

# Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 2

January 9, 1992

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# Kansas Register

State of Kansas

## Kansas Planning Council on Developmental Disabilities Services

### Notice of Meeting

The Kansas Planning Council on Developmental Disabilities Services will conduct a quarterly meeting at 10 a.m. Thursday, January 16, in the SRS board room, sixth floor, Docking State Office Building, 915 S.W. Harrison, Topeka.

John F. Kelly  
Executive Director

Doc. No. 011453

State of Kansas

## State Records Board

### Notice of Meeting

The Kansas State Records Board will meet at 10 a.m. Thursday, January 23, in the conference room on the second floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Terry H. Harmon  
Assistant State Archivist

Doc. No. 011450

State of Kansas

## Kansas Inc.

### Notice of Meeting

The Kansas Inc. board will meet at 1:30 p.m. Friday, January 17, at the Kansas Inc. offices, 400 S.W. 8th, Suite 113, Topeka. The meeting is open to the public.

Charles R. Warren  
President

Doc. No. 011456

State of Kansas

## State Conservation Commission

### Notice to Contractors

Sealed bids for the construction of a 32,525 cubic yard detention dam, Site 118 in Chase County, will be received by the South Fork Watershed Joint District No. 76 at contracting officer's residence, Route 1, Box 62, Matfield Green 66862, until 2 p.m. January 29, and then will be opened at the Bazaar Community Building, west side of Highway 177, Bazaar, (316) 273-6900. A copy of the invitation for bids and plans and specifications can be obtained from and received at the contracting officer's residence, (316) 753-3485. There is \$25 charge for specifications and plans.

Kenneth F. Kern  
Executive Director

Doc. No. 011451

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.15 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

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**PUBLISHED BY**  
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Secretary of State  
2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236



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

## State of Kansas

## Social and Rehabilitation Services

Notice of Medicaid  
State Plan Amendment

An amendment to the Medicaid State Plan Attachment 4.19D, Part II is being submitted to the federal Department of Health and Human Services—Health Care Financing Administration that will affect reimbursement for private intermediate care facilities for the mentally retarded (ICFs/MR). In addition to a number of technical changes, the regulations are being revised to clarify that the ICF-MR may be paid for up to 10 days when the local agency office has approved client reserve days for hospitalization, and that while costs of airplanes and associated expenses are not allowed, trips by non-commercial plan may be charged for the equivalent distance at the automobile mileage rate. There is no estimated increase in annual aggregate expenditures.

Copies of the proposed changes will be available for review by contacting the local SRS office in each county or from Mental Health and Retardation Services, fifth floor north, Docking State Office Building, 915 S.W. Harrison, Topeka. Written comments may be sent to the above address.

An open meeting will be conducted at 9 a.m. Tuesday, February 4, in the conference room, Staff Development, 300 S.W. Oakley, Topeka.

George D. Vega  
Acting Commissioner  
Mental Health and  
Retardation Services

Doc. No. 011452

## State of Kansas

## Board of Technical Professions

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1 p.m. Wednesday, February 12, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed permanent rules and regulations of the Board of Technical Professions.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Board of Technical Professions, Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

The following is a brief summary of the substance of the proposed regulations:

**K.A.R. 66-6-1.** (c) and (d). This regulation adds the requirement of the licensee to sign their name across the seal.

(e) This amendment provides that the drawings and specifications as instruments of service are the property of the architect unless released by a written agreement and appropriate compensation to the architect.

**K.A.R. 66-6-4.** (e). This regulation requires the licensee to perform a complete and detailed review and evaluation of documents prior to affixing their seal to any plan or document.

**K.A.R. 66-8-1.** This regulation provides that a \$100 fee may be assessed for proctoring examinations. The fiscal impact of this regulation provides an additional estimated income of \$2,000 annually.

**K.A.R. 66-8-2, 66-8-3, 66-8-4, and 66-8-5.** These regulations provide the board with the final authority to approve the grades and transfer credits of the professional examinations for architects, engineers, landscape architects, and land surveyors.

**K.A.R. 66-10-1 and 66-10-2.** These regulations require applicants for the architectural examination to obtain their experience by completing the Intern Development Program (IDP), effective January 1, 1993.

**K.A.R. 66-10-3.** This regulation requires architect reciprocity applicants to provide a record of architectural experience compiled, evaluated, and certified by NCARB.

**K.A.R. 66-10-6.** This regulation requires an engineering applicant who is a graduate of a four-year curriculum related to engineering, including architecture, landscape architecture, land surveying, mathematics, chemistry or physics to provide a verified record of nine years of engineering experience.

**K.A.R. 66-10-9.** This regulation allows teaching experience in a college or university with an accredited curriculum to be considered by the board to qualify as engineering experience.

**K.A.R. 66-10-11 and 66-10-12.** These regulations modify the requirements for land surveying to include five categories of "progressive" land surveying experience. These regulations also allow experience in teaching land surveying courses to be considered by the board as land surveying experience.

**K.A.R. 66-11-1.** This regulation provides for the term "intern engineer" rather than "engineer-in-training."

**K.A.R. 66-12-1.** This regulation provides for minimum standards of practice for the profession of land surveying.

**K.A.R. 66-13-1.** This regulation provides for a new section pertaining to the guidelines for administrative and disciplinary actions as set forth in the Kansas Administrative Procedures Act (KAPA).

Other various grammatical changes or changes appropriate to format also are being made.

Copies of the full text of the regulations and the fiscal impact may be obtained by writing to the Board of Technical Professions at the address above. For more information, contact Betty Rose at (913) 296-3053.

Betty L. Rose  
Executive Secretary

Doc. No. 011467

State of Kansas

Kansas Agricultural Value-Added Processing Center

Notice of Leadership Council Meeting

The Leadership Council of the Kansas Agricultural Value-Added Processing Center will conduct a board meeting from 9 a.m. to 2 p.m. Friday, January 10, at the Kansas Technology Enterprise Corporation conference room, 112 W. 6th, Suite 400, Topeka. For further information, contact Richard Hahn at (913) 532-7033.

Richard R. Hahn
Director

Doc. No. 011466

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the purchase of 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 15, 1992

28677

Kansas Correctional Industries—Broadcloth

Tuesday, January 21, 1992

28678

University of Kansas Medical Center—Elevator maintenance

90914

University of Kansas—Paper, printing and binding

Wednesday, January 22, 1992

28685

Statewide—Telecommunications maintenance equipment

28686

University of Kansas—Building materials

90830

Kansas State University—Handheld computer and software

90864

University of Kansas—Memory upgrades for DEC workstations

90875

Kansas Insurance Department—Desktop electronic filing system

90876

Kansas State University—Sun workstation and peripherals

Thursday, January 23, 1992

A-6693(a)

Winfield State Hospital—Asbestos abatement, Holly Power Plant

27043 Supp.

Statewide—X-ray film and supplies (Class 13) supplemental item

90878

Department of Administration—AT&T multiplexer

90882

Department of Transportation—Mowers, various locations

90883

Department of Transportation—Generators, various locations

90884

University of Kansas—Furnish/install access control system

90885

Department of Transportation—Tractors, Hutchinson

Friday, January 24, 1992

28660

Department of Revenue—Advertise and printing of "Kansas Driving Handbook"

28681

Department of Transportation—Parts washer service and solvent disposal

90890

Department of Transportation—Wood posts, Salina and Norton

90891

Department of Transportation—Air compressors, various locations

90897

University of Kansas Medical Center—Ultramicrotome

90898

Department of Transportation—Portable fuel tank system, various locations

90899

Department of Transportation—Tool boxes, various locations

Monday, January 27, 1992

90847

University of Kansas—10Base-T ethernet adapters

90848

Emporia State University—80386DX microcomputers

\*\*\*\*\*

Request for Proposals

Thursday, January 30, 1992

28684

Soundstage feasibility study for the Kansas Department of Commerce, Travel and Tourism Development Division

Monday, February 10, 1992

28687

Special education for the Department of Corrections, Lansing Correctional Facility

Jack R. Shipman
Director of Purchases

Doc. No. 011465

State of Kansas

Secretary of State

Usury Rate for January

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of January 1, 1992, through January 31, 1992, is 9.60 percent.

Bill Graves  
Secretary of State

Doc. No. 011449

State of Kansas

Department of Health  
and Environment

Notice Concerning Kansas  
Water Pollution Control Permits

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

Public Notice No. KS-AG-92-5

Name and Address of Applicant	Legal Description	Receiving Water
Ellis County Feeders, Inc. P.O. Box 310 Hays, KS 67601	N/2 Section 11 and NW/4 Section 12, Township 13S, Range 19w, Ellis County	Smoky Hill River Basin

Kansas Permit No. A-SHEL-C002 Federal Permit No. KS-0036730  
The feedlot has capacity for approximately 18,000 cattle with expansion planned for an additional 12,000 cattle and a contributing drainage area of approximately 350 acres. This is an expansion of an existing facility.

Runoff control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Wastewater storage capabilities are provided in excess of 320 acre-feet. This is over twice the amount required by federal and state regulations.

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

Public Notice No. KS-92-1/2

Name and Address of Applicant	Waterway	Type of Discharge
City of Jetmore Box 8 Jetmore, KS 67854 Hodgeman County, Kansas	Buckner Creek	Secondary wastewater treatment facility
Kansas Permit No. M-UA21-0001		Fed. Permit No. KS-0021598
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Union Pacific Railroad Company Parsons Facility 2015 Crawford Ave. Parsons, KS 67537 Labette County, Kansas	Neosho River via Labette Creek via unnamed tributary	Contaminated groundwater seepage and yard runoff
Kansas Permit No. A-NE55-P002		Fed. Permit No. KS-0117129
Description of Facility: Wastewater from groundwater seepage and yard runoff from a diesel locomotive service and repair shop is treated by three oil-water separating lagoons followed by a rock filter bed. 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 or Angela Buie (agricultural permits), Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to February 8 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-92-5 and KS-92-1/2) 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. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Azzie Young  
Secretary of Health  
and Environment

Doc. No. 011464

## State of Kansas

Department of Health  
and Environment

## Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Sherwood Cabinets Inc. to install a cabinet making shop on South U.S. Highway 75 near Burlington.

Written materials, including the permit application and information relating to the application submitted by Sherwood Cabinets, draft permit, permit summary and analysis of KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through February 10 by contacting Lynn Ranabargar, KDHE, 1500 W. 7th, Chanute 67202, (316) 431-2390. These materials also are available for inspection by contacting Gene Sallee, KDHE, Building 740, Forbes Field, Topeka 66620-0001, (913) 296-1575.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request for hearing must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for hearing or written comments on the proposed permit must be submitted to the Secretary, KDHE, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before February 10.

Azzie Young  
Secretary of Health  
and Environment

Doc. No. 011463

## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited December 15, 1991, for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

Advacare Medical Corporation, Olathe, KS.  
AEC Financial Services, Inc., Shawnee Mission, KS.  
All American Builders Inc., Topeka, KS.  
Alliance Realty Company, Inc., Manhattan, KS.  
Allstate Roofing, Inc., Kansas City, MO.  
Anchor Financial Corporation, Leawood, KS.  
Art Mart Inc., Great Bend, KS.  
Augusta Lodge No. 1462 Benevolent and Protective Order of Elks Unit, Augusta, KS.

B. J. Albert Co., Inc., Wichita, KS.  
B.T. & C., Inc., Leavenworth, KS.  
Bargain Builders, Inc., Liberal, KS.  
Battery Components Distributor Inc., Lenexa, KS.  
Beauti-Plus, Inc., Wichita, KS.  
Benchwarmers, Inc., Lawrence, KS.  
Ben's Welding Service, Inc., Ellinwood, KS.  
Bimag, Inc., Little Rock, AR.  
Briar Hill Manor, Inc., Garden City, KS.  
Buds Plumbing, Inc., Maize, KS.  
Burtin Auto & Tractor Supply, Inc., Eureka, KS.  
C.L. Daxon, Inc., Smith Center, KS.  
C.J.'s, Inc., Wichita, KS.  
Capture the Memories, Inc., Topeka, KS.  
Caster Plumbing Co., Inc., Wichita, KS.  
Cedar Vale Cooperative Exchange, Cedar Vale, KS.  
Chi Chapter of Sigma Sigma Sigma Inc., Pittsburg State University, Pittsburg, KS.  
Childrens Center, Inc., Topeka, KS.  
Circle Research Cororation, Garden City, KS.  
Colonial Flowers, Inc., Hutchinson, KS.  
D & W Electric, Inc., Plainville, KS.  
Dale's I.G.A. Thriftway, Inc., Miami, OK.  
Dean Dennington, Inc., Topeka, KS.  
Double D Traffic Control Inc., Wichita, KS.  
DSP, Inc. (A Close Corporation), Wichita, KS.  
E & F Manufacturing, Inc., Wichita, KS.  
East Central Ave. Donuts (KA), Inc., Wichita, KS.  
Eastern International Inc., Kansas City, KS.  
Eldon Fault Enterprises Inc., Arkansas City, KS.  
Family Businesses of America Institute, Wichita, KS.  
Fiber Corp., Shawnee, KS.  
First Glance, Inc., Great Bend, KS.  
Florida Bowling Investments Inc., Lenexa, KS.  
GBR Farms, Inc., Goodland, KS.  
Ginny Trading Co., Lenexa, KS.  
Goodland Clothing Co., Goodland, KS.  
H & S, Inc., Merriam, KS.  
HDI Benefit Association, Olathe, KS.  
Hi-Plains Land Investments, Inc., Colby, KS.  
Howard Johnson Furniture, Inc., Parsons, KS.  
Hudson Realty Company, Inc., Shawnee Mission, KS.  
International Hereford Organization Foundation, Adolphus, KY.  
Investment Specialist Corp., Olathe, KS.  
K.C.S. Investments of Kansas Inc., Overland Park, KS.  
Kansas Systems & Solutions, Inc., Wichita, KS.  
Kansas Youth Scholarship, Inc., Wichita, KS.  
Kaw Valley Supply Co., Inc., Edwardsville, KS.  
Kelly-Paxton, Inc., Holton, KS.  
Kendall Funeral Chapel, Inc., Council Grove, KS.  
Kincaid and Associates, Incorporated, Smith Center, KS.  
Kip Shults Construction, Inc., Wichita, KS.  
L & M Pools and Spas, Inc., Derby, KS.  
Leoti Spraying Service Inc., Leoti, KS.  
Lucas Seed Co., Goodland, KS.  
Luntacres Farm Inc., Pratt, KS.  
Little Stores, Inc., Kiowa, KS.  
LSM, Inc., Wichita, KS.  
Marvin Cohen, M.D., Chartered, Kansas City, MO.

McLaury Construction, Inc. (A Close Corp.),  
Wichita, KS.  
Meadowlands Construction and Development, Inc.,  
Overland Park, KS.  
Miles Memorial Chapel, Inc., Winfield, KS.  
Minority Housing Corporation of Topeka,  
Topeka, KS.  
Moore Lumber Co., Inc., Minneapolis, KS.  
Mount Olive Abbey Association, Pittsburg, KS.  
Nation's Center Broadcasting Company, Inc.,  
Hays, KS.  
National Amateur Bowlers, Inc., Kansas City, KS.  
National Telemedia Systems, Inc., Lenexa, KS.  
Nigro and Sons, Inc., Prairie Village, KS.  
North Star Consulting, Inc., Lenexa, KS.  
Oak Park Condominium Association Inc., Hays, KS.  
Oasis Roofing Co., Inc., Wichita, KS.  
Osage City I G A, Inc., Osage City, KS.  
Osage IGA, Inc., Osage City, KS.  
P.P.D.A.S., Inc., Parsons, KS.  
Paul Gunzelman, Incorporated, Wichita, KS.  
Plaza Lane Mortgage & Investment Company,  
Mulvane, KS.  
Professional Computer Systems, Inc., Topeka, KS.  
R & R Tank Rental, Inc., Ulysses, KS.  
Rac West Virginia, Inc., Wichita, KS.  
Reliable Kansas, Inc., Topeka, KS.  
Robert D. McKerracher, M.D., P.A., Derby, KS.  
Royce Graphics Distributing Company, Inc.,  
Kansas City, MO.  
Runyan, Inc., Hutchinson, KS.  
Schmid Farms, Inc., Agra, KS.  
Schmidt & Langley, Chartered, Hutchinson, KS.  
Schmidt Bros. House Moving, Inc., Galva, KS.  
Senior Citizens Civic Club, Kansas City, KS.  
Shawnee Construction, Inc., Kansas City, KS.  
Shawnee Shareholders, Inc., Topeka, KS.  
Sis Seed, Inc., Belleville, KS.  
Slagle, Inc., Ness City, KS.  
Snow Tiger Enterprises, Inc., Wichita, KS.  
Southwest Feed Yard, Inc., Ulysses, KS.  
SSM Exploration, Inc., Wichita, KS.  
Stafford Coop., Stafford, KS.  
Sunburst U.S.A., Inc., Overland Park, KS.  
Taco Rio, Inc., Wichita, KS.  
The Allison Agency, Inc., Wichita, KS.  
The Dodge House, Inc., Dodge City, KS.  
The Kansas Water Well Association, Clifton, KS.  
The Lodge, Inc., Topeka, KS.  
The Overland Park Jaycees Inc., Overland Park, KS.  
The Riley County Medical Society, Manhattan, KS.  
Tommy Oil Co., Inc., Topeka, KS.  
Tri-Com Inc., Hutchinson, KS.  
Tru-Circle Machine, Inc., Wichita, KS.  
Tru-Circle Manufacturing, Inc., Wichita, KS.  
Tru-Circle Metal & Tool, Inc., Wichita, KS.  
Twin Chemical Company, Olathe, KS.  
VPR Communications, Inc., Kansas City, MO.  
Wichita Donuts, Inc., Wichita, KS.

Winchester Development Corporation,  
Las Vegas, NV.  
Woodlawn Farms Distributing, Inc., Lenexa, KS.  
WTA Energy, Inc., Amarillo, TX.  
Zinger Leasing Corporation, Bonner Springs, KS.

## Foreign Corporations

Advantage Capital, Inc., Wichita, KS.  
Agricultural Machinery Corporation,  
Kansas City, MO.  
American Business Interiors, Incorporated,  
Kansas City, MO.  
B & B Farm Industries, Inc., Liberal, KS.  
Bates Sales Company, St. Louis, MO.  
Bond Painting Corporation, Tulsa, OK.  
Clean Textile Services, Inc., O'Fallon, MO.  
DLT Transportation Services, Inc., Kansas City, MO.  
Edward M. Amet, D.D.S., M.S., P.C.,  
Overland Park, KS.  
Energy International Overseas Corp.,  
Ontario, Canada.  
ENSR Corporation, Mahwan, NJ.  
Equitec Financial Group, Inc., Oakland, CA.  
Equitec Securities Company, Oakland, CA.  
Erosion and Soil Technologies, Inc., Kingwood, TX.  
Exco, Inc., Riverside, MO.  
Fersina Windows, Inc., Charlotte, NC.  
Flow Holdings Corporation, Kent, WA.  
Gourmet Popping Corn Company, Omaha, NE.  
Grandview Linoleum & Tile of Grandview Missouri,  
Inc., Kansas City, MO.  
Greats, Inc., Emporia, KS.  
Grinnell Corporation, Exeter, NH.  
Hastings Books, Music & Video, Inc., Amarillo, TX.  
Hill Brothers Transportation, Inc., Omaha, NE.  
Horizon Health Systems L.P., Albuquerque, NM.  
I.T. Financial Corporation, Tulsa, OK.  
JEM Flying Service, Inc., Denver City, TX.  
Joy Public Broadcasting Corporation, Topeka, KS.  
Jumping-Jacks Shoes, Inc., Monett, MO.  
M.A.R. Corp., Overland Park, KS.  
Mae Jack Corporation, Kansas City, MO.  
National Healthcare Review, Inc.,  
Woodland Hills, CA.  
PHH US Mortgage Corporation, Wilton, CT.  
Rhodes Securities, Inc., Fort Worth, TX.  
RJG Enterprises, Inc., Kansas City, KS.  
Security Collections Inc., Wichita, KS.  
Star Manufacturing Corporation, A Tennessee  
Corporation, Richmond, IN.  
TAO Products Co., Palo Alto, CA.  
Triton Producing Company, Dallas, TX.  
Universal Nursing Services, Ltd., Des Moines, IA.  
Veteran Exploration, Incorporated, Denver, CO.  
WMFL, P.S., Spokane, WA.

Bill Graves  
Secretary of State

Doc. No. 011457

State of Kansas

## Office of Judicial Administration

## Supreme Court Docket

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

Monday, January 13, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,224	State of Kansas, Appellee, v. James Earl Richmond, Appellant.	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney  Jessica R. Kunen, Chief Appellate Defender Steven R. Zinn, Assistant Appellate Defender	Sedgwick
65,869	State of Kansas, Appellee, v. Sedrick Scott, Appellant.	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney  Jessica R. Kunen, Chief Appellate Defender Rebecca E. Woodman, Assistant Appellate Defender	Sedgwick
65,626	State of Kansas, Appellee, v. Sherman C. Edwards and Wanda J. Edwards, Appellants.	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney  Jessica R. Kunen, Chief Appellate Defender Thomas Jacquinet, Assistant Appellate Defender	Sedgwick On Petition for Review
65,451	State of Kansas, Appellee, v. Brandon N. Irons, Appellant.	Robert T. Stephan, Attorney General Debra Byrd Wagner, Assistant District Attorney  Jessica R. Kunen, Chief Appellate Defender J. Patrick Lawless, Jr., Assistant Appellate Defender	Sedgwick On Petition for Review
66,513	Charlett M. Harding, Individually, and as Executrix of the Estate of Jerry R. Harding, Deceased, Appellee, v. K. C. Wall Products, Inc., a Missouri Corporation, Appellant.	Jerry R. Palmer Mark A. Furney  Daniel L. Fowler Jason R. Brown	Sedgwick

1:30 p.m.



Tuesday, January 14, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,635	Bank IV Wichita, <i>et al.</i> , Appellants, v. Arn, Mullins, Unruh, Kuhn, Wilson, A General Partnership, <i>et al.</i> , Appellees.	James D. Oliver Darrell D. Kellogg	Sedgwick
66,471	Vyrnon E. Slaby, <i>et al.</i> , Appellees, v. Jason A. Cox, <i>et al.</i> , Appellees, and Alliance Insurance Company, Garnishee, Appellant.	David S. Wooding William A. Vickery Timothy J. Finnerty	Sedgwick
67,057	Robert Steele, <i>et al.</i> , Appellants, v. City of Wichita, Appellee.	Joseph H. Cassell Bruce C. Ward Thomas R. Powell Ed L. Randels, Assistant City Attorney	Sedgwick
66,240	State of Kansas, Appellee, v. William H. Mason, Appellant.	Robert T. Stephan, Attorney General David L. Miller, County Attorney Jessica R. Kunen, Chief Appellate Defender Kaye Messer, Assistant Appellate Defender	Miami
1:30 p.m.			
67,056	Debra Stephenson, Appellant, v. Sugar Creek Packing, <i>et al.</i> , Appellees.	Timothy A. Short Garry W. Lassman	Crawford

Wednesday, January 15, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
65,704	Norman Kuhl, Appellee, v. The Atchison, Topeka & Santa Fe Railway Co., A Corporation, <i>et al.</i> , Appellants.	Davy C. Walker Jon Carlson Susan S. Baker William P. Coates, Jr. Michael J. Dutton	Wyandotte On Petition for Review
66,529	Ruby L. Jones, Appellant, v. Neuroscience Associates, Inc., P.A., <i>et al.</i> , Appellees.	Rosie M. Quinn James D. Griffin Janet M. Simpson Hal Pierce	Wyandotte
65,530	State of Kansas, Appellant, v. Feliz Garcia, a/k/a Felix Garcia, a/k/a Felip Garcia, Appellee.	Robert T. Stephan, Attorney General Rodney H. Symmonds, County Attorney Don W. Lill	Lyon On Petition for Review
65,754	State of Kansas, Appellant, v. Larry D. Simms, a/ka/ Larry D. Sims, Appellant.	Robert T. Stephan, Attorney General Rodney H. Symmonds, County Attorney Cortland E. Berry	Lyon On Petition for Review

(continued)

Thursday, January 16, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,482	Barbara Oil Company, v. Kansas Gas Supply Corp., et al., Appellees—Cross-Appellants, v. Kansas Gas & Electric Company, Appellant—Cross-Appellee.	Larry L. Lorenzen Mark E. Greenwold Gordon B. Stull  Darrell L. Warta	Barber
66,420	Bank IV, Olathe, Adm. C.T.A. of the Estate of Tillie A. Flinn, Deceased, Appellant, v. Capitol Federal Savings and Loan Association, et al., Appellees.	Keith Martin  John Anderson, Jr.	Johnson
66,350	Marsha A. Martindale, Appellant, v. Robert T. Tenny, M.D., P.A., et al., Appellees.	H. Reed Walker  M. Warren McCamish	Johnson
66,507	Akandas, Inc., et al., Appellants, v. B. W. Klippel, et al., Appellees.	Gary A. Nelson Dana L. Gorman David E. Pierce  Dale L. Pohl John G. Pike Michael R. Hull	Wilson

Friday, January 17, 1992

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,701	Farmers Bانشares of Abilene, Inc., Appellant, v. Hon. Bill Graves, State of Kansas, Appellee.	H. Boone Porter III  Robert T. Stephan, Attorney General Martha M. Snyder, Assistant Attorney General	Shawnee
66,665	Dr. Frank P. Kosik, Appellee, v. Cloud County Community College, Appellant.	Terry D. Criss  Stephen J. Dennis	Cloud
67,251	In the Matter of Diane Hensley-Martin, Respondent.	Bruce E. Miller, Disciplinary Administrator  Diane Hensley-Martin, <i>pro se</i>	Original
67,219	In the Matter of William T. Lewis, Jr., Respondent.	Bruce E. Miller, Disciplinary Administrator  William T. Lewis, Jr., <i>pro se</i>	Original

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

## Attorney General

## Opinion No. 91-156

**State Departments; Public Officers and Employees—Kansas Tort Claims Act—Governmental Entity's Responsibility to Provide Defense and Pay Judgment.** Ken W. Strobel, Dodge City Attorney, Dodge City, December 31, 1991

Pursuant to K.S.A. 75-6108(a) and 75-6109 of the tort claims act, governmental entities are required to provide a defense and pay the judgment for a claim for actual damages against an employee arising out of an act which occurred in the scope of employment and absent actual fraud or malice on the part of the employee. It is discretionary with the governmental entity to reimburse an employee for costs incurred in defending a claim for punitive or exemplary damages arising out of an act occurring in the scope of employment, and the governmental entity may discretionarily pay any part of the judgment rendered on such claims. K.S.A. 75-6116 contains similar provisions for civil rights claims except that the governmental entity may discretionarily pay any portion of the judgment only if the employee's act or omission was not a result of actual fraud or malice. Cited herein: K.S.A. 75-6108; 75-6109; 75-6116. JLM

## Opinion No. 91-159

**Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule.**

**Taxation—Limitation on Tax Levies—Limitation on Certain Tax Levies in Cities Between 60,000 and 130,000.** Representative Vincent K. Snowbarger, 26th District, Olathe, December 19, 1991.

Under Article 12, Section 5 of the Kansas Constitution, a charter ordinance may be repealed or amended only by charter ordinance or enactments of the legislature applicable to all cities. Accordingly, where the city of Olathe exempts itself by charter ordinance from the provisions of K.S.A. 79-1951 and establishes substitute limitations on certain tax levies, such limitations are not repealed or amended when a population increase causes the city to come within the parameters of another tax levy limitation statute (K.S.A. 79-1950). Such statute is not applicable to all cities (only those between 60,000 and 130,000 in population), and under Article 12, Section 5 of the Kansas constitution the charter ordinance must control where there is conflict between the statute and the ordinance. Cited herein: K.S.A. 12-1220; 79-1950; 79-1951; Kan. Const., Art. 12, § 5. TRH

## Opinion No. 91-160

**Constitution of the State of Kansas—Miscellaneous—Lotteries; Indian Gaming Regulatory Act; Gaming on Lands Acquired After October 17, 1988.** Representative Clyde D. Graeber, 41st District, Leavenworth, December 19, 1991.

25 U.S.C. § 2719 authorizes use of land acquired in trust for an Indian tribe outside the tribe's existing

reservation for tribal gaming purposes if, upon consultation with the tribe and state and local officials, the secretary of the interior and the state governor determine that locating a gaming establishment on such lands would be in the best interests of the tribe and would not be detrimental to the community surrounding the proposed site. Cited herein: 25 U.S.C. §§ 465-467, 468, 2703, 2710, 2719. JLM

## Opinion No. 91-161

**Constitution of the State of Kansas—Executive—Executive Power of Governor; Community Correctional Services; Parole; Probation.**

**Constitution of the State of Kansas—Judicial—Judicial Power; Community Correctional Services; Parole; Probation.** Ben Coates, Executive Director, Kansas Sentencing Commission, Topeka, December 19, 1991.

The distribution of powers by a state constitution among the governmental departments is a question for the state itself. Under the Kansas constitution, the functions of parole and probation may be conferred upon either the executive or judicial branch of government. Those powers conferred upon the secretary of corrections by the community corrections act are executive or administrative in nature and may not be transferred to or exercised by the judiciary. Cited herein: K.S.A. 21-4601; K.S.A. 1990 Supp. 21-4603, as amended by L. 1991, ch. 89, §4; K.S.A. 21-4611; K.S.A. 22-3707; 75-5290; 75-5291; 75-5292; 75-5294; 75-5296; 75-52,103; 75-52,105; 75-52,110; K.S.A. 1990 Supp. 75-52,111; 75-52,114; Kan. Const., Art. 1, §§ 1, 7; Kan. Const., Art. 3, § 1. RDS

## Opinion No. 91-162

**Townships and Township Officers—Fire Protection—Ownership and Disposition of Fire Fighting Equipment Subsequent to Annexation.**

**Cities and Municipalities—Additions, Vacation and Lot Frontage; Annexation by Cities—Ownership and Disposition of Property Owned by Township Prior to Annexation by City.** Charles D. Kugler, Attorney for Prairie Township Board of Trustees, Kansas City, December 19, 1991.

When a city annexes all land formerly within township boundaries, the city becomes the owner of fire fighting equipment formerly owned by the township. In this situation, the city also becomes liable for any indebtedness on such equipment. Cited herein: K.S.A. 1990 Supp. 12-520; 12-521; 12-527; K.S.A. 80-1501. CN

## Opinion No. 91-163

**Roads and Bridges; Roads—County and Township Roads; County Road Unit System—Maintenance of Roads.** Susan Marshall, Lincoln County Attorney, Lincoln, December 23, 1991.

A road may be a public road if it has been established and opened pursuant to K.S.A. 68-102 *et seq.*, or if it is declared to be a public road or highway by the board of county commissioners pursuant to K.S.A. 68-124. Cited herein: K.S.A. 68-102; 68-124; 68-516a; 68-

(continued)

516b; 68-526; K.S.A. 1990 Supp. 68-572; K.S.A. 68-5,102; 68-728. MJS

Robert T. Stephan  
Attorney General

Doc. No. 011458

State of Kansas  
Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consultant engineering firms for construction inspection on an as-required basis.

Prequalified consultant engineering firms will provide the following services on a time and material plus percentage fee contract: Performance of construction inspection on projects prescribed by KDOT on an as-required basis. Consultants will be chosen for KDOT Districts One, Four and Five. Work will be authorized by work order and charges to authorized KDOT projects. The minimum call out time would be for one week's work. The minimum notice will be one week in advance.

A time schedule will not be included for consideration by the firms, as this will be covered during discussion and negotiations at a later date.

From those firms expressing interest, KDOT will select a list of the most highly qualified and invite them to attend a pre-proposal conference. Those firms not selected to attend a pre-proposal conference will be notified by letter. A negotiating committee appointed by the Secretary of Transportation will conduct discussions with firms on the most qualified list and select several with which to negotiate a contract. After final contracts have been awarded, the remaining firms not selected will be notified by letter.

It is the policy of KDOT to use the following criteria as the basis for selection of engineering consultant firms:

1. Size and professional qualifications of the 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 should send seven copies of the request for selection by January 16 to: Al Cathcart, P.E., Project Control Engineer, Kansas Department of Transportation, Office of Engineering Support, Docking State Office Building, 915 S.W. Harrison, Topeka 66612-1568.

Michael L. Johnston  
Secretary of Transportation

Doc. No. 011439

(Published in the Kansas Register, January 9, 1992.)

Notice of Redemption  
City of Olathe, Kansas  
Water & Sewer System Revenue Bonds  
Series 1981  
Dated March 1, 1981

Notice is hereby given to the registered owners of certain Water & Sewer System Revenue Bonds, Series 1981, dated March 1, 1981, of the city of Olathe, Kansas, that the city hereby calls for redemption on March 1, 1992, the following:

Bond Numbers	Principal Amount	Maturity September 1	Interest Rate	Cusip Number
195-240	\$230,000	1992	9.875%	679468 DS4
241-290	250,000	1993	9.875%	679468 DT4
291-344	270,000	1994	9.875%	679468 DU9
345-406	310,000	1995	9.875%	679468 DV7
407-485	395,000	1996	9.875%	679468 DW5

On such date, each of the aforesaid bonds shall become due and payable at a redemption price equal to 103 percent of the principal amount thereof, plus accrued interest thereon to March 1, 1992, and from and after such redemption date, interest shall cease to accrue and be payable on said bonds. The bonds so called for redemption and all coupons for interest maturing on or after March 1, 1992, should be presented for payment and redemption at the office of the Kansas State Treasurer, 900 S.W. Jackson, Suite 201, Topeka, KS 66612-1235, on or after March 1, 1992.

To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their securities for redemption.

Dated December 29, 1991.

City of Olathe, Kansas  
By H. Pevehouse  
City Clerk  
(913) 782-2600

Doc. No. 011459

(Published in the Kansas Register, January 9, 1992.)

Summary Notice of Bond Sale  
City of Derby, Kansas  
\$1,577,000  
General Obligation Bonds, Series 1992  
(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated January 7, 1992, sealed bids will be received by the clerk of Derby, Kansas (the issuer), on behalf of the governing body at City Hall, 611 Mulberry, Derby, KS 67037, until 5 p.m. C.S.T. on January 21, 1992, for the purchase of \$1,577,000 principal amount of General Obligation Bonds, Series 1992. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$7,000. The bonds will be dated February 1, 1992, and will become due on December 1 in the years as follows:

Year	Principal Amount
1993	\$177,000
1994	175,000
1995	175,000
1996	150,000
1997	150,000
1998	150,000
1999	150,000
2000	150,000
2001	150,000
2002	150,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1993.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$31,540 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before February 13, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 is \$64,376,658. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$14,057,750.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 788-1519, or from the financial advisor, First Securities Company of Kansas, Inc., 200 Hardage Center, 100 S. Main, Wichita, KS 67202, Attention: Theron L. Froggatte, (316) 262-4411. Dated January 7, 1992.

City of Derby, Kansas

(Published in the Kansas Register, January 9, 1992.)

**Summary Notice of Bond Sale**

**City of Hiawatha, Kansas**

**\$113,538.28**

**General Obligation Bonds, Series A, 1992**

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

**Sealed Bids**

Subject to the notice of bond sale dated January 6, 1992, sealed bids will be received by the clerk of Hiawatha, Kansas (the issuer), on behalf of the governing body at City Hall, 723 Oregon, Hiawatha, KS 66434, until noon C.S.T. on January 22, 1992, for the purchase of \$113,538.28 principal amount of General Obligation Bonds, Series A, 1992. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$3,538.28. The bonds will be dated January 1, 1992, and will become due on October 1 in the years as follows:

Year	Principal Amount
1993	\$ 3,538.28
1994	10,000.00
1995	10,000.00
1996	10,000.00
1997	10,000.00
1998	10,000.00
1999	15,000.00
2000	15,000.00
2001	15,000.00
2002	15,000.00

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1993.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$2,270.77 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before January 30, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991

(continued)

is \$14,466,692. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$1,841,538.28.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 742-7417, or from the financial advisor, First Securities Company of Kansas, Inc., 200 Hardage Center, 100 S. Main, Wichita, KS 67202, Attention: Larry L. McKown, (316) 262-4411.

Dated January 6, 1992.

City of Hiawatha, Kansas

Doc. No. 011462

#### State of Kansas

### Kansas Racing Commission

#### Permanent Administrative Regulations

#### Article 4.—OCCUPATION AND CONCESSIONAIRE LICENSES

**112-4-1. Occupation licenses.** (a) Before engaging in the following occupations at a race track facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

- (1) Administration;
- (2) administrative support;
- (3) admission/parking attendant;
- (4) announcer;
- (5) apprentice jockey;
- (6) assistant racing secretary;
- (7) assistant starter;
- (8) assistant trainer;
- (9) authorized agent;
- (10) blacksmith/plater/farrier;
- (11) breed registry;
- (12) brakeman;
- (13) chart writer;
- (14) clerk of scales;
- (15) clocker/assistant clocker;
- (16) colors attendant;
- (17) concession employee;
- (18) concession operator;
- (19) director of racing;
- (20) director of security;
- (21) driver;
- (22) exercise person;
- (23) general manager/assistant general manager;
- (24) groom/hot walker;
- (25) horseman's bookkeeper;
- (26) horseman/kennel representative;
- (27) identifier;
- (28) jockey;

- (29) jockey agent;
- (30) jockey guild manager/representative;
- (31) jockey room attendant;
- (32) kennel helper;
- (33) kennel master;
- (34) kennel owner;
- (35) lead out;
- (36) lure operator;
- (37) maintenance;
- (38) medical attendant;
- (39) mutuel employee;
- (40) mutuel manager;
- (41) official;
- (42) outrider;
- (43) owner, horse/greyhound;
- (44) owner/assistant trainer;
- (45) owner/trainer;
- (46) owner/trainer/driver;
- (47) owner by open claim;
- (48) paddock attendant;
- (49) paddock judge;
- (50) patrol judge;
- (51) photo finish operator;
- (52) pony person;
- (53) practicing veterinarian;
- (54) practicing veterinarian assistant;
- (55) program manager;
- (56) promotion manager;
- (57) racing judge;
- (58) racing secretary;
- (59) security;
- (60) selection sheet operator;
- (61) service provider;
- (62) starter;
- (63) steward;
- (64) testing technician;
- (65) timer;
- (66) totalisator employee;
- (67) track superintendent;
- (68) trainer;
- (69) valet;
- (70) video operator; and
- (71) any other personnel designated by the commission.

(b) Each applicant for an occupation license shall apply in writing on the application form approved and furnished by the commission.

(c) Each applicant for an occupation license acting as an employer shall submit proof of compliance with the workers compensation act of the state of Kansas, K.S.A. 44-501 *et seq.*

(d) Each person who is appointed by an owner to act as an authorized agent shall secure an occupation license. Each authorized agent agreement form shall be filed with the commission. Each authorized agent shall perform for the owner only the duties that are subject of the authorized agent agreement form. Each authorized agent shall notify the commission in writing when the authorized agent agreement is terminated.

(e) Each applicant for an occupation license shall not knowingly provide false information on any occupation license application form.

(f) Each applicant for an occupation license shall not

fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses an occupation license shall immediately:

(1) notify the commission office at the racetrack facility;

(2) secure a duplicate license; and

(3) pay the required fee.

(i) Each required fee shall be paid when the occupation license is issued. Each occupation license issued by the commission shall be valid for the period commencing January 1 and terminating December 31 of the calendar year in which the occupation license is issued.

(j) Any applicant may be required to submit with the application at least two complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(k) Each applicant for an occupation license must be at least 16 years old. However, this provision shall not preclude dependent children under the age of 16 from working for a parent or guardian when the parent or guardian is licensed as a kennel owner, trainer or assistant trainer and approval has been obtained from the organization licensee. Each licensed trainer at a horse or greyhound racetrack facility or assistant trainer at a horse racetrack facility shall be at least 18 years of age. Each racing official, security employee and mutuel employee shall be at least 18 years of age.

(l) A trainer may waive the right to witness the collection of a test sample from a racing animal when the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time the trainer is licensed by the commission. Each trainer waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(m) Each employer at a race track facility shall immediately notify the commission office at the racetrack facility and the organization licensee when a licensee's employment is terminated. Each employer shall make an effort to secure the employee's occupation license and, if the license is secured, shall deliver the license to the commission office at the racetrack facility. (Authorized by K.S.A. 1990 Supp. 74-8804; implementing K.S.A. 1990 Supp. 74-8804 and 74-8816; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-12-30-91, Dec. 30, 1991; amended Feb. 24, 1992.)

#### Article 10.—ANIMAL HEALTH

**112-10-36.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8811; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; revoked Feb. 24, 1992.)

**112-10-36a. Split sample.** (a) The animal health officer or assistant animal health officer shall determine, based upon the written standards of the official test laboratory, in their sole discretion whether there is sufficient quantity of each test sample to divide it into two portions for testing.

(b) If a test sample is divided into two portions for testing, no provision of these racing regulations shall prevent the commission or the executive director from ordering both test sample portions to be delivered to the official test laboratory for initial testing.

(c) When the quantity of the test sample permits the splitting of the sample, each first portion shall be submitted by the commission to the official test laboratory for initial testing for prohibited substances.

(d) When the quantity of the test sample permits and when the trainer or owner files a written request with the racing judges for the testing of a split sample, the commission shall submit the second portion of the test sample to a test laboratory approved by the commission. Each written request for the testing of a split sample shall be filed in the commission office at the racetrack facility within 48 hours after the trainer or owner receives notice of a positive report on a test sample taken from the greyhound.

(e) Each person who requests testing of the second portion of a sample shall pay all costs for the transportation and testing of the sample.

(f) The freezing, storage and safeguarding of each portion of a test sample shall remain the responsibility of the animal health officer and the assistant animal health officer.

(g) The test results on the second portion of a sample shall not prevent disqualification of the greyhound. The results of the first test are prima facie evidence that the greyhound competed with the drug or medication in its system.

(h) No provision of these racing regulations shall create vested procedural rights that may be relied upon by any licensee for the purpose of excluding testing evidence that is competent and probative. (Authorized by K.S.A. 1990 Supp. 74-8811; implementing K.S.A. 1990 Supp. 74-8811; effective Feb. 24, 1992.)

Dana Nelson  
Executive Director

Doc. No. 011454

## State of Kansas

## Department of Administration

## Public Notice

Under requirements of K.S.A. 1991 Supp. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balance in the petroleum storage tank release trust fund is \$6,017,279.02 at December 31, 1991.

James R. Cobler  
Secretary of Administration

Doc. No. 011455

## State of Kansas

## State Corporation Commission

Permanent Administrative  
RegulationsArticle 3.—PRODUCTION AND  
CONSERVATION OF OIL AND GAS**82-3-103. Notice of intention to drill; penalty.**

(a)(1) Scope. The owner, operator, or any other person responsible for a drilling operation shall submit written notice of the intention to drill for approval by the conservation division before the commencement of drilling operations for:

(A) Exploratory holes anticipated to penetrate a salt water formation;

(B) a well to be drilled for the discovery or production of oil, gas or other minerals, including reentry of a previously plugged and abandoned well;

(C) a service well; or

(D) a storage well.

(2) Time for filing. The notice shall be received by the conservation division at least five days before any drilling is commenced.

(3) Contents. The notice shall contain:

(A) The operator's name, address, and commission license number;

(B) the contractor's name, address, and commission license number;

(C) the date on which drilling is anticipated to begin;

(D) the lease name, quarter section, section, range, township, county, and the distance of the proposed drilling location from the section's nearest corner, in exact footages;

(E) the distance to the nearest lease or unit boundary line;

(F) the estimated total depth of the well;

(G) the type of drilling equipment to be used;

(H) the depth to the bottom of the deepest fresh-water at the drill site;

(I) the depth to the bottom of the deepest usable water formation at the drill site;

(J) for each well to be drilled into a common source of supply subject to a basic proration order of the commission, a plat map showing that the well will be properly located in relationship to other wells producing from the common source of supply, both within

the area subject to proration and within one mile of the boundaries of the prorated area for gas wells and within one-half mile of the boundaries of the prorated area for oil wells;

(K) for each well to be drilled in locations not subject to a basic proration order, a plat map showing the well location;

(L) any other information which may be requested by the commission. The notice shall be on a form prescribed by the commission, which shall be filled in completely and signed by the operator or the operator's agent.

(b) Surface casing, cementing. Surface casing and cementing requirements shall be given to the operator along with the approved notice of the intention to drill. Prior to spudding the well, the operator shall notify the appropriate district office. Unless otherwise provided, inadequate installation of or failure to install surface casing or to complete alternate II cementing pursuant to K.A.R. 82-3-106 shall each be punishable by a penalty of up to \$5000.

(c) Commencement of drilling. The owner or operator shall not commence the drilling operation until after commission approval has been received. A copy of the approved notice of intent to drill shall be posted on each drilling rig. Drilling without an approved notice of intent to drill shall be punishable by a \$1000 penalty.

(d) Plugging instructions. Preliminary plugging instructions shall be given to the operator along with the approved notice of intention to drill.

(e) Expiration of approval. The approval of the notice of intent to drill shall expire six months from the date of approval.

(f) Extension. If a written request for an extension stating the reason for extension is filed with the conservation division before the expiration date of the notice, a six-month extension of the approval may be granted by the director. Only one six-month extension shall be granted.

(g) Division of water resources information. The commission may require the operator to designate on the written notice of intention to drill, the source of drilling water and the vested right or permit file number assigned by the division of water resources of the state board of agriculture. (Authorized by K.S.A. 1989 Supp. 55-152; implementing K.S.A. 1989 Supp. 55-151, 55-152, 55-164; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended April 23, 1990; amended Feb. 24, 1992.)

**82-3-106. Cementing-in surface casing; penalty.**

(a) Beginning of drilling operations. Drilling shall not begin until the operator has received the approved notice of intent to drill from the conservation division, pursuant to K.A.R. 82-3-103. The notice of intent to drill shall indicate the amount of surface casing that must be set.

(b) Depth. The depth of required surface casing shall be determined in the following manner.

(1) The operator shall set a minimum of 50 feet of



steel surface casing in the well, except as otherwise provided by paragraph (b)(2).

(2) Table I, which establishes minimum surface casing requirements as incorporated by reference in commission order dated August 1, 1991, docket no. 34,780-C (C-1825), shall be used to determine the required depth of the surface casing and the cementing requirements for the protection of fresh and usable water. Upon submission of additional information, adjustments to the required depth of the surface casing may be made by the commission. These adjustments shall be indicated on the approved notice of intent to drill.

(A) Operators who drill wells in areas referenced in commission order dated January 27, 1983, docket no. 133,891-C, may set surface casing at the minimum depth set forth in that docket.

(B) An exception to the requirements set forth in table I, as incorporated by reference in commission order, dated August 1, 1991, docket no. 34,780-C (C-1825), may be granted by the director.

(3) The failure to install surface casing shall be punishable by a \$5000 penalty, and any well not in compliance with the requirements of this regulation shall be shut-in until compliance is achieved.

(c) Cementing and time requirements. Protection of fresh and usable water shall be accomplished by one of the two following alternatives.

(1) Alternate I. The surface casing shall be cemented to the surface with a portland cement blend. The surface casing shall be set and cemented below all fresh and usable water strata, according to the requirements established pursuant to subsection (b). An operator shall not drill to any depth to test for oil or gas without having set and cemented a continuous string of surface casing.

(2) Alternate II. Surface casing shall be set and cemented in the following manner:

(A) The first string of casing shall be set through all unconsolidated material plus 20 feet into the underlying formation. The surface casing shall be cemented to the surface with a portland cement blend. An operator shall not drill to any depth to test for oil or gas without having set and cemented this string of casing.

(B)(i) All additional casing which is next to the borehole shall be cemented by circulating cement to the surface from a point at least 50 feet below the base of the lowest known fresh and usable water, according to the requirements made pursuant to subsection (b). Cementing shall be completed with a portland cement blend except as provided by subsection (d)(3).

(ii) The operator shall notify the appropriate district office prior to the cementing of the additional casing. If a time period is specified by table I, as incorporated by reference in commission order dated August 1, 1991, docket no. 34,780-C (C-1825), the additional cementing shall be completed within the time period specified. If a time period is not specified in table I, as incorporated by reference in commission order dated August 1, 1991, docket no. 34,780-C (C-1825), the additional cementing shall be completed within a time period sufficient to allow compliance with K.A.R.

82-3-106(e). Extensions of the time period within which the additional cementing must be completed may be granted by the director. Requests for these extensions shall be made in writing and shall state the reason for extension. Requests shall be submitted to the director within 120 days after the spudding of the well.

(iii) A backside squeeze, the uncontrolled placement of cement in the annular space between the surface casing and production casing from the surface down, shall be permitted only upon a request to the appropriate district office. Requests shall be granted only upon the approval of the cement evaluation method to be utilized and submitted as verification of cement placement.

(d) Methods and materials to be used in setting and cementing of surface casing.

(1) In setting surface casing, the surface hole diameter shall be sufficiently larger than the surface casing to permit circulation of the cement.

(2) The annular space between the surface casing and the borehole shall be filled with a portland cement blend. The cement shall be maintained at surface level.

(3) The use of any material other than a portland cement blend shall be prohibited except for the alternative cementing materials as defined by commission order dated March 29, 1985, docket no. 34,780-C (C-1825), which is incorporated by reference.

(4) The cemented casing string shall stand and further operations shall not begin until the cement has been in place for at least eight hours and has reached a compressive strength of 300 pounds per square inch. This requirement may be modified by specific order of the commission.

(e) Affidavit. Each operator shall file a sworn affidavit with the conservation division setting out the type, amount, and method of cementing used on all casing strings in a wellbore. The affidavit shall be filed within 120 days of the spud date of the well, or as otherwise required by K.A.R. 82-3-130(b), on the form provided by the commission. Legible documentation of the cementing operations across fresh and usable water strata shall be attached to the affidavit. The documentation may consist of invoices, job logs, job descriptions, or other similar service company reports. Falsification of documentation or the failure to complete alternate II cementing shall be punishable by a \$5000 penalty, and any well not in compliance with requirements of this regulation shall be shut-in until compliance is achieved. (Authorized by K.S.A. 1989 Supp. 55-152; implementing K.S.A. 1989 Supp. 55-151, 55-152, 55-159, 55-162, 55-164; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-85-1, Jan. 13, 1984; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-46, Dec. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended May 8, 1989; amended April 23, 1990; amended Feb. 24, 1992.)

Judith McConnell  
Executive Director

Doc. No. 011443

## State of Kansas

## Board of Agriculture

## Division of Water Resources

Temporary Administrative  
Regulations

## Article 40.—DESIGN OF EARTH DAMS

**5-40-1. Definitions.** As used in these rules and regulations, K.S.A. 82a-301 through 305a, and by the division of water resources in administering K.S.A. 82a-301 through 305a, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section:

(a) "Application" means the formal document submitted to the chief engineer requesting a permit, in accordance with the provisions of K.S.A. 82a-301 through 305a, that authorizes the applicant to proceed with the construction of a proposed dam, channel change or stream obstruction.

(b) "Authorized representative" means any staff employee designated by the chief engineer to perform duties and functions on behalf of the chief engineer.

(c) "Channel change or stream obstruction" means any project or structure, including any dam, that:

(1) does not extend above the higher natural bank; or

(2) alters the course, current or cross section of any stream of the state.

(d) "Chief engineer" means the chief engineer, division of water resources of the Kansas state board of agriculture.

(e) "Dam" means any artificial barrier, together with appurtenant works, which does, or may, impound water.

(f) "Freeboard" means the vertical distance between the maximum stage attained in the design storm event and the top of the structure.

(g) "Navigable stream" means the Arkansas river, the Missouri river and the Kansas river.

(h) "Perennial stream" means a stream, or part of a stream, that flows continuously during all of the calendar year, except during an extreme drought.

(i) "Permit" means the formal document issued by the chief engineer to the sponsor of a project, that authorizes the sponsor to proceed with the construction of the dam, channel change or stream obstruction.

(j) "Reservoir" means the area upstream from a dam which contains, or will contain, impounded water.

(k) "Stream" means any watercourse which has a well-defined bed and banks. The stream need not flow continuously and may flow only briefly after a rain in the watershed. The drainage area above the point in question must exceed 160 acres or a greater acreage designated in writing by the chief engineer, except that the chief engineer reserves the right to regulate levees or floodplain fills regardless of the size of the drainage area if the chief engineer determines it to be necessary to protect the public interest, public safety or environmental interests. (Authorized by K.S.A. 82a-303a; implementing K.S.A. 82a-302; effective May 1, 1983;

amended May 1, 1987; amended, T-5-12-30-91, Dec. 30, 1991.)

Article 42.—DESIGN OF STREAM  
CONSTRUCTIONS

**5-42-1. Stream obstructions; plans and specifications.** Plans for a stream obstruction shall include: (a) A general location map or aerial photograph showing the stream, location of the proposed obstruction, section lines, a bar scale, a north arrow, property lines with names and addresses of adjoining landowners, and any other landowners whose land may be hydraulically affected by the proposed stream obstruction, drainage area and any other prominent features;

(b) a detailed plan view fully describing the obstruction and the site;

(c) a profile showing the present elevation of the stream bed and both banks, extending upstream to the point where the stream bed elevation is equal to or higher than the top of the obstruction and extending downstream an equivalent distance from the project site;

(d) an elevation view showing the obstruction on a cross section of the stream and the valley up to the post project design flood elevation at the site;

(e) at least one permanent benchmark shall be conveniently located for use after construction. The location, description and elevation of the permanent benchmark, to which all elevations are referred, shall be shown on the plans. Reference to the national geodetic vertical datum of 1929 to a tolerance of plus or minus one half foot is required for all stream obstructions on perennial streams and where detailed floodplain data are available. Project datum is acceptable on all other stream obstruction projects;

(f) details of the manner in which the obstruction is to be tied into the bed and banks of the streams;

(g) the land for which easements or rights-of-way are to be acquired if the proposed obstruction affects land other than that owned by the applicant; and

(h) unless it is clear that the impacts of the proposed project will be limited to property under the control of the applicant, a hydraulic analysis determining the pre-project and post-project water surface elevations for the two-year flood and the 100-year flood shall be prepared and submitted to the chief engineer. (Authorized by K.S.A. 82a-303a; implementing K.S.A. 82a-302; effective May 1, 1987; amended, T-5-12-30-91, Dec. 30, 1991.)

## Article 44.—FLOODPLAIN MANAGEMENT

**5-44-1. Floodplain Management; Definitions.** As used in these regulations, K.S.A. 12-766, and by the division of water resources in administering K.S.A. 12-766, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section: (a) "Basement" means any area of a building having its floor subgrade (below ground level) on all sides.

(b) "Chief engineer" means the chief engineer of the

division of water resources, Kansas state board of agriculture.

(c) "Development" means any man-made change to real estate, including, but not limited to:

- (1) buildings or other structures;
- (2) mining;
- (3) dredging;
- (4) filling;
- (5) grading;
- (6) paving;
- (7) excavation or drilling; or
- (8) storage of equipment or materials.

(d) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land from:

- (1) the overflow of waters normally confined between the banks of a stream or other watercourse, or
- (2) the unusual, rapid accumulation or runoff of surface waters from any source.

(e) "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

(f) "Lowest floor" means the lowest enclosed area, including a basement, of a building. An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor.

(g) "Permit" means a signed document from a designated community official authorizing development in a floodplain, including all necessary supporting documentation such as:

- (1) the site plan;
- (2) an elevation certificate; and
- (3) any other necessary or applicable approvals or authorizations from local, state or federal authorities.

(h) "Structure" means a walled and roofed building, a manufactured house, or above ground gas or liquid storage tank.

(i) "Substantially improved" means any reconstruction, rehabilitation, addition to or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the improvement.

(j) "Variance" means a grant of relief by a community from the terms of a floodplain management zoning regulation.

(k) "Flood hazard map" means the document adopted by the governing body showing the limits of:

- (1) the floodplain;
- (2) the floodway;
- (3) streets;
- (4) stream channel; and
- (5) other geographic features.

(Authorized by and implementing K.S.A. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-44-2. Floodplain Management; Conditions for Application for Approval.** Before formal adoption by the governing body of any zoning regulation that establishes a floodplain zone or district, or regulates the

development within a floodplain zone or district, the governing body shall apply to the chief engineer for approval of the zoning regulations. The governing body shall also apply to the chief engineer for approval of its zoning regulation when: (a) the governing body enters into, or alters its status under, the national flood insurance program;

(b) the governing body adopts a new or revised flood hazard map, base flood elevations, flood insurance study, or regulatory floodway;

(c) the governing body annexes areas containing floodplain;

(d) the governing body assumes administrative jurisdiction over the adjacent floodplain areas outside the governing body's boundaries; or

(e) the governing body changes variance procedures used in granting relief from floodplain regulations. (Authorized by and implementing K.S.A. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-44-3. Floodplain Management; Application for Approval of Zoning Regulations; Time Limit.** (a) The application for approval of zoning regulations shall consist of:

(1) a letter which:

(A) requests approval by the chief engineer under K.S.A. 12-766 on a proposed effective date, which shall not be prior to the approval by the chief engineer;

(B) proposes the date of adoption by the governing body; and

(C) states the reason for application for approval as enumerated in K.A.R. 5-44-2;

(2) a copy of the full text of the zoning regulation including maps, plans, profiles and specifications adopted by the floodplain management zoning regulations which meet the requirements of K.A.R. 5-44-4.

(b) When all the data required by the chief engineer is received, the chief engineer shall notify the governing body in writing as to the beginning and ending dates of the 90-day statutory time period for review. (Authorized by and implementing K.S.A. 1991 Supp. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-44-4. Floodplain Management; Zoning Regulations; Minimum Standards and Criteria.** Any zoning regulation which regulates development of floodplains shall include the following minimum standards and criteria: (a) Flood hazard areas shall be identified as follows:

(1) The flood hazard area subject to floodplain management zoning regulation shall be identified by reference to a specific map used to identify the flood hazard. The identification of the map shall include the preparer of the map and the date it was prepared.

(2) When the flood hazard map is revised and republished with a new effective date, the governing body's floodplain management zoning regulations shall amend the zoning regulations to adopt the new map by reference.

(b) The development standards shall meet or exceed the minimum requirements of the national flood insurance act of 1968, as amended, 42 U.S.C. Section

(continued)

4001 *et seq.* and the regulations adopted pursuant to that act.

(c) Any development standards adopted by the governing body for which minimal requirements have been set by the chief engineer in K.A.R. 5-45-1 *et seq.* shall meet or exceed the requirements of the chief engineer.

(d) The governing body shall designate a local floodplain administrator by position or job title. The local floodplain administrator's responsibilities shall include:

- (1) the review and issuance of floodplain development permits;
- (2) the conduct or direction of appropriate inspections;
- (3) the maintenance of any records necessary to document compliance with floodplain development permit conditions; and
- (4) any other matters deemed appropriate by the governing body.

(e) The governing body shall designate by position or job title an enforcement officer who is responsible to enforce the actions of the local floodplain administrator.

(f) The local floodplain administrator and enforcement officer may be combined in a single position or job title.

(g) If any part of a proposed development is located within the floodplain, an application for floodplain development permit shall be made to the local floodplain administrator. The application for a floodplain development permit shall contain:

(1) Sufficient detail for the local floodplain administrator to determine the nature of proposed development and whether permits or approvals are needed from the governing body, state or federal authorities, especially any permits or approvals that may be required by K.S.A. 24-126 or K.S.A. 82a-301 *et seq.*, and their respective regulations; and

(2) Written documentation of adequate protection from damages which could be caused by the base flood.

(h) If the proposed residential development will be located in an area designated as zone AO on a flood insurance rate map (FIRM), any new or substantially improved residential structure shall have the lowest floor (including the basement) elevated above the highest adjacent natural grade at least as high as the depth number specified in feet on the FIRM. If no depth number is specified on the FIRM, it shall be elevated at least two feet above the highest adjacent natural grade.

(i) If the proposed non-residential development will be located in an area designated as zone AO on a FIRM, any new or substantially improved non-residential structure shall be dry flood proofed or elevated to at least as high as the depth number specified in feet on the FIRM above the highest adjacent natural grade. If no depth number is specified on the FIRM, it shall be dry flood proofed or elevated at least two feet above the highest adjacent natural grade.

(j) If zone AO is not specified on the FIRM, or the proposed development will be located in the floodplain outside zone AO, then the lowest floor of any new or

substantially improved residential structure shall be elevated at least one foot above the base flood elevation. The elevation of the lowest floor shall be certified by a licensed land surveyor.

(k) If zone AO is not specified on the FIRM, or the proposed development will be located in the floodplain outside zone AO, then any new or substantially improved non-residential structure shall be dry flood proofed or elevated to at least one foot above the base flood elevation. The elevation of the lowest floor shall be certified by a licensed land surveyor. If the structure is dry flood proofed, a licensed architect or a licensed professional engineer shall certify that the design and methods of construction of the dry flood proofing meet or exceed the minimum requirements of the national flood insurance act of 1968, as amended, 42 U.S.C. Section 4001 *et seq.* and the regulations adopted pursuant to that act. (Authorized by and implementing K.S.A. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-44-5. Floodplain Management; Variance Procedures.** Any floodplain management zoning regulations shall include procedures for the approval of a variance to the floodplain management zoning regulations. The procedures shall stipulate the criteria for a variance and specify when a variance may be granted by the local floodplain administrator, the enforcement officer or board of zoning appeals. The procedures shall establish a board of zoning appeals for hearing appeals of decisions of the floodplain administrator or enforcement officer and establish the criteria for the appeals. Variances shall not be granted solely to avoid the requirements of a floodplain development permit. (Authorized by and implementing K.S.A. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-44-6. Floodplain Management; Waiver or Stricter Requirements.** (a) The chief engineer may waive any of the regulations adopted under this article if it is shown to the satisfaction of the chief engineer that waiver of the regulation will not pose a hazard to the public safety and that such waiver is not adverse to the public interest.

(b) The chief engineer may invoke any jurisdiction granted by statute to impose stricter requirements than those required by rules and regulations where such jurisdiction or additional requirements are necessary to protect the public interest, protect the public safety or prevent damage to public or private property. (Authorized by and implementing K.S.A. 12-766; effective, T-5-12-30-91, Jan. 1, 1992.)

#### Article 45.—DESIGN OF LEVEES

**5-45-1. Levees and floodplain fills; definitions.** As used in these rules and regulations, K.S.A. 24-126, and by the division of water resources in administering K.S.A. 24-126, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section: (a) "Approval" means the written approval of plans and specifications by the chief engineer authorizing the applicant to proceed with the construction and maintenance of a levee or floodplain fill project.

(b) "Authorized representative" means any staff employee designated by the chief engineer to perform duties and functions on behalf of the chief engineer.

(c) "Base flood" means a flood having a one percent chance of being equaled or exceeded in any one year.

(d) "Chief engineer" means the chief engineer, division of water resources, Kansas state board of agriculture.

(e) "Design flood" means a flood having a selected probability of being equaled or exceeded in any one year for the degree of protection required.

(f) "Environmental mitigation" means:

- (1) site specific modification of a project;
- (2) implementation of a practice or management; or
- (3) the reservation of a part of the project to protect or replace environmental values destroyed or adversely affected by the project.

(g) "Equal and opposite conveyance" means the location of development offsets from stream banks so that floodplain lands on each side of a stream outside the stream channel convey a share of the flood flows proportionate to the total conveyance available on each respective side of the stream.

(h) "Floodplain fill" means material, usually soil, rock, or rubble, placed in a floodplain to an average height of greater than one foot above the existing ground and which has the effect of diverting, restricting or raising the level of floodwaters on a stream.

(i) "Floodway" means the channel of a stream and adjacent land areas that are required to discharge the base flood without increasing the water surface elevation more than a height designated by the chief engineer.

(j) "Floodway fill" means floodplain fills other than a levee placed wholly or partially within the boundaries of the floodway at locations where the floodway has been identified.

(k) "Floodway fringe" means those portions of a floodplain outside of the boundaries of a regulatory floodway within reaches of a stream where such a floodway has been established.

(l) "Floodway fringe fill" means floodplain fills other than a levee placed wholly outside the floodway boundaries at locations where the floodway has been identified.

(m) "Levee" means any floodplain fill with an average height of more than one foot above the surrounding terrain constructed generally parallel to a watercourse and whose purpose is to repel flood waters.

(n) "Perennial stream" means a stream, or a part of a stream, that flows continuously during all of the calendar year, except during an extended drought.

(o) "Stream" means any watercourse which has a well-defined bed and banks. The stream need not flow continuously and may flow only briefly after a rain in the watershed. The drainage area above the point in question must exceed 160 acres or a greater acreage designated in writing by the chief engineer, except that the chief engineer reserves the right to regulate levees or floodplain fills regardless of the size of the drainage area if the chief engineer determines it to be necessary

to protect the public interest, public safety or environmental interests. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-2. Levees and floodplain fills; plans and specifications.** Plans for a levee or a floodplain fill must be submitted on clearly legible prints (maximum size 24 inches by 36 inches) of the original tracings which are capable of reproduction. Plans for a levee or a floodplain fill shall include: (a) A general location map or aerial photograph showing:

- (1) the stream;
- (2) location of the proposed levee or floodplain fill;
- (3) floodway limits where available;
- (4) floodplain limits;
- (5) section lines;
- (6) property lines with names and addresses of adjoining landowners and any other landowners who may be hydraulically affected by the proposed levee or floodplain fill;
- (7) drainage area;
- (8) a bar scale;
- (9) a north arrow;
- (10) existing and proposed surface drainage flow patterns; and

(11) any other prominent features;

(b) a detailed plan view fully describing the levee or floodplain fill and the site, including:

- (1) the design flood elevation and frequency;
- (2) the base flood;
- (3) floodway limits when available;
- (4) floodplain limits;
- (5) two-foot ground contours; and
- (6) the area reserved for environmental mitigation with a description of environmental mitigation measures to be implemented, if any are necessary;
- (c) a profile showing the proposed elevation of the top and base of the levee or floodplain fill, the design flood, the base flood, the stream bed and both banks;
- (d) an elevation view at the most restricted location in the valley showing the levee or floodplain fill on a cross section of the stream and the valley up to the post project base flood elevation at the site. This cross section shall show:

- (1) the stream;
- (2) floodway limits where available;
- (3) floodplain limits;
- (4) base flood elevation; and
- (5) design flood elevation;
- (e) at least one permanent benchmark conveniently located for use after construction. The benchmark shall be placed where it is not likely to be destroyed. A three foot minimum length of pipe or steel driven flush with the ground in an area which is unlikely to be disturbed may be used. Wood or plastic stakes, nails or marks in trees shall not be considered as permanent benchmarks. The location and description of the benchmark shall be shown on the plans. They shall be properly referenced so they can be easily found in the field. The location, description and elevation of the permanent benchmark shall be shown on the plans.

(continued)

The benchmark may be a benchmark identified in the community's flood insurance rate map if the benchmark is less than 500 feet from the fill. Reference to the national geodetic vertical datum of 1988 to a tolerance of plus or minus one half foot is required for all levees and floodplain fills on perennial streams. Reference to a tolerance of 0.05 foot is required where detailed floodplain data are available. Project datum is acceptable on all other levee and floodplain fill projects; and

(f) the land for which easements or rights-of-way have been acquired when the proposed levee or floodplain fill will affect land other than that owned by the applicant. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-3. Levees and floodplain fills; specifications.**

The specifications for levees and floodplain fills shall be prepared on 8½ by 11 inch sheets of a good grade of white bond paper. The specifications shall be in sufficient detail to assure that the works will be properly executed and shall comply with the currently accepted engineering practices. The specifications shall include provisions for: (a) adequate supervision during the period of construction by a person qualified to design the levee or floodplain fill;

(b) notification of the division of water resources of the status of construction; and

(c) inspection by a representative of the division of water resources. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-4. Levees and floodplain fills; preparer of maps, plans, profiles and specifications.** (a) Except as provided in subsection (b), each map, plan, profile and specification submitted to the chief engineer shall be prepared by a licensed professional engineer who is competent in levee or floodplain fill design and construction. These details may be prepared by someone working under the direct supervision of a licensed professional engineer, if that engineer approves and places the engineer's seal upon the plans and specifications prior to submission to the chief engineer.

(b) The following described levees and floodplain fills may be designed by any person competent to design a levee or floodplain fill of this size and classification;

(1) Floodplain fills other than levees located wholly in identified floodway fringe areas;

(2) floodplain fills other than levees located wholly in areas without a designated floodway which are less than 3200 cubic yards in volume, less than 4 feet in height and more than 100 feet from other floodplain fills;

(3) Class A levees; and

(4) Class B levees. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-6. Levees and floodplain fills; other maps,**

**plans, profiles, data and specifications.** The applicant shall also submit any other maps, plans, profiles and specifications of the levee or floodplain fill project and any other data which the chief engineer may require. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-7. Levees and floodplain fills; application.** (a) The application for approval of plans to construct a levee or floodplain fill shall be filed on the form(s) prescribed by the chief engineer, including application supplements, and shall be completed in proper form according to the instructions.

To be complete, the application shall include:

(1) application DWR No. 3-100.1;  
 (2) application supplement, DWR Form No. 2-102;  
 (3) plans fully complying with requirements of K.A.R. 5-45-2;

(4) specifications fully complying with requirements of K.A.R. 5-45-3;

(5) if the proposed levee or floodplain fill will change the limits of the floodplain or floodway boundaries, or both, the application shall be accompanied by a copy of an application to the governing body for a floodplain development permit and a copy of an application by the governing body to the federal emergency management agency for a letter of map revision under the national flood insurance program;

\* (b) The statutory time limit on the chief engineer's deliberation for approval for floodway fringe fills shall not begin until the application is complete. When such a floodway fringe fill application is received by the chief engineer, it will be reviewed to determine whether or not it is complete. If the application is complete, the chief engineer will notify the applicant when the 90-day review period began and will end. If the application is not complete, the additional information will be requested and the applicant informed that the 90-day statutory review period has not yet begun. For a floodway fringe fill application, when comments are received as a result of the water projects environmental coordination act review under K.S.A. 82a-325 et seq., which require modification of the plans, the 90-day statutory time limit shall be suspended from the time the modifications are requested by the chief engineer until satisfactory modifications of the plans are received by the division of water resources. When the appropriate modifications have been received, the 90-day time limit will begin again with the same number of days remaining as were remaining at the time of the suspension. The applicant shall be notified in writing as to the date of the suspension and restart of the 90-day time limit. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-12. Levees and floodplain fills; setback.** The minimum setback distance from the top of the stream bank to the nearest toe of the levee or the edge of the floodplain fill shall be 100 feet, or twice the width of the stream measured from the top of one bank to the top of the opposite bank, whichever distance is less, unless the applicant demonstrates that adequate bank

protection will be utilized. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-13. Levees; unreasonable effect.** (a) The chief engineer shall not approve plans for any levee which is deemed to have an unreasonable effect on another. Levees shall not cause an increase in the elevation of the flood profile more than one foot at any location outside floodways designated by the chief engineer. Levees shall not cause any increase in the elevation of the base flood profile within floodways designated by the chief engineer.

(b) For a class A or class B levee, the effect of the proposed levee on the design flood profile shall be evaluated with the assumption that an equal setback levee is in place on the opposite side of the stream.

(c) For a class C levee, the effect of the proposed levee on the design flood profile shall be calculated by the technique of equal conveyance reduction from the outer floodplain limits outside the channel, unless the applicant demonstrates that the applicant has obtained legal authorization from all landowners whose land would be unreasonably hydraulically affected by a greater encroachment toward the channel. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987; amended, T-5-12-30-91, Jan. 1, 1992.)

**5-45-14. Levees and floodplain fills; hydrologic and hydraulic analysis.** The applicant shall submit a hydrologic and hydraulic analysis for every levee and floodplain fill project except floodway fringe fill projects and those projects identified in K.A.R. 5-45-4 (b). The hydrologic and hydraulic analysis shall include the design and base floods for main streams, tributary streams and local drainage describing the existing and proposed conditions with the application and plans. Floodplain fills located outside identified floodways shall not cumulatively cause an increase in the elevation of the design and base flood profiles of more than one foot. Floodplain fills within a floodway shall not cause any increase in the elevation of the design and base flood profile. The effect of a proposed floodplain fill shall be calculated by the technique of equal conveyance reduction, except as provided in K.A.R. 5-45-13(b), unless the applicant demonstrates that the applicant has obtained legal authorization from any landowner whose land is unreasonably hydraulically affected by a greater encroachment toward the channel. (Authorized by and implementing K.S.A. 24-126; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-45-15. Floodplain fills; design criteria.** Floodplain fills shall meet or exceed the following design criteria: (a) The sideslopes shall not be steeper than one vertical to three horizontal, unless the applicant

submits data and analysis to show that a steeper slope will be stable;

(b) Floodplain fills shall be adequately protected from erosion and undermining from floods up to the level of the base flood elevation and surface drainage by the use of vegetative cover, riprap or other means.

(c) Floodplain fills shall not unreasonably obstruct or divert the flow of surface water and other waters from the main stream and tributaries to the main stream to the detriment of adjacent or hydraulically affected property owners.

(d) Floodplain fills shall not obstruct utility or other easements without proper authorization.

(e) Floodplain fills shall not unreasonably affect the environment without adequate environmental mitigation.

(f) Floodplain fills, other than levees, for residential buildings, including manufactured housing, are required to be of adequate height to raise the lowest floor, including the basement, at least one foot above the base flood elevation.

(g) Floodplain fills, other than levees, for sewage lagoons and sanitary landfills are required to have at least one foot of freeboard above the base flood.

(h) All other floodplain fills other than levees are required to have at least one foot of freeboard above the design flood. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-45-16. Floodplain fills; disapproval.** (a) A levee or floodplain fill should not have an unreasonable effect on adjacent landowners, be adverse to the public interest and environmental concerns or lack required environmental mitigation.

(b) Within six months of the disapproval, the applicant may make a written request to the chief engineer to rescind the disapproval by providing information or modifications of the plans requested by the chief engineer. (Authorized by and implementing K.S.A. 24-126, as amended by L. 1991, ch. 56, sec. 27; effective, T-5-12-30-91, Jan. 1, 1992.)

**5-45-17. Exemption—floodway fringe fills.** Floodway fringe fills are exempt from applying for an obtaining approval from the chief engineer if they are:

(a) up to 1600 cubic yards in size;

(b) with a maximum height of two feet;

(c) more than 100 feet away from other floodplain fills; and

(d) constructed according to the design criteria in K.A.R. 5-45-15. (Authorized by and implementing K.S.A. 24-126; effective, T-5-12-30-91, Jan. 1, 1992.)

Sam Brownback  
Secretary of Agriculture

Doc. No. 011460

**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 1991 Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-5-15	Amended	V. 10, p. 1688
1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
1-6-29	Amended	V. 10, p. 1689
1-9-4	Amended	V. 10, p. 1690
1-9-5	Amended	V. 10, p. 1691
1-9-7a	Amended	V. 10, p. 382, 760
1-9-21	Amended	V. 10, p. 1692
1-16-18	Amended	V. 10, p. 1470, 1497
1-17-1	Amended	V. 10, p. 1471
1-17-2	Amended	V. 10, p. 1471
1-17-2a	Amended	V. 10, p. 1471
1-45-16	Amended	V. 10, p. 1692
1-49-1	Amended	V. 10, p. 1472

**AGENCY 4: BOARD OF AGRICULTURE**

Reg. No.	Action	Register
4-3-47	Amended	V. 10, p. 1319
4-3-49	Amended	V. 10, p. 1319
4-7-2	Amended	V. 10, p. 1319
4-7-510	Amended	V. 10, p. 1319
4-7-513	Amended	V. 10, p. 1319
4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
4-7-532	New	V. 10, p. 1319
4-7-533	New	V. 10, p. 1320
4-7-716	Amended	V. 10, p. 1320
4-7-717	Amended	V. 10, p. 1320
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	New	V. 10, p. 1320
4-8-30	Amended	V. 10, p. 1321
4-8-39	Amended	V. 10, p. 1321
4-8-40	Amended	V. 10, p. 1321
4-13-28	New	V. 10, p. 1321
4-33-1	Amended	V. 10, p. 1315, 1321
4-33-2	New	V. 10, p. 1315, 1321

**AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-23-3	Amended	V. 10, p. 1194
5-23-4a	New	V. 10, p. 1195
5-24-2	Amended	V. 10, p. 976
5-24-5	Amended	V. 10, p. 977
5-40-1	Amended	V. 11, p. 15
5-44-1 through 5-44-6	New	V. 11, p. 15-17

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 10, p. 728
7-32-2	New	V. 10, p. 728

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-13-1 through 9-13-3	Revoked	V. 10, p. 1821, 1822
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1822
9-19-1 through 9-19-11	New	V. 10, p. 1822-1827
9-20-1	New	V. 10, p. 1827
9-20-2	New	V. 10, p. 1828
9-21-1	New	V. 10, p. 1828
9-21-2	New	V. 10, p. 1829
9-21-3	New	V. 10, p. 1829
9-22-1	New	V. 10, p. 1829
9-22-2	New	V. 10, p. 1830
9-22-3	New	V. 10, p. 1830
9-23-1	New	V. 10, p. 1830
9-23-2	New	V. 10, p. 1831
9-23-3	New	V. 10, p. 1831
9-24-1	New	V. 10, p. 1831
9-24-2	New	V. 10, p. 1832
9-24-3	New	V. 10, p. 1832

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690
14-21-9	Amended	V. 10, p. 690
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

**AGENCY 17: STATE BANKING DEPARTMENT**

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17-11-17	Amended	V. 10, p. 1768
17-11-18	Amended	V. 10, p. 1768
17-11-21	Amended	V. 10, p. 1768
17-12-1	Amended	V. 10, p. 1768
17-12-2	Amended	V. 10, p. 1769
17-14-1	Amended	V. 10, p. 1769
17-15-1	Amended	V. 10, p. 1769
17-16-1	Amended	V. 10, p. 1772
17-16-2	Amended	V. 10, p. 1772
17-16-3	Amended	V. 10, p. 1772
17-16-5	Amended	V. 10, p. 1773
17-16-6	Amended	V. 10, p. 1773
17-16-8	Amended	V. 10, p. 1773
17-16-9	Amended	V. 10, p. 1773
17-18-4	Amended	V. 10, p. 1773
17-20-1	New	V. 10, p. 1773

**AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
23-3-16	Revoked	V. 10, p. 916
23-8-24	Revoked	V. 10, p. 916
23-12-1	Revoked	V. 10, p. 916
23-12-8	Revoked	V. 10, p. 916
23-12-11	Revoked	V. 10, p. 917
23-21-1 through 23-21-14	Revoked	V. 10, p. 1441

**AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT**

Reg. No.	Action	Register
25-4-1	Amended	V. 10, p. 405

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-8-1 through 26-8-14	New	V. 10, p. 1285-1287

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-4-405	Amended	V. 10, p. 257
28-4-530	New	V. 10, p. 1246

28-4-531	New	V. 10, p. 1246
28-17-6	Amended	V. 10, p. 1246
28-17-12	Amended	V. 10, p. 1246
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
28-19-78	New	V. 10, p. 1254
28-36-30	Amended	V. 10, p. 1655
28-39-77	Amended	V. 10, p. 1655
28-53-1 through 28-53-5	New	V. 10, p. 199
28-59-1 through 28-59-8	New	V. 10, p. 111-113

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-2-16	Amended	V. 10, p. 1353
30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 1648
30-4-63	Amended	V. 10, p. 1353
30-4-64	Amended	V. 10, p. 1355
30-4-90	Amended	V. 10, p. 1356
30-4-101	Amended	V. 10, p. 1357
30-4-111	Amended	V. 10, p. 341
30-4-112	Amended	V. 10, p. 1648
30-4-113	Amended	V. 10, p. 693
30-4-120	Amended	V. 10, p. 343
30-4-130	Amended	V. 10, p. 961
30-5-58	Amended	V. 10, p. 1358
30-5-70	Amended	V. 10, p. 1363
30-5-77	Amended	V. 10, p. 1291
30-5-78	New	V. 10, p. 1364
30-5-79	New	V. 10, p. 1364
30-5-81	Amended	V. 10, p. 699
30-5-86	Amended	V. 10, p. 699
30-5-88	Amended	V. 10, p. 700
30-5-92	Amended	V. 10, p. 344
30-5-94	Amended	V. 10, p. 345
30-5-95	Amended	V. 10, p. 346
30-5-101	Amended	V. 10, p. 1365
30-5-103	Amended	V. 10, p. 1365
30-5-104	Amended	V. 10, p. 701
30-5-110	Amended	V. 10, p. 1365
30-5-112	Amended	V. 10, p. 963
30-5-113	Amended	V. 10, p. 963
30-5-114	Amended	V. 10, p. 1365
30-5-115	Amended	V. 10, p. 963
30-5-116	Amended	V. 10, p. 1496, 1649
30-5-116a	Amended	V. 10, p. 1496, 1649
30-5-151	Amended	V. 10, p. 963
30-5-152	Amended	V. 10, p. 963
30-5-154	Amended	V. 10, p. 963
30-5-156	Amended	V. 10, p. 963
30-5-157	Amended	V. 10, p. 964
30-5-159	Amended	V. 10, p. 964
30-5-160	Amended	V. 10, p. 964
30-5-161	Amended	V. 10, p. 964
30-5-162	Amended	V. 10, p. 964
30-5-163	Amended	V. 10, p. 964
30-5-164	Amended	V. 10, p. 964
30-5-166	Amended	V. 10, p. 964
30-5-167	Amended	V. 10, p. 964
30-5-168	Amended	V. 10, p. 964
30-5-169	Amended	V. 10, p. 964
30-5-170	Amended	V. 10, p. 965
30-5-171	Amended	V. 10, p. 965
30-6-53	Amended	V. 10, p. 1366
30-6-65	Amended	V. 10, p. 1650
30-6-74	Revoked	V. 10, p. 1366
30-6-77	Amended	V. 10, p. 701
30-6-82	New	V. 10, p. 702
30-6-86	Amended	V. 10, p. 348
30-6-94	New	V. 10, p. 1651
30-6-103	Amended	V. 10, p. 1651
30-6-106	Amended	V. 10, p. 1651
30-6-107	Amended	V. 10, p. 705
30-6-111	Amended	V. 10, p. 351
30-6-112	Amended	V. 10, p. 1653



30-6-113	Amended	V. 10, p. 706
30-7-65	Amended	V. 10, p. 707
30-7-76	Amended	V. 10, p. 1654
30-7-77	Amended	V. 10, p. 1655
30-7-78	Amended	V. 10, p. 1655
30-10-1a	Amended	V. 10, p. 1369
30-10-7	Amended	V. 10, p. 354
30-10-11	Amended	V. 10, p. 1371
30-10-15a	Amended	V. 10, p. 708
30-10-15b	Amended	V. 10, p. 1372
30-10-16	Amended	V. 10, p. 709
30-10-17	Amended	V. 10, p. 1373
30-10-18	Amended	V. 10, p. 1374
30-10-19	Amended	V. 10, p. 1376
30-10-23a	Amended	V. 10, p. 1376
30-10-24	Amended	V. 10, p. 1377
30-10-25	Amended	V. 10, p. 1378
30-10-27	Amended	V. 10, p. 1379
30-10-29	Amended	V. 10, p. 1379
30-10-30	Revoked	V. 10, p. 355
30-10-200	Amended	V. 10, p. 1198
30-10-207	Amended	V. 10, p. 1200
30-10-208	Amended	V. 10, p. 1200
30-10-210		
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30-10-226	New	V. 10, p. 48-57
30-10-210	Amended	V. 10, p. 1202
30-10-211	Amended	V. 10, p. 1203
30-10-212	Amended	V. 10, p. 1204
30-10-213	Amended	V. 10, p. 1204
30-10-214	Amended	V. 10, p. 1230
30-10-215	Amended	V. 10, p. 1206
30-10-217	Amended	V. 10, p. 1206
30-10-218	Amended	V. 10, p. 1207
30-10-219	Amended	V. 10, p. 1207
30-10-220	Amended	V. 10, p. 1208
30-10-221	Amended	V. 10, p. 1208
30-10-226	Revoked	V. 10, p. 1209
30-22-1	Amended	V. 10, p. 1380
30-22-2	Amended	V. 10, p. 1380
30-22-5	Amended	V. 10, p. 1381
30-22-6	Amended	V. 10, p. 1381
30-22-11		
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30-22-28	Revoked	V. 10, p. 1381
30-41-1	Amended	V. 10, p. 710
30-41-7a	Amended	V. 10, p. 711
30-41-7i	New	V. 10, p. 711
30-41-20	New	V. 10, p. 711
30-46-13	Amended	V. 10, p. 1381
30-46-14	Revoked	V. 10, p. 1381
30-46-15	Amended	V. 10, p. 1381
30-60-1	New	V. 10, p. 1381
30-60-2	New	V. 10, p. 1381
30-60-5	New	V. 10, p. 1382
30-60-6	New	V. 10, p. 1382
30-60-7	New	V. 10, p. 1383
30-60-10	New	V. 10, p. 1383
30-60-11	New	V. 10, p. 1383
30-60-12	New	V. 10, p. 1384
30-60-17	New	V. 10, p. 1384
30-60-18	New	V. 10, p. 1384
30-60-19	New	V. 10, p. 1384
30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1386
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391

30-61-2	New	V. 10, p. 1391
30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

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36-1-1	Amended	V. 10, p. 88
36-1-28		
through		
36-1-34	New	V. 10, p. 88-91

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

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40-1-28	Amended	V. 10, p. 1582
40-1-38	New	V. 10, p. 1693
40-2-15	Amended	V. 10, p. 1693
40-2-20	New	V. 10, p. 259, 383
40-2-21	New	V. 10, p. 1583
40-3-22	Amended	V. 10, p. 1693
40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584
40-4-37	Amended	V. 10, p. 1695

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 10, p. 1196
44-6-124	Amended	V. 10, p. 1196
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 10, p. 1197
44-6-142	Amended	V. 10, p. 1198

**AGENCY 60: BOARD OF NURSING**

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60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1041
60-9-105	New	V. 10, p. 1041
60-9-106	New	V. 10, p. 1041
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 10, p. 1041
60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 10, p. 1043
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-1	Amended	V. 10, p. 1698
63-1-3	Amended	V. 10, p. 1698

63-1-12	Amended	V. 10, p. 1699
63-3-11	Amended	V. 10, p. 1700
63-3-17	Amended	V. 10, p. 1700
63-3-19	Amended	V. 10, p. 1700
63-3-20	Amended	V. 10, p. 1701
63-4-1	Amended	V. 10, p. 1701
63-6-1	Amended	V. 10, p. 1701

**AGENCY 67: BOARD OF HEARING AID EXAMINERS**

Reg. No.	Action	Register
67-3-4	New	V. 10, p. 887

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-7-10	Amended	V. 10, p. 1082
68-9-1	Amended	V. 10, p. 1083
68-11-1	Amended	V. 10, p. 216
68-20-15a	Amended	V. 10, p. 1084
68-20-18	Amended	V. 10, p. 1084
68-20-19	Amended	V. 10, p. 1085

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-2-7	Amended	V. 10, p. 840
74-4-6	Amended	V. 10, p. 841
74-5-2	Amended	V. 10, p. 841
74-5-403	Amended	V. 10, p. 842

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-26	Amended	V. 10, p. 1353

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-2-1	Amended	V. 10, p. 1242
81-3-1	Amended	V. 10, p. 1242
81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
81-5-8	Amended	V. 10, p. 1245
81-5-9	New	V. 10, p. 1440
81-6-1	Amended	V. 10, p. 173

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-101	Amended	V. 10, p. 887
82-3-307	Amended	V. 10, p. 976
82-3-600	Amended	V. 10, p. 890
82-3-600b	New	V. 10, p. 890
82-3-601	Revoked	V. 10, p. 891
82-3-601a	New	V. 10, p. 891
82-3-601b	New	V. 10, p. 891
82-3-602	Amended	V. 10, p. 891
82-3-605	New	V. 10, p. 892
82-4-1	Amended	V. 10, p. 1121
82-4-2	Amended	V. 10, p. 1121
82-4-3	Amended	V. 10, p. 1122
82-4-6a	Amended	V. 10, p. 1122
82-4-6b	Revoked	V. 10, p. 1122
82-4-6d	Amended	V. 10, p. 1122
82-4-19a	Revoked	V. 10, p. 1123
82-4-20	Amended	V. 10, p. 1123
82-4-27	Amended	V. 10, p. 1123
82-4-27a	Amended	V. 10, p. 1124
82-4-27c	Amended	V. 10, p. 1124

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-4	Amended	V. 10, p. 1466
86-1-5	Amended	V. 10, p. 531
86-1-11	Amended	V. 10, p. 1466
86-3-10	Amended	V. 10, p. 1467
86-3-21	Amended	V. 10, p. 1467

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-2-1	Amended	V. 10, p. 1467
88-2-2	Amended	V. 10, p. 1467
88-2-3	Amended	V. 10, p. 1467
88-2-4	Amended	V. 10, p. 1468
88-3-1	Amended	V. 10, p. 1468

(continued)

88-3-2	Amended	V. 10, p. 1508
88-3-3	Amended	V. 10, p. 1469
88-3-5	Amended	V. 10, p. 1469
88-3-8	Amended	V. 10, p. 1469
88-3-9	Amended	V. 10, p. 1469
88-3-10	Amended	V. 10, p. 1469
88-3-11	Amended	V. 10, p. 1469
88-3-12	Amended	V. 10, p. 1470

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-68	Revoked	V. 10, p. 1046
91-1-68a	New	V. 10, p. 1046
91-1-68b	New	V. 10, p. 1047
91-1-68c	New	V. 10, p. 1048
91-1-68d	New	V. 10, p. 1049
91-1-69	Revoked	V. 10, p. 1050
91-1-101b	Amended	V. 10, p. 1050
91-1-112a	Amended	V. 10, p. 1051
91-1-150	Amended	V. 10, p. 1051
91-10-1	Revoked	V. 10, p. 1051
91-10-1a	New	V. 10, p. 1052
91-12-22	Amended	V. 10, p. 1052
91-12-25	Amended	V. 10, p. 1055
91-12-51	Amended	V. 10, p. 1056
91-12-73	Amended	V. 10, p. 1056
91-31-7	Amended	V. 10, p. 686
91-35-1		
through		
91-35-4	New	V. 10, p. 909, 910
91-37-1		
through		
91-37-4	New	V. 10, p. 910, 911

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-55-2a	New	V. 10, p. 531, 587

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

Reg. No.	Action	Register
99-8-8	Amended	V. 10, p. 1322
99-8-9	Amended	V. 10, p. 1322
99-25-1	Amended	V. 10, p. 1322
99-25-2	Amended	V. 10, p. 1322
99-25-3	Amended	V. 10, p. 1322
99-30-2	Amended	V. 10, p. 1322
99-30-3	Amended	V. 10, p. 1323
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1		
through		
99-32-6	Revoked	V. 10, p. 1323

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 10, p. 653

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-2-7	Amended	V. 10, p. 1789
109-5-1	Amended	V. 10, p. 1789
109-5-4	New	V. 10, p. 1790
109-7-1	Amended	V. 10, p. 1790
109-8-1	Amended	V. 10, p. 1791
109-9-1	Amended	V. 10, p. 1791
109-9-4	Amended	V. 10, p. 1791
109-11-2	Amended	V. 10, p. 1792
109-11-6	Amended	V. 10, p. 1792
109-11-9	New	V. 10, p. 1792

**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
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	New	V. 8, p. 134
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881

111-2-14	New	V. 9, p. 30
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	New	V. 10, p. 881
111-2-19	New	V. 10, p. 882
111-3-1	Amended	V. 10, p. 1210
111-3-9	Amended	V. 8, p. 1085
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 10, p. 1014
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
111-3-19		
through		
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 10, p. 1211
111-3-21	Amended	V. 10, p. 882
111-3-22	Amended	V. 10, p. 882
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 10, p. 883
111-3-27	Amended	V. 10, p. 883
111-3-29	Amended	V. 10, p. 883
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 10, p. 1211
111-4-101	Amended	V. 10, p. 1211
111-4-102	Amended	V. 10, p. 1211
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 10, p. 1212
111-4-105	Amended	V. 10, p. 1410
111-4-106	Amended	V. 10, p. 1212
111-4-106a	Amended	V. 10, p. 1213
111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 10, p. 1213
111-4-111	Amended	V. 9, p. 1366
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153		
through		
111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177		
through		
111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213		
through		
111-4-220	Revoked	V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221		
through		
111-4-224	Revoked	V. 10, p. 1585
111-4-225		
through		
111-4-228	Revoked	V. 10, p. 1585
111-4-229		
through		
111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237		
through		
111-4-240	New	V. 9, p. 1678, 1679
111-4-241		
through		
111-4-244	New	V. 9, p. 1812
111-4-245		
through		
111-4-248	New	V. 10, p. 200

111-4-249		
through		
111-4-252	New	V. 9, p. 1813
111-4-253		
through		
111-4-256	New	V. 10, p. 530
111-4-257		
through		
111-4-280	New	V. 10, p. 755-759
111-4-257	Amended	V. 10, p. 1014
111-4-261	Amended	V. 10, p. 1014
111-4-262	Amended	V. 10, p. 1014
111-4-282		
through		
111-4-286	New	V. 10, p. 759
111-4-287		
through		
111-4-300	New	V. 10, p. 883-886
111-4-301		
through		
111-4-307	New	V. 10, p. 1015, 1016
111-4-308		
through		
111-4-320	New	V. 10, p. 1214, 1215
111-4-308	Amended	V. 10, p. 1472
111-4-311	Amended	V. 10, p. 1472
111-4-312	Amended	V. 10, p. 1472
111-4-322		
through		
111-4-331	New	V. 10, p. 1411-1413
111-4-332		
through		
111-4-335	New	V. 10, p. 1473
111-4-336		
through		
111-4-345	New	V. 10, p. 1526-1528
111-4-346		
through		
111-4-361	New	V. 10, p. 1586-1589
111-4-362		
through		
111-4-365	New	V. 10, p. 1723
111-4-362	Amended	V. 11, p. 13
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-11	Amended	V. 9, p. 505
111-5-17	Amended	V. 8, p. 211
111-5-18	Amended	V. 10, p. 13
111-5-19	Amended	V. 8, p. 212
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 10, p. 1474
111-6-3	Amended	V. 9, p. 200
111-6-4	Amended	V. 10, p. 1413
111-6-5	Amended	V. 10, p. 14
111-6-6	Amended	V. 10, p. 1474
111-6-9	Amended	V. 10, p. 1217
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-17	Revoked	V. 10, p. 1475
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 10, p. 1475
111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 9, p. 1569
111-7-11	Amended	V. 10, p. 1475
111-7-12		
through		
111-7-32	New	V. 7, p. 1194-1196
111-7-33		
through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44		
through		
111-7-54	New	V. 9, p. 1367-1370

111-7-46	Amended	V. 10, p. 1476
111-7-54	Amended	V. 10, p. 1476
111-7-55		
through		
111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64		
through		
111-7-75	New	V. 11, p. 13, 14
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5		
through		
111-8-13	New	V. 7, p. 1634
111-9-1		
through		
111-9-12	New	V. 7, p. 1714-1716
111-9-1		
through		
111-9-6	Revoked	V. 9, p. 1680
111-9-13		
through		
111-9-18	Revoked	V. 9, p. 1680
111-9-25		
through		
111-9-30	New	V. 9, p. 699, 700
111-9-31		
through		
111-9-36	New	V. 10, p. 262
111-9-37		
through		
111-9-48	New	V. 10, p. 1439, 1440
111-10-1		
through		
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

**AGENCY 112: KANSAS RACING COMMISSION**

Reg. No.	Action	Register
112-4-14b	New	V. 10, p. 162
112-4-21	New	V. 10, p. 162
112-6-1		
through		
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-6	Amended	V. 10, p. 165
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-41	Revoked	V. 10, p. 1494
112-9-41a	New	V. 10, p. 1494
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 10, p. 170
112-11-21	Amended	V. 10, p. 263, 531
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170
112-13-4	New	V. 10, p. 171
112-13-5	New	V. 10, p. 171
112-16-1		
through		
112-16-14	New	V. 10, p. 1316-1318

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-1-1	Amended	V. 10, p. 1818
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 10, p. 458
115-4-5	Amended	V. 10, p. 782
115-4-7	Amended	V. 10, p. 460
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-9	Amended	V. 10, p. 1820

115-12-3	New	V. 10, p. 1821
115-13-1		
through		
115-13-5	New	V. 10, p. 917-919
115-14-1		
through		
115-14-10	New	V. 10, p. 1441-1443
115-17-10		
through		
115-17-13	New	V. 10, p. 461, 462
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

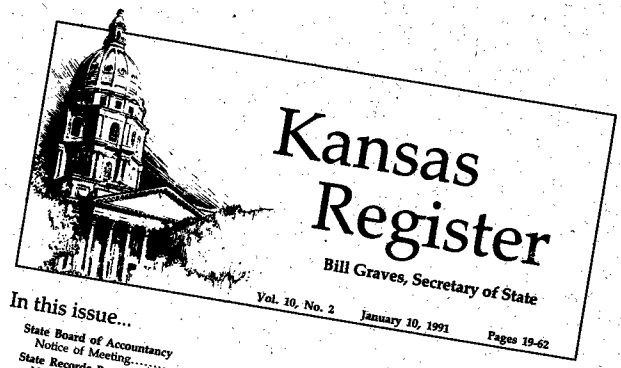
Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1		
through		
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 10, p. 916, 956
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956

**AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY**

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

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