shall be specified by the department. Persons granted emergency disposal authorizations shall complete a hazardous waste disposal application and submit it to the department within 15 days after the incident.

(e) Exception requests to the prohibition against underground burial of hazardous waste. Any person may petition the secretary to be granted an exception to the prohibition against underground burial of hazardous waste. All requests shall include the following:

(1) A complete chemical and physical analysis of the waste;

(2) A list and description of all technologically feasible methods which could be considered to treat, store or dispose of the waste;

(3) For each method described in paragraph (2), an economic analysis based upon a 30-year time period. The analysis shall determine the costs associated with treating, storing, disposing and monitoring the waste during this time period; and

(4) A demonstration that no economically reasonable or technologically feasible methodology exists for the disposal of that specific hazardous waste except for underground burial.

(f) Public notice and hearing for exception requests. Upon receipt of a request for an exception to the prohibition against underground burial of hazardous waste, the following actions shall be initiated:

(1) The request shall be reviewed by the department to determine if it is complete and does not contain any deficiencies. If the request is not adequate, the person shall be notified of the specific deficiencies.

(2) Upon receipt of a complete request, a notice shall be published by the secretary once per week for three consecutive weeks in a newspaper having major circulation in the county in which the exception is requested. The required published notice shall identify the applicant and the specific waste along with a description of proposed disposal methods. In addition, the notice shall include a map indicating the location of proposed underground burial and the address of the location where the application and related documents may be reviewed and of the location where copies may be obtained. The notice shall describe the procedure by which the request will be reviewed, including a date and place for a public hearing. The public hearing shall be scheduled no sooner than 30 days from the date of the first public notice. A copy of the notice shall also be transmitted by the secretary to the clerk of any city which is located within three miles of the proposed underground burial site.

(3) A notice shall be published by the secretary in the Kansas Register once per week for three consecutive weeks. That notice shall contain the same information required above.

(4) A public hearing shall be conducted at a location near the proposed underground burial facility. A hearing

officer who is responsible for its scheduling and orderly conduct may be designated by the secretary. Any person may submit oral or written comments and data concerning the exception request. Reasonable limits may be set upon the time allowed for oral statements, and the submission of statements in writing may be required. The public comment period shall automatically be extended to the close of any public hearing. The hearing officer may also extend the comment period by so stating at the hearing. A tape recording or written transcript of the hearing shall be made available to the public. The hearing officer shall submit a report to the secretary detailing all written and oral comments submitted during the public comment period. The report may also recommend findings and determinations.

(g) Approval or denial of exception request. If it is determined that the exception request is valid, an order shall be issued by the secretary. The order may require such conditions as the secretary deems necessary to protect public health and environment. If it is determined that there is not sufficient evidence to approve the request, the applicant shall be notified of the reasons why the request is not valid. A public notice of the final decision to grant or deny the exception request shall be given in the newspaper having major circulation in the county in which the exception was requested and in the Kansas Register. A copy of the final decision shall be transmitted to the clerk of any city which is located within three miles of the proposed underground burial site by the secretary. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; and K.S.A. 1988 Supp. 65-3458; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-86-6, March 22, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 5, 1990.)

28-31-6. Standards for transporters of hazardous waste. (a) Incorporation. 40 CFR Part 263 except 263.20(h), as in effect on July 1, 1989, is adopted by reference.

(b) Registration. In addition to the requirements of subsection (a), any person transporting more than 25 kilograms of hazardous waste or one kilogram of acutely hazardous waste within, into, out of, or through Kansas shall register with the department. The registration shall be on forms provided by the department. A person shall not transport hazardous waste within, into, out of, or through Kansas without written acknowledgement from the department that registration is complete. A copy of the written acknowledgement shall be carried in all vehicles and shall be available for review upon request.

(c) Insurance requirements. Each transporter of hazardous waste in Kansas shall secure and maintain liability insurance on all vehicles transporting hazardous waste. The limits of insurance shall not be less than \$500,000.00 per person and \$500,000.00 per occurrence for bodily injury or death and \$500,000.00 for all damages to the property of others. When combined bodily injury or death and property damage coverage are provided, the total limits shall not be less than \$500,000.00. Transporters of hazardous waste who are required to maintain liability insurance as prescribed in 40 CFR Part 387, as in effect

on July 1, 1989, shall be exempt from these minimum insurance requirements. Should any of the coverages be reduced or cancelled, the transporter shall notify the department at least 35 days before the effective date of that action. Proof of periodic renewal in the form of a certificate of insurance showing the monetary coverage and the expiration date shall also be furnished before the expiration date of the policy.

(d) Denial, suspension or revocation of registration. An application may be denied and a transporter's registration may be revoked or suspended by written notice if the department determines that any of the following apply:

(1) The transporter failed or continues to fail to comply with any of the provisions of the air, water or waste statutes relating to environmental protection or to the protection of public health, including rules and regulations issued thereunder in this or any other state or by the federal government, or any condition of any permit or license issued by the secretary; or

(2) The transporter has shown a lack of ability or intention to comply with one or more provisions of any law referred to in this subsection, or any rule or regulation or order or permit issued pursuant to any such law, as indicated by past or continuing violations; or

(3) The transporter, or any person who holds an interest in, who exercises total or partial control of or who does business with the transporter or a principal of the parent corporation, was a principal of another corporation which would not be eligible for registration.

(e) Manifesting exemption. A transporter transporting hazardous waste from a Kansas generator shall not be subject to the requirements of 40 CFR 263 subpart B, as in effect on July 1, 1989, if:

(1) The waste is being transported pursuant to a reclamation agreement as provided for in K.A.R. 28-31-4(d)(7);

(2) The transporter records, on a log or shipping paper, the following information for each shipment:

(A) The name, address, and EPA identification number of the generator of the waste;

(B) The quantity of the waste accepted;

(C) All shipping information required by the U.S. Department of Transportation; and

(D) The date the waste is accepted.

(3) The transporter carries this record when transporting the waste to the reclamation facility; and

(4) The transporter retains these records for a period of at least three years after termination or expiration of the agreement.

(f) Transportation restrictions. A transporter who has not provided proper notification in accordance with K.A.R. 28-31-4(c) and 40 CFR 264 and 265 as in effect on July 1, 1989 shall not collect or transport hazardous waste for a generator or a treatment, storage or disposal facility. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982, amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-8. Standards for hazardous waste storage, treatment, and disposal facilities. (a) Incorporation. 40

CFR Parts 264 and 265 as in effect on July 1, 1989, are adopted by reference.

(b) Marking requirements. An operator of a hazardous waste container or tank storage facility shall mark all containers and tanks in accordance with the standards of K.A.R. 28-31-4(g)(2) and (3).

(c) Notice in deed to property. The owner of the property on which a hazardous waste treatment, storage or disposal facility is located shall record, in accordance with Kansas law, a notice with the county register of deeds where the property is located that the land has been used to manage hazardous waste and that all records regarding permits, closure or both are available for review at the department offices in Topeka.

(d) Restrictive covenants and easements.

(1) The owner of the property on which a hazardous waste treatment, storage or disposal facility is located may be required by the secretary to execute and file with the county register of deeds a restrictive covenant to run with the land that shall:

(A) Specify the uses which may be made after closure;

(B) Require that any future uses of the property after closure shall be conducted in a manner so as to preserve the integrity of waste containment systems designed, installed and used during operation of the disposal areas, or installed or used during the post-closure maintenance period;

(C) Require the owner or tenant to preserve and protect all permanent survey markers and benchmarks installed at the facility;

(D) Require the owner or tenant to preserve and protect all environmental monitoring stations installed at the facility; and

(E) Require subsequent property owners or tenants to provide written notice to the department during planning of any improvement to the site and to receive approval from the department before commencing any excavation or construction of permanent structures or drainage ditches, alteration of contours, removal of waste materials stored on the site, changes in vegetation grown on areas used for waste disposal, the production or sale of food chain crops grown on land used for waste disposal, or removal of security fencing, signs, or other devices installed to restrict public access to waste storage or disposal areas.

(2) The owner of the property on which a hazardous waste treatment, storage and disposal facility is located may be required by the secretary to execute an easement whereby the department, its duly authorized agents or contractors employed by or on behalf of the department may enter the premises to:

(A) Complete items of work specified in a site closure plan required to be submitted by K.A.R. 28-31-8;

(B) Perform any item of work necessary to maintain or monitor the area during the post-closure period; and

(C) Sample, repair, or reconstruct environmental monitoring stations constructed as part of the site operating or post-closure requirements.

(3) Any offer or contract for the conveyance of easement, title, or other interest to real estate used for treatment, storage or disposal of hazardous waste shall disclose all terms, conditions, and provisions for care and subse-

(continued)

quent land uses which are imposed by these regulations or the site permit authorized and issued under K.S.A. 65-3431. Conveyance of title, easement, or other interest in the property shall contain provisions for the continued maintenance of waste containment and monitoring systems.

(4) All covenants, easements, and other documents related to this regulation shall be permanent, unless extinguished by agreement between the property owner and the secretary. Recording fees shall be paid by the owner of the property.

(e) Hazardous waste injection wells. All hazardous waste injection wells shall be designed, constructed and operated to comply with applicable requirements of K.A.R. 28-46-1 through K.A.R. 28-46-41. In addition, wastes received from multiple generators by a hazardous waste facility, even if treated at the hazardous waste facility before injection, shall be batch-tested and the chemical composition confirmed by laboratory analyses prior to injection. However, laboratory analysis of the composition of homogeneous and continuously generated injection fluids generated and disposed at a single site may be allowed on a monthly basis. The results of such laboratory analysis shall be the basis upon which the secretary will determine whether injection of the fluids may occur. Monitoring shall be required for each constituent that was approved for injection. Monitoring of specified indicator constituents rather than the approved list of constituents may be allowed by the secretary, and monitoring of other constituents may be required as deemed necessary.

(f) Groundwater monitoring. All samples analyzed in accordance with 40 CFR 264 and 265 subpart F, as in effect on July 1, 1989, shall be conducted by a laboratory which is certified for such analyses by the department. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-8a. Treatment of hazardous waste for energy recovery. (a) Purpose, scope and applicability. Any method, technique or process used to recover energy from a hazardous waste shall be considered hazardous waste treatment and shall comply with the requirements of K.A.R. 28-31-8 and K.A.R. 28-31-9, if the waste meets any of the following specifications:

- (1) The heat value is less than 6000 BTU/pound;
- (2) The total sulfur is greater than 3 percent;
- (3) PCB's are greater than 50 ppm; or
- (4) Total halogens are greater than 5 percent.

(b) Exemption. This regulation shall not apply if the facility generates less than 25 kilograms of hazardous waste per month and the waste is burned onsite to recover useful energy in a device determined by the department to have sufficient destruction and removal efficiency to protect human health and environment. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective, T-85-42, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-8b. Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities. 40 CFR Part 266, as in effect on July 1, 1989, is adopted by reference. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective Feb. 5, 1990.)

28-31-9. Hazardous waste storage, treatment, and disposal facility permits. (a) Incorporation. 40 CFR Part 270 and Part 124 subparts A, B, E, and F, as in effect on July 1, 1989, are adopted by reference.

(b) Hazardous waste injection wells. Each permit for a hazardous waste injection well shall be reviewed at least annually to determine whether any reason exists to modify, revoke or reissue the permit.

(c) Background investigation. Prior to submitting any application for a hazardous waste facility permit, the applicant shall submit a disclosure statement. The disclosure statement shall include the following information: the name of the corporation, past corporate names, the place or places of incorporation, the names of officers; the names of former officers and directors, partnership or joint venture information, ownership and debt liability, subsidiaries and stock holdings, financial history, employee data, experience and credentials, licenses and permits, environmental violations history, environmental judgments and litigation, and criminal proceedings. This information shall be submitted on forms provided by the department. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990.)

28-31-14. Land disposal restrictions. Incorporation. 40 CFR 268, as in effect on July 1, 1989 is adopted by reference. (Authorized by and implementing K.S.A. 1988 Supp. 65-3431, as amended by L. 1989, Ch. 48, Sec. 87; effective May 1, 1988; amended Feb. 5, 1990.)

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 008633

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

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

Name and Address of Applicant	Waterway	Type of Discharge
Hay and Forage Industries P.O. Box 4000 Hesston, KS 67062-2094	Little Arkansas River via Middle Emma Creek, Little Arkansas River Basin	Process and cooling water

Harvey County, Kansas

Kansas Permit No: I-LA07-B001 Fed. Permit No. KS-0080951

Description of Facility: This facility is engaged in manufacturing of specialized farm equipment. Non-contact cooling water, metal finishing and boiler blowdown wastewater is directed to a settling basin and surge pond prior to discharge. This is an existing facility and the previous limitations have been modified. Proposed effluent

limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to January 19 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-75) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health and Environment

Doc. No. 008646

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*.

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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

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4-1-17	Amended	V. 8, p. 1070
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4-2-17	Revoked	V. 8, p. 1087
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4-4-2	Amended	V. 8, p. 1070
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4-7-904	New	V. 8, p. 1731, 1732
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AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

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5-23-9	Revoked	V. 8, p. 1089

AGENCY 7: SECRETARY OF STATE

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7-34-1	New	V. 8, p. 1183
7-35-1	New	V. 8, p. 1556
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16-7-9	New	V. 8, p. 1326, 1327
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23-3-8	Revoked	V. 8, p. 1629
23-3-10	Revoked	V. 8, p. 1629
23-3-11	Revoked	V. 8, p. 1629

(continued)

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
23-8-23	Revoked	V. 8, p. 1525
23-8-25	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
23-14-1	Revoked	V. 8, p. 1356
23-17-1	Revoked	V. 8, p. 1356
23-17-2	Revoked	V. 8, p. 1356
23-17-3	Revoked	V. 8, p. 1356
23-18-1	Revoked	V. 8, p. 1525
23-18-3	Revoked	V. 8, p. 1629
23-18-4	Revoked	V. 8, p. 1629

AGENCY 25: GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	Vol. 8, p. 1290

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1 through 26-8-10	New	V. 8, p. 1557
26-9-1 through 26-9-4	New	V. 8, p. 1557, 1558

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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	V. 8, p. 1636
28-4-410	Amended	V. 8, p. 1636
28-4-411	Amended	V. 8, p. 1637
28-4-412	Revoked	V. 8, p. 1637
28-4-413	Amended	V. 8, p. 1637
28-16-110 through 28-16-138	New	V. 8, p. 517-520
28-16-137	Amended	V. 8, p. 1559
28-16-137	Amended	V. 8, p. 1638
28-19-7	Amended	V. 8, p. 1291
28-19-8	Amended	V. 8, p. 1292
28-19-14	Amended	V. 8, p. 1293
28-19-16a	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
28-33-11	New	V. 8, p. 1211
28-33-12	New	V. 8, p. 1212
28-39-77	Amended	V. 8, 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
28-39-226	Amended	V. 8, p. 203

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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
30-4-70	Amended	V. 8, p. 714
30-4-73	Amended	V. 8, p. 1181
30-4-74	Amended	V. 8, p. 715
30-4-75	Amended	V. 8, p. 715
30-4-85a	Amended	V. 8, p. 1181
30-4-90	Amended	V. 8, p. 1182
30-4-100	Amended	V. 8, p. 715
30-4-101	Amended	V. 8, p. 715
30-4-102	Amended	V. 8, p. 715
30-4-110	Amended	V. 8, p. 1182
30-4-111	Amended	V. 8, p. 1662
30-4-112	Amended	V. 8, p. 1662
30-4-113	Amended	V. 8, p. 1182
30-4-120	Amended	V. 8, p. 1182
30-4-130	Amended	V. 8, p. 1662
30-4-140	Amended	V. 8, p. 715
30-5-58	Amended	V. 8, p. 1662
30-5-59	Amended	V. 8, p. 1182
30-5-60	Amended	V. 8, p. 717
30-5-70	Amended	V. 8, p. 717
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 8, p. 1205
30-5-81	Amended	V. 8, p. 1470
30-5-81a	Amended	V. 8, p. 718
30-5-81b	Amended	V. 8, p. 718
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 8, p. 719
30-5-84	Amended	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-88	Amended	V. 8, p. 1206
30-5-88	Amended	V. 8, p. 1471
30-5-89	Amended	V. 8, p. 1662
30-5-94	Amended	V. 8, p. 719
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 8, p. 1182
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 8, p. 719
30-5-113	Amended	V. 8, p. 1662
30-5-115	New	V. 8, p. 719
30-5-115a	New	V. 8, p. 719
30-5-116	New	V. 8, p. 719
30-5-116a	New	V. 8, p. 720
30-5-169	Amended	V. 8, p. 720
30-6-35	Amended	V. 8, p. 720
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 8, p. 1662
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 8, p. 721
30-6-77	Amended	V. 8, p. 721
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 8, p. 1662
30-6-106	Amended	V. 8, p. 1663
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 8, p. 1663
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26 through 30-7-63	Revoked	V. 8, p. 721
30-7-64	Revoked	V. 8, p. 721
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-9-13	New	V. 8, p. 1663
30-9-18 through 30-9-22	New	V. 8, p. 1663, 1664

30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
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
33-2-4	Revoked	V. 8, p. 1733
33-3-3	Revoked	V. 8, p. 1733
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
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
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	New	V. 8, p. 454
40-4-38	New	V. 8, p. 455
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-11-113	Amended	V. 8, p. 451
44-11-121	Amended	V. 8, p. 451
44-11-123	Amended	V. 8, p. 451

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

Reg. No.	Action	Register
51-24-4	Amended	V. 8, p. 1493
51-24-5	Amended	V. 8, p. 1493

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 8, p. 712
63-1-4	Amended	V. 8, p. 712
63-1-6	Amended	V. 8, p. 712
63-1-12	Amended	V. 8, p. 713
63-6-3	Amended	V. 8, p. 713
63-6-6	Amended	V. 8, p. 714
63-6-7	Revoked	V. 8, p. 714
63-6-8	Revoked	V. 8, p. 714

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-2	Amended	V. 8, p. 252
68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-9-1	Amended	V. 8, p. 253
68-20-1	Amended	V. 8, p. 254
68-20-16	Amended	V. 8, p. 255

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 8, p. 750

AGENCY 71: KANSAS DENTAL BOARD

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
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

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. 426
82-3-109	Amended	V. 8, p. 427
82-3-114	Amended	V. 8, p. 427
82-3-120	Amended	V. 8, p. 428
82-3-123	Amended	V. 8, p. 428
82-3-123a	New	V. 8, p. 429
82-3-124	Amended	V. 8, p. 429
82-3-130	Amended	V. 8, p. 430
82-3-139	Amended	V. 8, p. 430
82-3-140	Amended	V. 8, p. 430
82-3-142	New	V. 8, p. 430
82-3-143	New	V. 8, p. 430
82-3-203	Amended	V. 8, p. 431
82-3-205	Amended	V. 8, p. 431
82-3-305	Amended	V. 8, p. 431
82-3-311	Amended	V. 8, p. 431
82-3-400	Amended	V. 8, p. 432
82-3-401	Amended	V. 8, p. 432
82-3-402	Amended	V. 8, p. 434
82-3-405	Amended	V. 8, p. 434
82-3-407	Amended	V. 8, p. 435
82-3-408	Amended	V. 8, p. 435
82-3-409	Amended	V. 8, p. 435
82-11-1 through 82-11-7	Revoked	V. 8, p. 517
82-11-1 through 82-11-9	New	V. 8, p. 377-383

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 8, p. 1752
86-1-13	Amended	V. 8, p. 1753

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22	Amended	V. 8, p. 1755
91-12-23	Amended	V. 8, p. 1758
91-12-25	Amended	V. 8, p. 1759
91-12-32	Amended	V. 8, p. 1760
91-12-34	Amended	V. 8, p. 1760
91-12-38	Amended	V. 8, p. 1760
91-12-40	Amended	V. 8, p. 1761
91-12-41	Amended	V. 8, p. 1762
91-12-42	Amended	V. 8, p. 1763
91-12-44	Amended	V. 8, p. 1763
91-12-51 through 91-12-63	Amended	V. 8, p. 1764-1770
91-12-65	Amended	V. 8, p. 1771
91-12-70	Amended	V. 8, p. 1771
91-12-73	New	V. 8, p. 1771
91-16-30	New	V. 8, p. 423
91-19-1	Amended	V. 8, p. 101
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
91-31-12h	Amended	V. 8, p. 104
91-31-13	Amended	V. 8, p. 105
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. 1363
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. 107
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
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-56-1 through 92-56-5	New	V. 8, p. 1324, 1325

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-6-1 through 98-6-4	New	V. 8, p. 1121, 1122

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654

100-11-1	Amended	V. 8, p. 1069
100-38-1	Amended	V. 8, p. 1558
100-49-4	Amended	V. 8, p. 654
100-49-4	Amended	V. 8, p. 1069
100-54-4	Amended	V. 8, p. 1558
100-55-4	Amended	V. 8, p. 1558
100-60-1	Amended	V. 8, p. 1558
100-60-15	New	V. 8, p. 1558

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906
102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-2-3	Amended	V. 8, p. 1470
102-2-3	Amended	V. 8, p. 1591
102-3-1	New	V. 8, p. 1526
102-3-1	New	V. 8, p. 1591
102-3-3 through 102-3-13	New	V. 8, p. 1526-1531
102-3-3 through 102-3-13	New	V. 8, p. 1591-1596
102-4-1	New	V. 8, p. 204
102-4-1	New	V. 8, p. 335
102-4-3 through 102-4-11	New	V. 8, p. 205-209
102-4-3 through 102-4-11	New	V. 8, p. 335-339

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-2	Amended	V. 8, p. 1366
105-5-6	Amended	V. 8, p. 1366
105-5-7	Amended	V. 8, p. 1367
105-5-8	Amended	V. 8, p. 1367
105-7-5	Amended	V. 8, p. 1367
105-8-4	Amended	V. 8, p. 1367
105-10-1	Amended	V. 8, p. 1070
105-10-1	Amended	V. 8, p. 1367

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874
109-2-5 through 109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877
109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-6-1	Amended	V. 8, p. 1731
109-7-1	New	V. 8, p. 1731
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1 through 109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-3-1 through 110-3-11	New	V. 8, p. 28-30

(continued)

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8		
through		
111-2-12	Revoked	V. 8, p. 1666
111-2-13	New	V. 8, p. 1666
111-3-1	Amended	V. 7, p. 1061
111-3-3	Revoked	V. 7, p. 1062
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